

STATE OF IOWA  
1931

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# Journal of the House

OF THE

## Forty-fourth General Assembly

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REGULAR SESSION

CONVENED JANUARY 12, 1931

ADJOURNED APRIL 15, 1931

DAN W. TURNER, Governor

FRANCIS JOHNSON, Speaker of the House

ARCH W. MCFARLANE, President of the Senate

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## FORTY-FOURTH GENERAL ASSEMBLY

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### OFFICERS OF THE HOUSE

FRANCIS JOHNSON, Speaker of the House.....	Terril
REYBURN L. RUTLEDGE, Speaker Pro Tempore.....	Fort Dodge
SAM C. RAGAN, Chief Clerk.....	Sigourney
JOHN J. MONTGOMERY, Assistant Chief Clerk.....	Des Moines
H. A. SELFE, Reading Clerk.....	Des Moines
MABEL M. HOEYE, Special Assistant to Chief Clerk.....	Adel
BERT FORBES, Engrossing Clerk.....	Pocahontas
ANNA CLARK, Enrolling Clerk.....	Des Moines
ELEANOR MABEN, Assistant Enrolling Clerk.....	Mason City
MARGARET CANFIELD, Journal Clerk.....	Des Moines
MARGARET SANTEE, Assistant Journal Clerk.....	Cedar Falls
NEVA PRINGLE ASHTON, Assistant Journal Clerk.....	Ottumwa
VICTOR LINDQUIST, Bill Clerk.....	Chariton
JAMES R. HUFFMAN, Assistant Bill Clerk.....	Des Moines
CHARLES A. LINDENAU, File Clerk.....	Maquoketa
FRED SCHLACHTER, Assistant File Clerk.....	Rockwell City
LAURA E. HICKS, House Postmistress.....	Fairfield
OLEY NELSON, Sergeant-at-Arms.....	Slater
WALTER COOK, Assistant Sergeant-at-Arms.....	West Union
KATHRYN JOYCE, Speaker's Clerk.....	Des Moines
GEORGIA MILLER, Chief Clerk's Clerk.....	Des Moines

TO VICE PRESIDENT  
AT DES MOINES  
MAY 28 1911

## ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

Name	Office	Address
Dan W. Turner.....	Governor.....	Corning
Arch W. McFarlane.....	Lieutenant Governor.....	Waterloo
G. C. Greenwalt.....	Secretary of State.....	Des Moines
J. W. Long.....	Auditor of State.....	Ames
Ray E. Johnson.....	Treasurer of State.....	Muscatine
Mark G. Thornburg.....	Secretary of Agriculture.....	Emmetsburg
John Fletcher.....	Attorney General.....	Des Moines
Charles Webster.....	Railroad Commissioner.....	Waucoma
B. M. Richardson.....	Railroad Commissioner.....	Cedar Rapids
Fred P. Woodruff.....	Railroad Commissioner.....	Knoxville
Agnes Samuelson.....	Superintendent of Public Instruction.....	Shenandoah
William D. Evans.....	Judge of Supreme Court.....	Hampton
Truman S. Stevens.....	Judge of Supreme Court.....	Hamburg
E. G. Albert.....	Judge of Supreme Court.....	Jefferson
E. W. Morling.....	Judge of Supreme Court.....	Emmetsburg
Lawrence De Graff.....	Judge of Supreme Court.....	Des Moines
James W. Kindig.....	Judge of Supreme Court.....	Sioux City
Henry F. Wagner.....	Judge of Supreme Court.....	Sigourney
F. F. Faville.....	Judge of Supreme Court.....	Ft. Dodge
John M. Grimm.....	Judge of Supreme Court.....	Cedar Rapids

## MEMBERS OF THE HOUSE—FORTY-FOURTH GENERAL ASSEMBLY

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NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Aiken, John H.	Ida Grove	55	Farmer	Rep.	59	Ida	39 40 40X 41 42 42X 43
Allen, Byron G.	Pocahontas	29	Editor, Publisher	Rep.	77	Pocahontas	42 42X 43
Augustine, Fred D.	Benton	44	Lumber and Implements	Dem.	7	Ringgold	
Avery, A. H.	Spencer	60	Life Insurance	Rep.	83	Clay	
Babcock, J. F.	New Hampton	55	Farmer	Dem.	89	Chickasaw	
Bair, J. Park	Storm Lake	66	Farmer	Rep.	78	Buena Vista	42 42X 43
Bailew, Howard	Moulton	38	Farmer	Rep.	4	Appanoose	43
Beath, F. H.	Corning	58	Farmer	Rep.	13	Adams	
Berry, Henry S.	Albia	73	Farmer	Rep.	17	Monroe	39 40 40X 41 42 42X 43
Bonnstetter, A. H.	West Bend	38	Farmer	Dem.	85	Kossuth	
Brown, Ed. R.	Des Moines	54	Lawyer	Rep.	37	Polk	
Byers, Frank C.	Cedar Rapids	47	Lawyer	Rep.	48	Linn	43
Craven, J. E.	Kellogg	64	Farmer	Dem.	38	Jasper	36
Davis, Lawrence W.	Manchester	45	Farmer	Rep.	68	Delaware	
Dayton, C. O.	Washington	58	Internal Revenue Accountant	Rep.	23	Washington	43
Ditto, O. J.	Sibley	37	Abstract and Insurance	Dem.	98	Osceola	43
Donlon, P. H.	Ruthven	69	Farmer	Dem.	84	Palo Alto	
Drake, Roy	Richland	38	Banker	Dem.	24	Keokuk	
Drake, Theodore	Fruitland	59	Shipper	Rep.	42	Muscatine	
Durant, S. B.	Forest City	57	Farmer, Ex-Teacher	Rep.	86	Hancock	36
Elllott, Frank W.	Davenport	43	Radio Station Manager	Rep.	43	Scott	39 40 40X 43
Ellsworth, E. O.	Iowa Falls		Banking	Rep.	64	Hardin	43
Fabritz, Ernest H.	Ottumwa	35	Hardware and Implements	Dem.	18	Wapello	
Felter, Victor	Indianola	53	Farmer	Rep.	27	Warren	
Figgins, Geo. C.	Creston	62	Retired Farmer	Rep.	14	Union	43
Finnern, H. C.	Denison	53	Publisher	Dem.	56	Crawford	43
Forsling, Linus B.	Sioux City	40	Lawyer	Rep.	58	Woodbury	39 40 40X 41 42 43
Gallagher, J. P.	Williamsburg	68	Journalism	Dem.	40	Iowa	40 40X
Garrett, Harry F.	Corydon	43	Lawyer	Dem.	5	Wayne	
Gilmore, Wm. T.	Tipton		Retired Business Man	Rep.	44	Cedar	39 40 40X 42 42X 43
Gissel, Wm. H.	Independence	58	Farmer	Dem.	67	Buchanan	
Greaser, Lewis	Vinton	36	Farmer	Rep.	49	Benton	
Greene, Harry M.	Avoca	48	Farmer	Rep.	31	Pottawattamie	42 42X 43
Hansen, John T.	Davenport	72	Farmer	Rep.	43	Scott	37 38 40 40X 41 42 42X 43
Hansen, Peter	Audubon	45	Feed and Insurance	Rep.	34	Audubon	
Hanson, H. N.	Leland	54	Farmer	Rep.	95	Winnebago	41 42 42X 43
Hayes, Jas. N.	Dubuque	31	Insurance	Dem.	69	Dubuque	42X 43
Helgason, E. O.	Armstrong	58	Farmer	Rep.	96	Emmet	42X 43
Hesse, G. H.	Hartley	36	Farmer	Rep.	82	O'Brien	
Hollingsworth, Frank	Boone	57	Lawyer	Rep.	53	Boone	42 42X 43
Hollis, C. A.	Cedar Falls	63	Farmer	Rep.	66	Black Hawk	40 40X 41 42 42X 43
Hook, Chas. S.	New Market	66	Farmer	Dem.	8	Taylor	

MEMBERS OF THE HOUSE

Hopkins, Geo. M.	Guthrie Center	64	Farmer	Rep.	35	uthrie	42 42X 43
Hunt, Ralph R.	Oakville	51	Farmer	Rep.	22	Louisa	42 42X 43
Hush, Homer	Essex	41	Farmer	Rep.	12	Montgomery	43
Husted, O. E.	Truro	54	Farmer	Rep.	28	Madison	
Hutcheon, W. E. S.	Jefferson	34	Lawyer	Rep.	54	Greene	
Johnson, Francis	Terril	40	Farmer	Rep.	97	Dickinson	40 40X 41 42 42X 43
Johnson, J. H.	Knoxville	52	Lawyer	Rep.	26	Marion	41 42 42X 43
Kern, Geo. A.	Des Moines	30	Lawyer	Rep.	37	Polk	
Koch, Wm. W.	Waverly	44	Retired Merchant	Dem.	72	Bremer	
Kohler, Henry	Le Mars	57	Retired Farmer	Dem.	80	Plymouth	
Lamb, C. W.	Redfield	62	Farmer	Rep.	36	Dallas	43
Langland, Charles M.	Spr'g Grv., Min.	60	Farmer	Rep.	91	Winneshiek	
Laughlin, E. P.	Imogene	49	Farmer	Dem.	10	Fremont	42 42X
Lepley, Ellet	Beaman	61	Farmer	Dem.	65	Grundy	41
Lichty, E. M.	Waterloo	63	Farmer	Rep.	66	Black Hawk	40 40X 41 42 42X 43
Long, Wm. E.	Mason City	59	Physician	Rep.	87	Cerro Gordo	
McCaulley, Marion R.	Lake City	36	Lawyer	Rep.	61	Calhoun	41 42 42X 43
McCreery, D. R.	Alburnett	49	Farmer	Rep.	48	Linn	
McDermott, John	Bridgewater	72	Farmer	Dem.	29	Adair	43
McLain, Wm. J.	Brooklyn	64	Farmer and Stockman	Rep.	39	Poweshiek	
Malone, C. E.	Atlantic	49	Farmer	Dem.	30	Cass	
Mathews, Howard A.	Danville	64	Farmer	Rep.	21	Des Moines	40 40X 41 42 42X 43
Mayne, Geo. H.	Council Bluffs	39	Lawyer	Rep.	31	Pottawattamie	
Mead, F. D.	Cresco	60	Publisher	Dem.	92	Howard	
Miller, Geo. E.	Harlan	54	Farmer and Stockman	Dem.	33	Shelby	40 40X 41 42 42X 43
Millhone, Paul L.	Clarinda	37	Lawyer	Rep.	9	Page	
Morton, O. P.	Clarion	70	Farmer	Rep.	75	Wright	
Nelson, Fred W.	Nevada	44	Farmer	Rep.	52	Story	43
Nelson, N. M.	Cherokee	56	Farmer	Rep.	79	Cherokee	
O'Donnell, Geo.	Carroll	60	B. B. Carpenter	Dem.	55	Carroll	43
Orr, Creighton J.	Monona	45	Merchant	Rep.	70	Clayton	43
Osborn, Walter	Leon	52	Farmer	Dem.	6	Decatur	
Paisley, Wm.	Donnellson	64	Farmer	Dem.	1	Lee	
Pattiso, H.	Fairfield	62	Retired Farmer	Rep.	19	Jefferson	42 42X 43
Peaco, Milton	Clinton	54	Machinist	Dem.	45	Clinton	
Pendray, Carolyn C.	Maquoketa	49	Homemaker	Dem.	46	Jackson	43
Randall, Jas. L.	Chariton	53	Farmer	Rep.	16	Lucas	43
Randolph, S. F.	Bloomfield	59	Farmer	Dem.	3	Davis	
Ratliff, Z. S.	Mount Pleasant	68	Retired Farmer	Rep.	20	Henry	41 42 42X 43
Rawlings, Ed.	Onawa	59	Farmer	Dem.	57	Monona	43
Reed, I. M.	Oskaloosa	60	Auctioneer	Dem.	25	Mahaska	
Reimers, Otto J.	Rock Rapids	52	Farmer	Dem.	99	Lyon	41 42 42X 43
Roe, Ove T.	Waukon	43	Farmer	Dem.	90	Allamakee	
Rutledge, Reyburn L.	Fort Dodge	42	Farmer	Rep.	62	Webster	42 42X 43
Ryder, John	Dubuque		Real Estate	Dem.	69	Dubuque	41 42 42X 43
Rylander, John F.	Le Grand	45	Farmer	Rep.	51	Marshall	43
Shields, LeRoy	Grand River	50	Farmer	Rep.	15	Clarke	43
Short, Wallace M.	Sioux City	64	Editor	Rep.	58	Woodbury	
Simmer, Leonard	Ottumwa	40	Lawyer	Rep.	18	Wapello	42 42X 43
Snyder, Frank G.	Webster City	64	Auto Dealer	Rep.	63	Hamilton	

## MEMBERS OF THE HOUSE—FORTY-FOURTH GENERAL ASSEMBLY—Continued

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NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Sours, Roy J.	Charles City	47	Farmer	Rep.	88	Floyd	
Stanzel, Geo. C.	Sac City	65	Farmer	Rep.	60	Sac.	
Stiger, Carl B.	Toledo	47	Lawyer	Dem.	50	Tama	
Strachan, W. H.	Humboldt	55	Farmer	Rep.	76	Humboldt	
Tamislea, Hugh J.	Missouri Valley	32	Lawyer	Rep.	32	Harrison	
Te Paske, Anthony	Sioux Center	62	Lawyer	Rep.	81	Sioux	
Thiessen, J. H.	Camanche	60	Farmer	Dem.	45	Clinton	
Thompson, Thore	Wadena	52	Farmer	Rep.	71	Fayette	42 42X
Torgeson, S. R.	Joice	38	Banking	Rep.	94	Worth	42 42X 43
Van Buren, G. J.	Anamosa	48	Farmer	Rep.	47	Jones	43
Van Wert, G. E.	Hampton	50	Farmer	Rep.	74	Franklin	43
Wamstad, Brede	Osage	52	Farmer	Rep.	93	Mitchell	39 40 40X 42 42X 43
Watts, Stanley	Birmingham	36	Meat Market and Farmer	Dem.	2	Van Buren	
Wearin, Otha D.	Hastings	27	Farmer	Dem.	11	Mills	43
Whiting, Samuel D.	Iowa City	55	Attorney	Dem.	41	Johnson	42 43
Witt, Fred B.	Shell Rock	46	Lumber, Coal, Grain Dealer	Rep.	73	Butler	

MEMBERS OF THE HOUSE

# SENATORS—FORTY-FOURTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Anderson, C. E.	Stratford	44	Farmer	Rep.	27	Webster, Calhoun	40 40X 41 43
Balrd, W. S.	Council Bluffs	67	Lawyer, Banker	Rep.	19	Pottawattamie	39 40 40X 41 42 42X 43
Beatty, Frank M.	Sigourney	...	Lawyer	Rep.	12	Poweshiek, Keokuk	42 42X 43
Bennett, O. P.	Mapleton	36	Lawyer, Farmer, Stockman	Rep.	34	Crawford, Harrison, Monona	43
Benson, C. A.	Elkader	...	Farmer	Rep.	36	Clayton	41 42 42X 43
Bissell, Frank	Dexter	52	Farmer	Rep.	17	Dallas, Guthrie Audubon	43
Blackford, A. V.	Bonaparte	58	Merchant, Farmer, Banker	Rep.	2	Van Buren, Jefferson	41 42 42X 43
Booth, Chas. D.	Harlan	60	Business Man and Farmer	Rep.	18	Cass, Shelby	42 42X 43
Carden, Wm.	Winfield	54	Life Insurance	Rep.	10	Washington, Henry	42 42X 43
Carroll, H. B.	Bloomfield	49	Merchant	Rep.	3	Davis, Appanoose	43
Christophel, Geo. W.	Waverly	49	Farmer	Rep.	39	Bremer, Butler	41 42 42X 43
Clark, C. F.	Cedar Rapids	59	Lawyer	Rep.	26	Linn	38 39 40 40X 42X 43
Clark, E. W.	Mason City	54	Insurance	Rep.	43	Cerro Gordo, Franklin, Hancock	43
Clark, W. A.	Pleasantville	63	Farmer	Rep.	15	Marion, Monroe	41 42 42X 43
Clearman, Geo. M.	Oxford	60	Farmer	Rep.	25	Johnson, Iowa	41 42 42X 43
Cochrane, William	Red Oak	63	Manufacturer, Banker	Rep.	8	Mills, Montgomery	42X 43
Cole, C. G.	Greeley	38	Banker, Farmer	Rep.	33	Buchanan, Delaware	41 42 42X 43
Cooney, Matt. D.	Dubuque	45	Lawyer	Dem.	35	Dubuque	43
Coykendall, Frank I.	Shubandoah	52	Farmer	Rep.	7	Page, Fremont	43
Doran, L. H.	Boone	37	Lawyer	Rep.	31	Boone, Story	43
Frailey, Joseph R.	Ft. Madison	54	Lawyer	Rep.	1	Lee	36 37 38 39 42 42X 43
Gunderson, O. E.	Forest City	55	Farmer, Banker	Rep.	41	Mitchell, Winnebago, Worth	41 42 42X 43
Hager, J. H.	Waukon	59	Farmer, Auto Dealer	Rep.	40	Allamakee, Fayette	41 42 42X 43
Hicklin, Edwin R.	Wapello	35	Lawyer	Rep.	20	Muscatine, Louisa	41 42 42X 43
Hill, Lafe	Nora Springs	64	Editor, Publisher	Rep.	44	Chickasaw, Floyd	41 42 42X 43
Ickis, Frank D.	Creston	57	Farmer	Rep.	5	Ringgold, Decatur, Union	42 42X 43
Irwin, H. L.	DeWitt	33	Lawyer	Dem.	22	Clinton	43
Kent, John W.	Chariton	61	Farmer	Rep.	4	Lucas, Wayne	41 42 42X 43
Kimberly, D. W.	Davenport	52	Retired Farmer	Rep.	21	Scott	36 37 38 39 40 40X 41 42 42X 43
Klemme, William H.	Ridgeway	81	...	Rep.	42	Winnesiek, Howard	25 26 27 42 42X 43
Knudson, Irving H.	Ellsworth	34	Insurance, Real Estate, Auct.	Rep.	37	Hamilton, Hardin, Wright	41 42 42X 43
Langftt, John N.	Greenfield	64	Farmer	Rep.	16	Adair, Madison	37 38 41 42 42X 43
Leonard, Arthur	Corning	62	Farmer	Rep.	6	Taylor, Adams	40 40X 41 43
Lowe, Wesley C.	Weldon	55	Farmer, Stockman	Rep.	11	Warren, Clarke	43
MacDonald, Lew	Cherokee	46	Lawyer	Rep.	46	Cherokee, Ida, Plymouth	43
McLeland, Wm. E.	Marshalltown	63	Farmer	Rep.	28	Marshall	41 42 42X 43
Moen, T. E.	Inwood	60	Farmer	Rep.	49	Lyon, Osceola, O'Brien, Sioux	38 39 40 40X 42X 43

# SENATORS—FORTY-FOURTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Myers, O. P.	Newton	74	Lawyer.	Dem.	29	Jasper.	
Patterson, Geo. W.	Burt	43	Farmer.	Rep.	47	Kossuth, Emmet, Palo Alto, Clay, Dickinson	40 40X 41 42 42X 43
Quirk, L. T.	Wall Lake	56	Farmer.	Rep.	48	Carroll, Greene, Sac	40 40X 41 42 42X
Rigby, Chas. L.	Stanwood	56	Farmer.	Rep.	24	Jones, Cedar.	41 42 42X 43
Ritchie, W. B.	Marathon	63	Farmer, Auctioneer.	Rep.	50	Buena Vista, Humboldt, Pocahontas.	
Stanley, F. C.	Oskaloosa	49	College Professor.	Rep.	14	Mahaska.	41 42 42X 43
Stevens, Roy E.	Ottumwa	53	Merchant, Dairy Farming.	Dem.	13	Wapello.	
Stoddard, Bertel M.	Sloan	60	Farmer.	Rep.	32	Woodbury.	38 39 40 40X 41 42 42X 43
Tabor, Geo. W.	Baldwin	69	Farmer, Stockman.	Dem.	23	Jackson	43
Topping, Clyde H.	Burlington	46	Real Estate.	Rep.	9	Des Moines.	42 42X 43
Wenner, Edw. J.	Waterloo	50	Lawyer.	Rep.	38	Black Hawk, Grundy.	
White, H. C.	Vinton	60	Farmer, Banker.	Dem.	45	Benton, Tama.	34 35 36 37 38 39 40 40X 41
Wilson, Geo. A.	Des Moines	46	Lawyer.	Rep.	30	Polk.	42 42X 43

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 12, 1931.

Pursuant to the law, the House of Representatives of the Forty-fourth General Assembly of Iowa convened at 10:00 o'clock a. m., Monday, January 12, 1931.

The House was called to order by Brown of Polk.

Prayer was offered by Harry C. Shiffer, Highland Park Presbyterian Church, Des Moines.

Rutledge of Webster moved that Hollingsworth of Boone be elected temporary Speaker.

Motion prevailed.

Nelson of Story moved that a committee of two be appointed to escort the temporary Speaker to the chair.

The motion prevailed and the following committee was appointed: Nelson of Story and Hutcheon of Greene.

Mr. Hollingsworth was escorted to the chair and was sworn in by Acting Chief Clerk, A. C. Gustafson.

Temporary Speaker Hollingsworth in the chair.

## TEMPORARY OFFICERS OF THE HOUSE

Hanson of Winnebago moved that the following named persons be elected temporary officers of the House:

Assistant Chief Clerk, John Montgomery, Des Moines.

Reading Clerk, H. A. Selfe, Des Moines.

Engrossing Clerk, Bert Forbes, Pocahontas.

Special Assistant to the Chief Clerk, Mabel M. Hoeye, Adel.

Enrolling Clerk, Anna Clark, Des Moines.

Assistant Enrolling Clerk, Eleanor Maben, Mason City.

Journal Clerk, Margaret Canfield, Des Moines.



Assistant Journal Clerk, Margaret Santee, Cedar Falls.  
Assistant Journal Clerk, Neva Pringle Ashton, Ottumwa.  
Sergeant-at-Arms, Oley Nelson, Slater.  
Assistant Sergeant-at-Arms, Walter Cook, West Union.  
Bill Clerk, Victor Lindquist, Chariton.  
File Clerk, Chas. Lindenau, Maquoketa.  
Assistant File Clerk, Fred Schlachter, Rockwell City.  
Assistant Bill Clerk, James R. Huffman, Des Moines.  
Postmistress, Laura E. Hicks, Fairfield.  
Clerk for Enrolled Bills, Mary Peterson, Des Moines.

Doorkeepers, W. D. Wallace, Des Moines; Lawrence Gustafson, Des Moines; A. G. Reichardt, Corning; Geo. P. Hamilton, Des Moines; Fred T. Bahner, Des Moines; James Hamilton, What Cheer; A. J. Crail, Des Moines; Carl W. Aschan, Des Moines; E. D. Rigdon, Des Moines; Karl M. Ringland, Albia; O. N. Styre, Lake Mills; Guy W. George, Des Moines.

Chief Janitor, Henry McCraven, Des Moines.

Assistant Janitors, Orville Johnson, Sioux City; Abner Stewart, Council Bluffs; Leonard Lewis, Centerville; Geo. Hull, Albia; Chas. Wilson, Ottumwa.

Assistant Electrician, Sid Harvey.

Pages, Stanley Forcht, Guthrie Center; Harry Miller, Ames; Paul Gray, Des Moines; Vernon Lawson, Boone; Arthur Figgins, Pocahontas; Geo. Heggen, Jr., Des Moines; James Schroeder, Des Moines; Keith Simmer, Ottumwa.

Special Page, Charles W. Dugan, Des Moines.

Telephone Messengers, Al Friedman, Des Moines; Jack Leaverton, Des Moines.

Motion prevailed.

The above named temporary officers assembled at the desk and took and subscribed to the following oath:

I do solemnly swear that I will support the Constitution of the United States and 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.

#### CREDENTIALS OF THE MEMBERS

Hush of Montgomery moved that a committee of three on credentials be appointed and that the accredited list of the Secretary of State be accepted.

Motion prevailed and the following committee was appointed: Hush of Montgomery, Elliott of Scott, and Hayes of Dubuque.

The committee retired, and, upon returning, presented the following report:

#### REPORT OF THE COMMITTEE

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

*To the Honorable Speaker of the House:*

I, G. C. Greenwalt, Secretary of State of the State of Iowa, Keeper and Custodian of the Election Records,

Do hereby certify that the attached list hereto attached is a correct list of the Representatives as shown by our records elected at the General Election November 4th, 1930.

In testimony whereof I have hereunto set my hand and affixed my official seal this 12th day of January, A. D. 1931.

G. C. GREENWALT, *Secretary of State.*

John H. Aiken, Ida Grove, Fifty-ninth District.  
Byron G. Allen, Pocahontas, Seventy-seventh District.  
Fred D. Augustine, Benton, Seventh District.  
A. H. Avery, Spencer, Eighty-third District.  
J. F. Babcock, New Hampton, Eighty-ninth District.  
J. Park Bair, Storm Lake, Seventy-eighth District.  
Howard Ballew, Moulton, Fourth District.  
F. H. Beath, Corning, Thirteenth District.  
Henry S. Berry, Albia, Seventeenth District.  
A. H. Bonstetter, West Bend, Eighty-fifth District.  
Ed. R. Brown, Des Moines, Thirty-seventh District.  
Frank C. Byers, Cedar Rapids, Forty-eighth District.  
J. E. Craven, Kellogg, Thirty-eighth District.  
Lawrence W. Davis, Manchester, Sixty-eighth District.  
C. O. Dayton, Washington, Twenty-third District.  
O. J. Ditto, Sibley, Ninety-eighth District.  
P. H. Donlon, Ruthven, Eighty-fourth District.  
Roy Drake, Richland, Twenty-fourth District.  
Theodore Drake, Fruitland, Forty-second District.  
S. B. Durant, Forest City, Eighty-sixth District.  
Frank W. Elliott, Davenport, Forty-third District.  
E. O. Ellsworth, Iowa Falls, Sixty-fourth District.  
Ernest H. Fabritz, Ottumwa, Eighteenth District.  
Victor Felter, Indianola, Twenty-seventh District.  
George C. Figgins, Creston, Fourteenth District.  
H. C. Finnern, Denison, Fifty-sixth District.  
Limus B. Forsling, Sioux City, Fifty-eighth District.

J. P. Gallagher, Williamsburg, Fortieth District.  
Harry F. Garrett, Corydon, Fifth District.  
William T. Gilmore, Tipton, Forty-fourth District.  
William H. Gissel, Independence, Sixty-seventh District.  
Lewis Greaser, Vinton, Forty-ninth District.  
Harry M. Greene, Avoca, Thirty-first District.  
John T. Hansen, Davenport, Forty-third District.  
Peter Hansen, Audubon, Thirty-fourth District.  
H. N. Hanson, Leland, Ninety-fifth District.  
Jas. N. Hayes, Dubuque, Sixty-ninth District.  
E. O. Helgason, Armstrong, Ninety-sixth District.  
G. H. Hesse, Hartley, Eighty-second District.  
Frank Hollingsworth, Boone, Fifty-third District.  
C. A. Hollis, Cedar Falls, Sixty-sixth District.  
Chas. S. Hook, New Market, Eighth District.  
Geo. M. Hopkins, Guthrie Center, Thirty-fifth District.  
Ralph R. Hunt, Oakville, Twentieth District.  
Homer Hush, Essex, Twelfth District.  
O. E. Husted, Truro, Twenty-eighth District.  
W. E. S. Hutcheon, Jefferson, Fifty-fourth District.  
Francis Johnson, Terril, Ninety-seventh District.  
J. H. Johnson, Knoxville, Twenty-sixth District.  
Geo. A. Kern, Des Moines, Thirty-seventh District.  
Wm. W. Koch, Waverly, Seventy-second District.  
Henry Kohler, Le Mars, Eightieth District.  
C. W. Lamb, Redfield, Thirty-sixth District.  
Charles M. Langland, Spring Grove, Minn., Ninety-first District.  
E. P. Laughlin, Imogene, Tenth District.  
Ellet Lepley, Beaman, Sixty-fifth District.  
E. M. Lichty, Waterloo, Sixty-sixth District.  
Wm. E. Long, Mason City, Eighty-seventh District.  
Marion R. McCaulley, Lake City, Sixty-first District.  
D. R. McCreery, Alburnett, Forty-eighth District.  
John McDermott, Bridgewater, Ninth District.  
William J. McLain, Brooklyn, Thirty-ninth District.  
C. E. Malone, Atlantic, Thirtieth District.  
Howard A. Mathews, Danville, Twenty-first District.  
Geo. H. Mayne, Council Bluffs, Thirty-first District.  
F. D. Mead, Cresco, Ninety-second District.  
Geo. E. Miller, Harlan, Thirty-third District.  
Paul L. Millhone, Clarinda, Ninth District.  
O. P. Morton, Clarion, Seventy-fifth District.  
Fred W. Nelson, Nevada, Fifty-second District.  
N. M. Nelson, Cherokee, Seventy-ninth District.  
Geo. O'Donnell, Carroll, Fifty-fifth District.  
Creighton J. Orr, Monona, Seventieth District.  
Walter Osborn, Leon, Sixth District.  
Wm. Paisley, Donnellson, First District.  
H. C. Pattison, Fairfield, Nineteenth District.

Milton Peaco, Clinton, Forty-fifth District.  
Carolyn C. Pendray, Maquoketa, Forty-sixth District.  
Jas. L. Randall, Chariton, Sixteenth District.  
S. F. Randolph, Bloomfield, Third District.  
Z. S. Ratliff, Mount Pleasant, Twentieth District.  
Ed Rawlings, Onawa, Fifty-seventh District.  
I. M. Reed, Oskaloosa, Twenty-fifth District.  
Otto J. Reimers, Rock Rapids, Ninety-ninth District.  
Ove T. Roe, Waukon, Ninetieth District.  
Reyburn L. Rutledge, Fort Dodge, Sixty-second District.  
John Ryder, Dubuque, Sixty-ninth District.  
John F. Rylander, Le Grand, Fifty-first District.  
LeRoy Shields, Grand River, Fifteenth District.  
Wallace M. Short, Sioux City, Forty-eighth District.  
Leonard Simmer, Ottumwa, Eighteenth District.  
Frank G. Snyder, Webster City, Sixty-third District.  
Roy J. Sours, Charles City, Eighty-eighth District.  
Geo. C. Stanzel, Sac City, Sixtieth District.  
Carl B. Stiger, Toledo, Fiftieth District.  
W. H. Strachan, Humboldt, Seventy-sixth District.  
Hugh J. Tamisiea, Missouri Valley, Thirty-second District.  
Anthony Te Paske, Sioux Center, Eighty-first District.  
J. H. Thiessen, Camanche, Forty-fifth District.  
Thore Thompson, Wadena, Seventy-first District.  
S. R. Torgeson, Joice, Ninety-fourth District.  
G. J. Van Buren, Anamosa, Forty-seventh District.  
G. E. Van Wert, Hampton, Seventy-fourth District.  
Brede Wamstad, Osage, Ninety-third District.  
Stanley Watts, Birmingham, Second District.  
Otha D. Wearin, Hastings, Eleventh District.  
Samuel D. Whiting, Iowa, City, Forty-first District.  
Fred B. Witt, Shell Rock, Seventy-third District.

Contests of election have been filed in the following cases:

In the Seventeenth District by Roy Maneor against Henry S. Berry incumbent to whom a certificate of election has been issued and delivered.

In the Ninety-eighth District by H. C. Hattendorf against O. J. Ditto, incumbent, to whom a certificate of election has been issued and delivered.

In the Eighteenth District by L. W. Hall against Ernest H. Fabritz to whom no certificate of election has been issued and delivered.

In the Fortieth District by L. W. Hatter against J. P. Gallagher to whom no certificate has been issued and delivered.

Respectfully submitted,

HOMER HUSH, *Chairman,*  
FRANK W. ELLIOTT,  
JAMES N. HAYES,  
*Committee.*

The report of the committee was, on motion of Mr. Hush adopted.

Elliott of Scott moved that all members holding certificates of election be seated.

Motion prevailed.

#### MEMBERS' OATH OF OFFICE

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

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

J. N. Hayes  
Walter Osborn  
Geo. E. Miller  
Howard Ballew  
Geo. A. Kern  
Ed Rawlings  
John Ryder  
Roy Drake  
E. P. Laughlin  
J. F. Babcock  
Ellet Lepley  
George O'Donnell  
J. H. Thiessen  
Lewis Greaser  
Carolyn C. Pendray  
S. F. Randolph  
C. S. Hook  
F. H. Beath  
Wm. E. Long  
O. P. Morton  
C. O. Dayton  
Hugh J. Tamisiea  
Carl B. Stiger  
Otto J. Reimers  
F. D. Augustine  
Ove T. Roe  
Paul L. Millhone  
Wallace M. Short  
Fred W. Nelson  
H. C. Finner  
John F. Rylander  
D. R. McCreery  
S. R. Torgeson  
H. N. Hansen  
W. E. S. Hutcheon  
LeRoy Shields  
J. E. Craven  
G. E. Van Wert  
Wm. W. Koch

C. A. Hollis  
I. M. Reed  
W. J. McLain  
Fred B. Witt  
C. E. Malone  
A. H. Avery  
C. H. Donlon  
Marion R. McCaulley  
O. E. Husted  
Harry F. Garrett  
John T. Hansen  
George C. Stanzel  
Roy J. Sours  
Leonard Simmer  
G. H. Hesse  
W. H. Strachan  
Homer Hush  
Anthony TePaske  
Harry M. Greene  
Geo. H. Mayne II  
S. B. Durant  
Peter Hansen  
E. M. Lichty  
Howard A. Mathews  
C. W. Lamb  
Victor Felter  
A. H. Bonnstetter  
Frank G. Snyder  
Frank Hollingsworth  
J. H. Johnson  
H. Kohler  
Brede Wamstad  
F. D. Mead  
Z. S. Ratliff  
Milton Peaco  
R. L. Rutledge  
E. O. Ellsworth  
Wm. Paisley  
Ed. R. Brown

Samuel D. Whiting  
Otha D. Wearin  
G. J. Van Buren  
E. O. Helgason  
C. M. Langland  
Byron G. Allen  
Wm. T. Gilmore  
Geo. C. Figgins  
Ralph R. Hunt  
O. J. Ditto  
James L. Randall  
N. M. Nelson  
H. C. Pattison  
Frank W. Elliott  
John H. Aiken

Francis Johnson  
Creighton J. Orr  
J. Park Bair  
Stanley Watts  
Thore Thompson  
Geo. M. Hopkins  
H. S. Berry  
John McDermott  
W. H. Gissel  
J. E. Craven  
Frank C. Byers  
L. B. Forsling  
Theodore Drake  
L. W. Davis

### ELECTION OF SPEAKER

Simmer of Wapello presented the name of Hon. Francis Johnson of Dickinson county, as candidate for Speaker of the House of Representatives, preceding such nomination with the following remarks:

GENTLEMEN: I desire to place in nomination the name of Hon. F. Johnson of Dickinson County as Speaker of the Forty-fourth General Assembly.

We come together with definite instructions from the voters of Iowa to do a given piece of work, that of revising our tax laws. Everything else pales into insignificance and it is most fitting that the foremost and most ardent advocate of that tax program should be chosen to guide the proceedings of this body in the carrying out of that program. Francis Johnson, long before most of us were ready to undertake the task of tax revision, was introducing bills to that end. At a time when to mention an income tax, was to be branded as a radical, he was signing his name to income tax bills, and so I say, Gentlemen, it is most befitting now that the rest of us have caught up to his vision, that he be given the position of honor that is justly due him.

That fact was one of the controlling factors that caused me at 3:00 last Saturday morning, to forego my own ambition, and accede to the granting of this honor to Francis Johnson. I am glad I did it.

Now Gentlemen, sometimes in the heat of battle bitter things are said, hostile feelings are aroused, but now that the battle is over, our people expect us to be as big as the trust they have imposed on us. Let us lay aside our personal differences and let us unite back of the chosen leader and work for the good of Iowa.

What we accomplish in this, the Forty-fourth General Assembly, depends wholly on the spirit with which we enter upon the task before us and upon the co-operation we give our leader.

Gentlemen, again I place in nomination the name of Francis Johnson as Speaker of the Forty-fourth General Assembly.

Elliott of Scott seconded the nomination of Mr. Johnson.

Wearin of Mills presented the name of Hon. Otto J. Reimers of

Lyon county as candidate for Speaker of the House of Representatives, preceding such nomination with the following remarks:

MR. CHAIRMAN AND MEMBERS OF THE FORTY-FOURTH GENERAL ASSEMBLY: When a General Assembly of Iowa convenes we can well believe the words of Thomas Huxley when he said, "Politics and religion are the most important things in life." No less than one of those elements appears to be uppermost in the affairs of those who have gathered to formulate the laws of so great a commonwealth as Iowa.

In every such assembly at least two if not more schools of political thought are represented and rightly so. The very form of the American government has made necessary the development of such units that they might serve as vehicles for transporting the state toward a goal of more pronounced perfection. Throughout the brief span of years that have marked the history of this nation experience has taught us, while we sometimes bent our backs beneath the flail of inefficiency, that the existence and the expressions of at least two schools of political thought on a plane of variable fortunes have inevitably served as a stabilizer in the vessel of Americanism.

In the light of such political experience that has come down to us through more than a century and a half of enterprise and that is to be found upon every hand to-day in the annals of surrounding commonwealths it is a satisfaction to note sufficient strength in a minority school of thought in an Iowa Assembly to warrant the selection of a candidate for Speaker of the House from their number.

It seems peculiarly fitting and proper that such a selection should be from the ranks of those who are closely identified with the soil for in Iowa we pride ourselves upon our farms and upon our farmers.

We have followed in the well defined furrow of precedent in selecting a man who has long been in the service of the legislation, having been four times elected to the Iowa Assembly, twice without opposition, in a district where political faith of opposite views has usually prevailed.

The necessity for variations in political thought in order that we may have efficiency in government and the ableness of the candidate who has an enviable economic and political background, leaves a feeling of pride and satisfaction in the minds of the minority group when they present their candidate to the members of the Forty-fourth General Assembly.

Mr. Chairman, I nominate the man of whom I have been speaking for Speaker of the House, Hon. Otto J. Reimers of Lyons County.

OTHA D. WEARIN.

Stiger of Tama seconded the nomination of Mr. Reimers.

The roll being called those voting for Mr. Johnson were 68.

Aiken  
Allen  
Avery

Bair  
Ballew  
Beath

Berry  
Brown  
Byers

Davis  
Dayton

Drake of	Hesse	McCreery	Short
Muscatine	Hollingsworth	McLain	Simmer
Durant	Hollis	Mathews	Snyder
Elliott	Hopkins	Mayne	Sours
Ellsworth	Hunt	Millhone	Stanzel
Felter	Hush	Morton	Strachan
Figgins	Husted	Nelson of	Tamisiea
Forsling	Hutcheon	Cherokee	TePaske
Gilmore	Johnson of	Nelson of Story	Thompson
Greaser	Marion	Orr	Torgeson
Hansen of	Kern	Pattison	Van Buren
Audubon	Lamb	Randall	Van Wert
Hansen of Scott	Langland	Ratliff	Wamstad
Hanson of	Lichty	Rutledge	Witt
Winnebago	Long	Rylander	
Helgason	McCauley	Shields	

Those voting for Mr. Reimers were, 34.

Augustine	Garrett	McDermott	Reed
Babcock	Gissel	Malone	Roe
Bonnstetter	Greene	Mead	Ryder
Craven	Hayes	Osborn	Stiger
Ditto	Hook	Paisley	Thiessen
Donlon	Koch	Peaco	Watts
Drake of	Kohler	Pendray	Wearin
Keokuk	Laughlin	Randolph	Whiting
Finnern	Lepley	Rawlings	

Absent or not voting, 4.

Johnson of	Miller	O'Donnell	Reimers
Dickinson			

The Hon. Francis Johnson of Dickinson county, having received a majority of all the votes cast for the office of Speaker and a majority of the votes of the members of the House of Representatives, was declared elected Speaker of the House of Representatives of the Forty-fourth General Assembly.

Forsling of Woodbury moved that a committee of two be named to escort the Speaker to the chair.

Motion prevailed, and the following committee was named: Forsling of Woodbury and Reimers of Lyon.

Mr. Johnson was escorted to the Speaker's station, and upon being sworn assuming the chair, made the following remarks:

HONORABLE MEMBERS OF THE HOUSE: It is with a feeling of the deepest gratitude mingled with an overwhelming sense of responsibility that I accept this trust.

Although the General Assembly of Iowa has met in regular session



forty-three times I doubt if ever it faced more complex problems with urgent need of immediate solution.

Not least among these are the necessity of prudent expenditure of public funds and the equitable distribution of that portion of the tax burden which we still find necessary for the proper exercise of governmental functions.

To the solution of these and all other issues I pledge my earnest endeavor and solicit your suggestions and friendly criticism.

Early introduction of necessary measures and prompt and careful consideration by committees is essential that we may be able to complete our work in the usual allotted time. It is my purpose to accord to each of you equal privilege and consideration in our deliberations.

Let us be earnest and diligent in our endeavors that the state may be proud of the record we make here.

I thank you for elevating me to this position among you and assure you I deeply appreciate the honor.

Speaker Johnson in the chair.

Berry of Monroe moved that Sam C. Ragan be elected the permanent Chief Clerk of the House.

Motion prevailed, and Mr. Ragan was declared elected permanent Chief Clerk.

Mr. Ragan 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.

#### ELECTION OF PERMANENT OFFICERS

Wamstad of Mitchell moved that the list of temporary officers be made permanent.

Motion prevailed and the temporary officers as designated were declared elected as permanent officers of the House.

#### ADOPTION OF TEMPORARY RULES

Rutledge of Webster moved that the rules of the Forty-third General Assembly be in full force and effect until the report of the committee on rules has been adopted.

Motion prevailed.

Ellsworth of Hardin moved that a committee of three be ap-

pointed to notify the Governor that the House is duly organized and ready to receive any communication that he may desire to transmit.

Motion prevailed and the following committee was appointed: Ellsworth of Hardin, Tamisiea of Harrison, and Augustine of Ringgold.

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

Motion prevailed and the following committee was appointed: Orr of Clayton, Witt of Butler and Garrett of Decatur.

Simmer of Wapello moved that the temporary seating of L. W. Hall or Ernest H. Fabritz of Wapello county, and of L. W. Hatter or J. P. Gallagher of Iowa county be deferred and a committee of five be appointed in each case to report to the House not later than Tuesday, January 20, 1931.

Whiting of Johnson moved as a substitute for the motion offered by Simmer of Wapello that J. P. Gallagher of Iowa county and Ernest H. Fabritz of Wapello be seated pending the contest.

McCaulley of Calhoun moved the previous question on the motion to substitute and on the original motion.

Motion prevailed.

Elliott of Scott moved that the motion to substitute be laid on the table until Tuesday morning, January 20, 1931.

Greene of Pottawattamie raised the point of order that the motion to lay on the table is out of order after the previous question had been ordered.

Speaker Johnson held the point not well taken.

Torgeson of Worth moved that the House adjourn until 1:30 p. m. today.

Motion lost.

On the question, "Shall the motion to substitute be laid on the table?" a roll call was demanded.

The ayes were, 6.

Avery  
Byers

Ellsworth  
Orr

Sours

Stanzel

The nays were, 95.

Aiken	Greaser	Lichty	Reimers
Allen	Greene	Long	Roe
Augustine	Hansen of	McCaulley	Rutledge
Babcock	Audubon	McCreery	Ryder
Bair	Hansen of Scott	McDermott	Rylander
Ballew	Hanson of	McLain	Shields
Beath	Winnebago	Malone	Short
Berry	Hayes	Mathews	Snyder
Bonnstetter	Helgason	Mayne	Stiger
Brown	Hesse	Mead	Strachan
Craven	Hollingsworth	Millhone	Tamisiea
Davis	Hollis	Miller	TePaske
Dayton	Hook	Morton	Thiessen
Ditto	Hopkins	Nelson of	Thompson
Donlon	Hunt	Cherokee	Torgeson
Drake of Keokuk	Hush	Nelson of Story	Van Buren
Drake of	Husted	O'Donnell	Van Wert
Muscatine	Hutcheon	Osborn	Wamstad
Durant	Johnson of	Paisley	Watts
Felter	Marion	Pattison	Wearin
Figgins	Kern	Peaco	Whiting
Finnern	Koch	Pendray	Witt
Forsling	Kohler	Ratliff	Mr. Speaker
Garrett	Langland	Rawlings	
Gilmore	Laughlin	Reed	
Gissel	Lepley		

Absent or not voting, 5.

Elliott

Lamb

Randall

Randolph  
Simmer

Motion to lay on the table lost.

Simmer of Wapello moved that the vote by which the previous question was ordered be reconsidered.

Motion lost.

On the question, "Shall the motion offered by Whiting of Johnson be substituted for the motion by Mr. Simmer?" a roll call was demanded.

The ayes were, 41.

Augustine	Felter	Laughlin	Pendray
Babcock	Finnern	Lepley	Randolph
Bonnstetter	Garrett	Mead	Rawlings
Craven	Gissel	Millhone	Reed
Ditto	Greaser	Miller	Reimers
Donlon	Greene	O'Donnell	Roe
Drake of Keokuk	Hansen of Scott	Osborn	Ryder
Drake of	Hayes	Paisley	Short
Muscatine	Hook	Peaco	Snyder

Stiger  
Thiessen

Torgeson  
Watts

Wearin

Whiting

The nays were, 60.

Aiken  
Allen  
Avery  
Bair  
Ballew  
Beath  
Berry  
Brown  
Byers  
Dayton  
Durant  
Elliott  
Ellsworth  
Figgins  
Forsling  
Gilmore

Hansen of  
Audubon  
Hanson of  
Winnebago  
Helgason  
Hesse  
Hollingsworth  
Hollis  
Hopkins  
Hush  
Husted  
Hutcheon  
Johnson of  
Marion  
Kern  
Kohler

Lamb  
Langland  
Lichty  
Long  
McCaulley  
McCreery  
McLain  
Malone  
Mathews  
Mayne  
Morton  
Nelson of  
Cherokee  
Nelson of Story  
Orr  
Pattison

Randall  
Ratliff  
Rutledge  
Rylander  
Shields  
Sours  
Stanzel  
Strachan  
Tamsiea  
TePaske  
Thompson  
Van Buren  
Van Wert  
Wamstad  
Witt  
Mr. Speaker

Absent or not voting, 4.

Davis

Hunt

McDermott

Simmer

Motion to substitute lost.

On the question, "Shall the motion offered by Simmer of Wapello be adopted?" a roll call was demanded.

The ayes were, 59.

Avery  
Bair  
Beath  
Berry  
Brown  
Byers  
Davis  
Dayton  
Durant  
Elliott  
Ellsworth  
Felter  
Forsling  
Gilmore  
Hansen of  
Audubon

Hansen of Scott  
Hanson of  
Winnebago  
Helgason  
Hesse  
Hollingsworth  
Hollis  
Hopkins  
Hush  
Husted  
Hutcheon  
Johnson of  
Marion  
Kern  
Lamb  
Langland

Lichty  
Long  
McCaulley  
McCreery  
McLain  
Mathews  
Morton  
Nelson of  
Cherokee  
Nelson of Story  
Orr  
Pattison  
Randall  
Ratliff  
Rutledge  
Rylander

Shields  
Short  
Simmer  
Snyder  
Sours  
Stanzel  
Strachan  
Tamsiea  
TePaske  
Thompson  
Van Buren  
Van Wert  
Wamstad  
Witt  
Mr. Speaker

The nays were, 42.

Aiken  
Allen  
Augustine  
Ballew  
Bonnstetter  
Craven  
Ditto  
Donlon  
Drake of Keokuk

Drake of  
Muscatine  
Finnern  
Garrett  
Gissel  
Greaser  
Greene  
Hayes  
Hook

Hunt  
Koch  
Kohler  
Laughlin  
Lepley  
Malone  
Mayne  
Mead  
Millhone

Miller  
O'Donnell  
Osborn  
Paisley  
Peaco  
Pendray  
Randolph  
Rawlings  
Reed

Reimers  
Roe  
Ryder

Stiger  
Thiessen

Torgeson  
Watts

Wearin  
Whiting

Absent or not voting, 3.

Babcock

Figgins

McDermott

Motion prevailed.

Rutledge of Webster offered the following Concurrent Resolution:

#### HOUSE CONCURRENT RESOLUTION NO. 1

*Be It Resolved by the House, the Senate concurring:* That the Executive Council be hereby directed to immediately procure suitable rooms for such State Departments as are now occupying legislative office rooms, and the legislative office rooms be immediately vacated.

Unanimous consent having been given for the immediate consideration of the resolution, Mr. Rutledge moved its adoption. Motion prevailed and the resolution was adopted.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

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

Senate Concurrent Resolution No. 1, endorsing Honorable Ernest R. Moore, of Cedar Rapids for appointment to the Federal Reserve Board.

WALTER H. BEAM, *Secretary*.

#### SENATE CONCURRENT RESOLUTION NO. 1

*Whereas*, A vacancy exists in the membership of the Federal Reserve Board by reason of the death of Hon. E. H. Cunningham, of Iowa, who was looked upon and who was a representative of the agricultural interests of the country, and

*Whereas*, The President of the United States has under consideration as a successor to Mr. Cunningham Hon. Ernest R. Moore, formerly a member of the House of Representatives of the Iowa General Assembly, and Lieutenant Governor of this state, in which positions he demonstrated great ability, and won acknowledged leadership in public affairs as a sound and forward-looking statesman. Throughout his adult life Mr. Moore has served his country, his state and his community with unselfish devotion, both as a soldier and as a citizen. His outstanding characteristics are honesty, courage, and fidelity, both in private life and in public station, and

*Whereas*, Mr. Moore has for many years been one of the successful bankers of our state and at the same time actively, not theoretically, interested in agriculture as an owner and operator of farms, and is thoroughly conversant with, and sympathetic toward our great basic industry, and at the same time a financier of wide knowledge and experience, therefore,

*Be It Resolved by the Senate, the House concurring*, That we heartily endorse and recommend to the favorable consideration of the President of the United States Hon. Ernest R. Moore for the vacancy above referred to on the Federal Reserve Board, believing him to be at once thoroughly competent for this most important office and a true representative of all the interests of the territory wherein he was born and in which he has spent his entire life.

*Be It Further Resolved*, That this Resolution be transmitted to the President.

Unanimous consent having been granted for the immediate consideration of Senate Concurrent Resolution, Byers of Linn moved its adoption.

Motion prevailed and the Senate Concurrent Resolution was adopted.

Bair of Buena Vista moved that the House adjourn until 2:00 p. m. today.

Motion lost.

Durant of Hancock offered the following concurrent resolution:

#### HOUSE CONCURRENT RESOLUTION NO. 2

*Be It Resolved by the House, the Senate Concurring*, That a joint convention of the two houses of the Forty-fourth General Assembly be held on January 13th, 1931, at 2:00 p. m.

*Be It Further Resolved*, That Governor Hammill be invited to read his message at this joint meeting of the two houses of the General Assembly, and that the President of the Senate and the Speaker of the House be designated to deliver the invitation to him.

*Be It Further Resolved*, That at this joint convention the vote for Governor and Lieutenant be canvassed and the result announced and recorded as provided by law.

Unanimous consent having been given for the immediate consideration of the Resolution, Mr. Durant moved its adoption.

Motion prevailed and the resolution was adopted.

#### ELECTION OF SPEAKER PRO TEMPORE

Hunt of Louisa placed in nomination the Hon. Reyburn L. Rut-

ledge of Webster county as candidate for Speaker Pro tempore of the House of Representatives of the Forty-fourth General Assembly.

Donlon of Palo Alto placed in nomination the Hon. Carolyn C. Pendray of Jackson county, as candidate for Speaker pro tempore of the House of Representatives.

On the roll being called, those voting for Mr. Rutledge were:

Those voting for Mr. Rutledge were, 66.

Aiken	Gilmore	Kern	Rylander
Allen	Greaser	Lamb	Shields
Avery	Greene	Langland	Short
Bair	Hansen of	Lichty	Simmer
Ballew	Audubon	Long	Snyder
Beath	Hansen of Scott	McCaulley	Sours
Brown	Hanson of	McCreery	Stanzel
Byers	Winnebago	McLain	Strachan
Davis	Helgason	Mathews	Tamisiea
Dayton	Hollingsworth	Mayne	TePaske
Drake of	Hollis	Millhone	Thompson
Muscatine	Hopkins	Morton	Torgeson
Durant	Hunt	Nelson of	Van Buren
Elliott	Hush	Cherokee	Van Wert
Ellsworth	Husted	Nelson of Story	Wamsted
Felter	Hutcheon	Orr	Witt
Figgins	Johnson of	Pattison	Mr. Speaker
Forsling	Marion	Randall	

Absent or not voting, 4.

Hesse	Pendray	Ratliff	Rutledge
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Those voting for Mrs. Pendray were, 36.

Augustine	Garrett	Malone	Reed
Babcock	Gissel	Mead	Reimers
Berry	Hayes	Miller	Roe
Bonstetter	Hook	O'Donnell	Ryder
Craven	Koch	Osborn	Stiger
Ditto	Kohler	Paisley	Thiessen
Donlon	Laughlin	Peaco	Watts
Drake of Keokuk	Lepley	Randolph	Wearin
Finnern	McDermott	Rawlings	Whiting

Absent or not voting, 4.

Hesse	Pendray	Ratliff	Rutledge
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The Hon. Reyburn L. Rutledge of Webster county, having received a majority of all the votes cast for the office of Speaker pro tempore and a majority of the votes of the members of the House of Representatives, was declared elected Speaker pro tempore of the House of Representatives of the Forty-fourth General Assembly.

Van Buren of Jones moved that a committee of two be appointed to escort the Speaker pro tempore to the chair.

Motion prevailed and the following committee was appointed: Van Buren of Jones and Donlon of Palo Alto.

Mr. Rutledge was escorted to the chair and after taking the oath of office made the following remarks:

*Lady and Gentlemen of the Forty-fourth General Assembly:*

I want to thank you from the bottom of my heart for the distinct honor that you have conferred upon me in electing me your Speaker Pro tempore for this session. I realize that it is an honor to be elected to this position. It is especially an honor to be elected over the votes which were cast for the capable and honorable Mrs. Pendray. I realize that I am fortunate that I had a majority of Republicans in the House, or I never could have been elected over those votes. I think that it is an especial honor to be elected in spite of the splendid and eloquent address given by the gentleman from Palo Alto in support of his nomination.

I want to pledge to you, Mr. Speaker, my complete cooperation in your work and every assistance that I can give when called upon. I want to ask the indulgence of the members of the House in my shortcomings, if I am called upon, and I want to tell you that I sincerely hope that I shall be seldom called upon to serve in the Speaker's chair. I thank you.

REYBURN L. RUTLEDGE.

Speaker pro tempore in the chair.

#### COMMITTEE FROM THE SENATE

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

Ellsworth of Hardin, chairman of the committee to notify the Governor that the House was duly organized and ready to receive any communications he may desire to transmit, reported that the committee had performed its duty. Report accepted and the committee was discharged.

Orr of Clayton, chairman of the committee to notify the Senate that the House was duly organized and ready to receive any communications it might desire to transmit, reported that the committee had performed its duty. Report accepted and the committee was discharged.

Ballew of Appanoose moved that a committee of three be ap-



pointed to assign committee rooms to the various standing committees of the House. Motion prevailed, and the following committee was appointed: Ballew of Appanoose, Hesse of O'Brien, and Pendray of Jackson.

Husted of Madison offered the following resolution:

#### RESOLUTION

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

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

Motion prevailed, and the resolution was adopted.

The following committee was appointed: Husted of Madison.

Avery of Clay offered the following resolution:

#### RESOLUTION

*Resolved*, That a special committee of three be appointed who shall determine the number of committee clerks necessary to the proper discharge of the clerical work of the House of Representatives and the qualifications of candidates therefor, and assign them to their duties. Only expert typists and stenographers will be considered qualified. The Speaker and Chief Clerk shall each be allowed a clerk.

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

Motion prevailed and the resolution was adopted.

The following committee was named: Avery of Clay, Kern of Polk, and Greaser of Benton.

Ditto of Osceola moved that the Speaker and Chief Clerk each be allowed a page.

Motion prevailed.

Chief Clerk Ragan announced the appointment of Georgia Miller as his clerk; also, the appointment of Kenneth Colton as his page.

Speaker Johnson announced the appointment of Kathryn Joyce as his clerk; also, the appointment of Maurice A. Te Paske as his page.

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

Hansen of Scott offered the following motion :

I move that the assignment of seats to the members of the House be made a Special Order for this afternoon at 2:00 o'clock and that the names of the members be placed in a hat and drawn by the Chief Clerk, and as the named are called the members shall select their seats and remain in the same until the drawing is completed. Members with defective sight or hearing shall be permitted to select special seats in the first row. The members of the minority shall be permitted to select their seats in the east section of the House if they so desire. Former members may, if they so desire, retain the seats they occupied in the Forty-third General Assembly.

Motion prevailed.

Aiken of Ida moved that a committee of three be appointed to determine the amount of mileage due each member and report the same to the House.

Motion prevailed, and the following committee was appointed: Aiken of Ida, Hansen of Audubon, and Drake of Keokuk.

Hanson of Winnebago offered the following concurrent resolution :

#### HOUSE CONCURRENT RESOLUTION NO. 3

*Be It Resolved by the House, the Senate Concurring:* That a Joint committee of six members be appointed, three from the Senate to be appointed by the President, and three from the House to be appointed by the Speaker, to nominate such additional employes, other than committee clerks, as may be necessary for the work of this session and that the committee recommend the position to be filled and the compensation of each employe so nominated.

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

Motion prevailed and the resolution was adopted. As members of such committee, the Speaker appointed the following: Hanson of Winnebago, Nelson of Story, and Hopkins of Guthrie.

#### COMMUNICATIONS FROM SECRETARY OF STATE

The following communications were received from the Secretary of State:

I, G. C. Greenwalt, Secretary of State of the State of Iowa, custodian of the election records, do hereby certify that the result on the question

"shall there be a convention to revise the constitution and amend the same", voted on at the General Election held on the fourth day of November 1930 was as follows:

For, 140,667.

Against, 195,356.

In testimony whereof I hereunto set my hand and affix my official seal this 10th day of January A. D. Nineteen Hundred and Thirty-one.

[Seal]

G. C. GREENWALT,  
*Secretary of State.*

STATE OF IOWA  
SECRETARY OF STATE

*To the Honorable, the Speaker of the House of Representatives:*

I, G. C. Greenwalt, Secretary of State for the State of Iowa, and keeper and custodian of the Acts and Resolutions of the General Assembly, do hereby certify that the attached is a true and correct copy of a proposed amendment to the Constitution of the State of Iowa, known as House Joint Resolution No. 6 adopted and approved by the Forty-third General Assembly, relating to the improvement of highways and making provision for the payment of the cost thereof, and that attached hereto is a true and correct list of two newspapers of general circulation, designated by the Secretary of State, in each Congressional District in the State of Iowa in which such proposed amendment to the Constitution was published for a period of three months prior to the general election held in the year 1930, as shown by the proofs of publication on file in my office and as required by the Constitution.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 9th day of January, A. D. 1931.

G. C. GREENWALT,  
*Secretary of State.*

LIST OF NEWSPAPERS IN WHICH WAS PUBLISHED HOUSE  
JOINT RESOLUTION NO. 6

Ida County Pioneer-Record, Ida Grove, Iowa.  
Sioux City Tribune, Sioux City, Iowa.  
The Rolfe Arrow, Rolfe, Iowa.  
Messenger & Chronicle, Fort Dodge, Iowa.  
Glenwood Opinion-Tribune, Glenwood, Iowa.  
The Oakland Acorn, Oakland, Iowa.  
Chariton Herald-Patriot, Chariton, Iowa.  
Centerville Daily Iowegian & Citizen, Centerville, Iowa.  
Winterset Madisonian, Winterset, Iowa.  
Plain Talk, Des Moines, Iowa.  
Newton Daily News, Newton, Iowa.  
Ottumwa Daily Courier, Ottumwa, Iowa.  
Cedar Valley Daily Times, Vinton, Iowa.  
Anamosa Eureka, Anamosa, Iowa.  
New Hampton Gazette, New Hampton, Iowa.

Charles City Daily Press & Evening Intelligencer, Charles City, Iowa.

Manchester Press, Manchester, Iowa.

Waterloo Daily Courier, Waterloo, Iowa.

The Muscatine Journal & News Tribune, Muscatine, Iowa.

The Daily Times, Davenport, Iowa.

Mt. Pleasant Daily News, Mt. Pleasant, Iowa.

The Burlington Hawk-Eye, Burlington, Iowa.

#### STATE OF IOWA SECRETARY OF STATE

I, G. C. Greenwalt, Secretary of State of the State of Iowa, custodian of the Acts and Resolutions of the General Assembly,

Do hereby certify that the attached instrument is a true and correct copy of House Joint Resolution No. 6, passed by the Forty-third General Assembly, as the same appears on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 9th day of January, A. D. 1931.

G. C. GREENWALT,  
*Secretary of State.*

#### HOUSE JOINT RESOLUTION NO. 6, BY COMMITTEE ON HIGHWAYS

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa relating to the improvement of highways and making provision for the payment of the cost thereof.

*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 is hereby proposed as Article XIII:

#### "ARTICLE XIII"

"Section I. Notwithstanding the provisions of Article VII or any other provision of the Constitution of Iowa, the State may, by act of the General Assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) for the improvement of highways and for the payment or retirement of county primary road bonds and bonds issued to refund county primary road bonds; and for such purposes may issue bonds and provide ways and means for the payment of the same, and may pledge the credit of the state therefor. Such act shall pledge to the payment of such bonds and interest thereon such rates or amounts of motor license fees and/or gasoline or other motor fuel license fees as may be determined by the General Assembly to be sufficient to meet both principal and interest as they mature and accrue; and shall provide for the levy, imposition, collection and pledge of such general property tax as may be required to supply the deficiency, if

any, between the amount of principal and interest due on the bonds during any year or years and the funds produced by said pledged license fees during such year or years; and it shall be a sufficient statement of such tax that such act direct the Executive Council annually to compute such deficiency, if any, and fix the rate necessary to produce such amount. The provisions of such act pledging funds and levying taxes for the payment of principal and interest of bonds issued thereunder shall be irrepealable so long as any of such bonds are outstanding, unpaid and uncalled. Such bonds may be issued from time to time on such terms as the General Assembly shall by law provide; but each bond shall become due and payable not more than twenty years after its date.

"Sec. 2. After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease.

"Sec. 3. No funds derived from the sale of any of the bonds provided for in Section one (1) of this Article XIII shall be used in the improvement of any other highways until after the following highways shall have been improved in the following manner: (a) By grading, draining, bridging and paving:

Primary Road Number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on Primary Road Number 3 south of Keosauqua.

Primary Road Number 2, from a point on Primary Road Number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on Primary Road Number 71 south of Atlantic, and from a point on Primary Road Number 71 westerly to a point on Primary Road Number 32 near Lewis.

Primary Road Number 3, from a point on Primary Road Number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to Nebraska City.

Primary Road Number 4, from a point on the Missouri Line southeast of Hamburg, by way of Hamburg and Sidney, to a point on Primary Road Number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on Primary Road Number 20 west of Early.

Primary Road Number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to LeMars.

Primary Road Number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary Road Number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary Road Number 9, from Lansing, by way of Waukon, Decorah,

Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota Line north of Larchwood.

Primary Road Number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on Primary Road Number 75 west of Orange City.

Primary Road Number 11, from Cedar Rapids, by way of Independence and Oelwein, to West Union.

Primary Road Number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on Primary Road Number 18 west of McGregor.

Primary Road Number 14, between Corydon and Chariton. Also from its intersection with Primary Road Number 58 through Grundy Center to its intersection with Primary Road Number 57.

Primary Road Number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary Road Number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with Primary Road Number 9.

Primary Road Number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with Primary Road Number 16.

Primary Road Number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer, and Sheldon, to a point on Primary Road Number 75 near Perkins.

Primary Road Number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary Road Number 21, from Primghar to a point on Primary Road Number 18 east of Sanborn. Also, from Ida Grove to a point on Primary Road Number 20 east of Holstein.

Primary Road Number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary Road Number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary Road Number 32, from Davenport, by way of Iowa City, Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary Road Number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary Road Number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary Road Number 48, from Red Oak, through Essex, to Shenandoah.

Primary Road Number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota Line north of Burr Oak.

Primary Road Number 57, from its intersection on Primary Road Number 14, by way of Dike to Cedar Falls.

Primary Road Number 58, from Eldora to a point on Primary Road Number 134 west of Eldora. Also east of Eldora to a point on Primary Road Number 14.

Primary Road Number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on Primary Road Number 10 east of Waverly.

Primary Road Number 60, from a point on Primary Road Number 30 east of Boone, by way of Madrid, to Des Moines.

Primary Road Number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, Dewitt, and Maquoketa, to Dubuque.

Primary Road Number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri Line southwest of Bloomfield.

Primary Road Number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota Line north of Northwood.

Primary Road Number 69, from Leon, by way of Lamoni, to the Missouri Line south of Lamoni.

Primary Road Number 71, from the Missouri Line near Braddyville, by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota Line northeast of Spirit Lake.

Primary Road Number 74, from Tipton, by way of New Liberty, to Davenport.

Primary Road Number 75, from Missouri Valley, by way of Onawa, Sioux City, LeMars, Sioux Center, and Rock Rapids, to a point on the Minnesota Line north of Rock Rapids.

Primary Road Number 90, from Grundy Center, by way of Reinbeck, to a point on Primary Road Number 59 south of Hudson.

Primary Road Number 99, from Davenport, by way of Princeton and Camanche, to a point on Primary Road Number 30 west of Clinton.

Primary Road Number 134, from a point on Primary Road Number 58 west of Eldora, to a point on Primary Road Number 65 north of Hubbard.

Primary Road Number 117, from Anamosa to Maquoketa.

Primary Road Number 136, from Clinton, by way of Charlotte and Delmar, to a point on Primary Road Number 61 west of Delmar.

Primary Road Number 141, from Denison, by way of Mapleton, to Sioux City.

Primary Road Number 149, from a point on Primary Road Number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to Primary Road Number 32 west of Homestead.

Primary Road Number 150, from a point on Primary Road Number 32 near Homestead, by way of Amana and Fairfax, to a point on Primary Road Number 30 west of Cedar Rapids.

Primary Road Number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson, to a point on Primary Road Number 61 southwest of Montrose.

Primary Road Number 218, from a point on Primary Road Number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota Line north of St. Ansgar.

(b) By grading, draining, bridging and surfacing with gravel, sand clay, or other type of surfacing: all other primary roads.

Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

"Sec. 4. Any law adopted by the General Assembly authorizing the issuance of bonds under this Article XIII shall provide that the principal of all county primary road bonds and bonds issued to refund county primary road bonds, outstanding when said law becomes effective, shall be paid, as such bonds mature or become subject to call, from the proceeds of the state bonds. Upon the issuance of the first state bonds under such law the authority of the counties to issue county primary road bonds shall cease."

Section 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 motion of Helgason of Emmet the House adjourned until 2:00 p. m. today.

### AFTERNOON SESSION

Pursuant to adjournment, the House reconvened, Speaker Johnson in the chair.

### SPECIAL ORDER NO. 1

The hour for the Special Order having arrived, the members were requested to vacate their seats.

The members who desired to take advantage of the clause relative to defective sight and hearing, and re-elected members, having made their selections, the drawing of seats proceeded, with the following results:

Aiken—90	Hayes—65	Orr—108
Allen—84	Helgason—83	Osborn—21.
Augustine—99	Hesse—85	Paisley—51
Avery—106	Hollingsworth—30	Pattison—48
Babcock—97	Hollis—60	Peaco—15
Bair—40	Hook—11	Pendray—17
Ballew—71	Hopkins—58	Randall—5
Beath—64	Hunt—6	Randolph—89
Berry—22	Hush—35	Ratliff—10
Bonnstetter—79	Husted—54	Rawlings—63
Brown—76	Hutcheon—87	Reed—20
Byers—82	Johnson of	Reimers—47
Craven—45	Marion—66	Roe—9
Davis—4	Kern—104	Rutledge—16
Dayton—3	Koch—93	Ryder—53
Ditto—61	Kohler—77	Rylander—105
Donlon—1	Lamb—12	Shields—50
Drake of Keokuk—91	Langland—34	Short—41
Drake of	Laughlin—73	Simmer—43
Muscataine—102	Lepley—101	Snyder—2
Durant—29	Lichty—70	Sours—81
Elliott—78	Long—24	Stanzel—86
Ellsworth—74	McCaulley—72	Stiger—49
Felter—100	McCreery—44	Strachan—88
Figgins—98	McDermott—7	Tamisia—80
Finnern—19	McLain—18	TePaske—8
Forsling—46	Malone—27	Thiessen—57
Garrett—23	Mathews—38	Thompson—88
Gilmore—36	Mayne—42	Torgeson—37
Gissel—39	Mead—95	Van Buren—32
Greaser—25	Millhone—96	Van Wert—103
Greene—67	Miller—69	Wamstad—56
Hansen of	Morton—94	Watts—13
Audubon—26	Nelson of	Wearin—75
Hansen of Scott—33	Cherokee—52	Whiting—55
Hanson of	Nelson of Story—107	Witt—68
Winnebago—31	O'Donnell—59	Mr. Speaker—14

## 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 Senate was asked:

House Concurrent Resolution No. 2 relating to a joint convention of the two houses of the Forty-fourth General Assembly to be held on January 13, 1931, at 2:00 p. m.

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

House Concurrent Resolution No. 3 relating to the appointment of a joint committee to nominate additional employees for the General Assembly; and the President has appointed as members of such committee on the part of the Senate, Senators Bennett, Ickis and Rigby.

WALTER H. BEAM, *Secretary*.

On motion of Hunt of Louisa 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 13, 1931.

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

Prayer was offered by the Rev. A. Raymond Grant, pastor of the First M. E. Church, Vinton, Iowa.

Journal of January 12th, corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Byers of Linn for the day, on request of Rutledge of Webster; Ratliff of Henry for the balance of the week, on request of Pattison of Jefferson; Forsling of Woodbury for the balance of the week, on request of Short of Woodbury.

## 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:

Senate Concurrent Resolution No. 2, relating to adjournment on Thursday afternoon, January 15, to reconvene on Tuesday afternoon, January 20th, at 2:00 p. m.

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

House Concurrent Resolution No. 2, relating to a joint convention of the two houses of the Forty-fourth General Assembly to be held on January 13, 1931, at 2:00 p. m.

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

Senate Concurrent Resolution No. 3, relating to the appointment of an inaugural committee, and the President has appointed as members of such committee on the part of the Senate, Senators Leonard, Clark of Cerro Gordo; Wilson, Hager, Hicklin and Bissel.

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

House Concurrent Resolution No. 3, providing a joint committee of six members be appointed, three from the Senate and three from the House, to nominate additional employes necessary for the work of the Forty-fourth General Assembly. The President has named as members of such committee on the part of the Senate, Senators Bennett, Ickis and Rigby.

WALTER H. BEAM, *Secretary*.

#### SENATE CONCURRENT RESOLUTION NO. 2

*Resolved by the Senate, the House concurring:* That when adjournment is had on Thursday afternoon, January 15th, it be to reconvene on Tuesday afternoon, January 20th, at 2:00 p. m.

Unanimous consent having been obtained for the immediate consideration of the Senate Concurrent Resolution Elliott of Scott moved its adoption.

Motion prevailed and Senate Concurrent Resolution was adopted.

#### SENATE CONCURRENT RESOLUTION NO. 3

*Resolved by the Senate, the House concurring:* That a joint committee consisting of six members of the Senate be appointed by the President and six members of the House be appointed by the Speaker to arrange for the Inauguration of the Governor and Lieutenant Governor.

Unanimous consent having been given for the immediate consideration of Senate Concurrent Resolution, Beath of Adams moved its adoption.

Motion prevailed and Senate Concurrent Resolution was adopted, and the Speaker appointed as such committee on the part of the House: Beath of Adams, Kern of Polk, McCaulley of Calhoun, Byers of Linn, Wamstad of Mitchell, and Simmer of Wapello.

#### CONTEST COMMITTEES APPOINTED

The Speaker announced the following members of the several contest committees:

Hatter vs. Gallagher: Simmer, Tamisiea, Mayne, Pendray and Drake of Keokuk.

Hall vs. Fabritz: McCreery, Lamb, Hush, Whiting and Garrett.

Hattendorf vs. Ditto: Bair, Short, Hanson, Reimers and Stiger.

Berry vs. Maneor: Torgeson, Thompson, Aiken, Allen and Miller.

## REPORT OF COMMITTEE ON COMMITTEE CLERKS

Avery of Clay, chairman of the committee on committee clerks, submitted the following report:

MR. SPEAKER: We, your committee appointed to examine, select and assign committee clerks for the House of Representatives of the Forty-fourth General Assembly, beg leave to submit the following selections and assignments:

Aiken, Patience—Aiken, Thompson.  
Anderson, Wilma—Dayton.  
Adams, Elizabeth—Contest Committee.  
Banta, Lucile M.—Babcock, Ballew.  
Berg, Helen—Bair, Snyder.  
Buck, Vera—Hush, Millhone.  
Corwin, Marjorie—Drake of Muscatine, Hunt.  
Carney, Nelline—Long, Sours.  
Carpenter, Mayme—Felter, Shields.  
Cessna, Vivian—Nelson of Story.  
Clearwater, Nell—Orr, Member from Iowa Co.  
Cox, Grace—Beath, Hansen of Audubon.  
Cox, Ruth—Van Buren.  
Dennery, Helen—Byers.  
Duncan, Hertha—Ellsworth, Mayne.  
Doyle, Martha—Hook, Laughlin.  
Duvall, Minnie—Special Tax Committee.  
Elliott, Lola—Hollis.  
Elliott, Marjorie—Berry.  
Elman, Ruth—Pendray, Whiting.  
Ferguson, Gertrude—McCreery.  
Free, Margaret—Rawlings, Stiger.  
Figgins, Amy—Figgins.  
Goddard, Claire—Craven, Gilmore.  
Gray, Velva—Avery, Stanzel.  
Hahn, Ione—Ratliff.  
Harsch, Mina—Greene.  
Haas, Helen—Johnson of Marion.  
Hayes, Luella—Augustine, Garrett.  
Hamilton, Grace—Husted, Nelson of Cherokee.  
Hewlett, Althea—Allen.  
Horras, Marjorie—Drake of Keokuk, Watts.  
Hornbostel, Cecelia—Hayes, Gissell.  
Hopkins, Donald—Hopkins.  
Huntley, Mary—Randall.  
Khouns, Helen—Hollingsworth.  
Larson, Myra—Hanson.  
McCreedy, Helen—Davis, Hesse.

McCune, Harriett—Contest Committee.  
McIntyre, Margaret—Mead, McDermott.  
Meyer, Vera—Hansen of Scott.  
Merrill, Lucia—Helgason.  
Miller, Dorothy—Rutledge.  
Miller, Jeane—Malone, Miller.  
Miller, Katherine—Wamstad.  
Morrison, Maude—Lamb.  
Mathews, Lorin—Mathews.  
Murray, Viola—Bonstetter, Donlon.  
Offman, Esther—Rylander, Thiessen.  
Osborn, Dorothy—Hutcheon, Morton.  
Palmer, Blanche—Tamisiea, Van Wert.  
Perry, Ida—Koch, Witt.  
Peterson, Isola—McCaulley.  
Putzier, Charlotte—Osborn.  
Prugh, Grace—Mathews.  
Randolph, Florence—Roe, Randolph.  
Reed, Helen—Reed, McLain.  
Riehm, Kate—Durant, Lepley.  
Saverude, Mabel—Strachan, Langland.  
Searcy, Rose—Elliott.  
Skoglund, Mary—Short, member from Wapello.  
Smith, Laura—O'Donnell, Ryder.  
Slate, Lisle—Contest Committee.  
Taggart, Gertrude—Forsling.  
Thompson, Corliss—Simmer.  
Ward, Hazel—Reimers.  
Warner, Ruby—Lichty.  
Warner, Hortense—Brown, Peaco.  
Warren, Ruth—Finnern, Greaser.  
Wearin, Lola—Kohler, Wearin.  
Webster, June—Ditto, Peasley.  
Wood, Pauline—Contest Committee.  
Wright, Dorothy—Pattison, TePaske.  
Webster, Leone—Torgeson.

A. H. AVERY,  
LEWIS GREASER,  
GEO. A. KERN,

*Committee.*

On motion of Mr. Avery, the report was adopted.

On motion of Randall of Lucas, the House adjourned until 1:45 today.

### AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

McCauley of Calhoun moved that a committee of three be appointed to notify the Senate that the House was ready to receive them in joint convention.

Motion prevailed, and the Speaker appointed as such committee McCauley of Calhoun, Long of Cerro Gordo, and Thompson of Fayette.

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. The report was accepted and the committee discharged.

The sergeant-at-arms announced the arrival of the President of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station; the Secretary to the Chief Clerk's desk; and the members of the Senate took seats in the west side of the chamber.

### JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted the Joint Convention was called to order, Hon. Arch W. McFarlane, President of the Senate, presiding.

The roll was called and those present were, 127:

Aiken	Blackford	Ditto	Greene
Allen	Bonnstetter	Donlon	Hager
Anderson	Brown	Doran	Hansen of
Augustine	Carroll	Drake of Keokuk	Audubon
Avery	Clark of	Drake of	Hanson of
Babcock	Cerro Gordo	Muscatine	Winnebago
Bair	Clark of Linn	Durant	Hayes
Baird	Clearman	Felter	Helgason
Ballew	Cole	Figgins	Hesse
Beath	Cooney	Finnern	Hicklin
Beatty	Coykendall	Garrett	Hill
Bennett	Craven	Gilmore	Hollingsworth
Benson	Davis	Gissel	Hollis
Berry	Dayton	Greaser	Hook

Hopkins	McCaulley	Pattison	Stevens
Hunt	McCreery	Peaco	Stiger
Hush	McDermott	Pendray	Stoddard
Husted	McLain	Quirk	Strachan
Hutcheon	MacDonald	Randall	Tabor
Irwin	McLeland	Randolph	Tamisiea
Johnson of Marion	Malone	Rawlings	Te Paske
Kent	Mathews	Reed	Thiessen
Kern	Mayne	Reimers	Thompson
Klemme	Mead	Rigby	Torgeson
Kohler	Millhone	Ritchie	Van Buren
Langfitt	Moen	Roe	Van Wert
Langland	Morton	Ryder	Wamstad
Laughlin	Myers	Rylander	Watts
Leonard	Nelson of Cherokee	Shields	Wearin
Lepley	O'Donnell	Short	Wenner
Lichty	Orr	Snyder	White
Long	Osborn	Sours	Whiting
Lowe	Patterson	Stanley	Mr. Speaker—
		Stanzel	

Those absent were, 27.

Bissell	Elliott	Kimberly	Ratliff
Booth	Ellsworth	Knudson	Rutledge
Byers	Forsling	Koch	Simmer
Carden	Frailey	Lamb	Topping
Christophel	Gunderson	Miller	Wilson
Clark of Marion	Hansen of Scott	Nelson of Story	Witt
Cochrane	Ickis	Paisley	

President McFarlane announced a quorum present and the Joint Convention duly organized.

Senator Clearman moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify the Governor that the Convention was ready to receive him.

Motion prevailed and the President appointed Senator Clearman of Johnson on the part of the Senate, and Representatives TePaske of Sioux and Durant of Hancock, on the part of the House.

Senator Hager moved that a committee of two, consisting of one member from the Senate and one member from the House, be appointed to extend an invitation to the National Commander of the



G. A. R., James H. Jewell of Colorado, and his official party to attend the Joint Convention.

Motion prevailed and the President appointed Senator Hager and Representative Hesse as such committee.

The Committee waited on Commander Jewell and his official party and escorted them to the hall of the House of Representatives.

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

President McFarlane then presented Governor John Hammill who delivered the following message:

#### GOVERNOR HAMMILL'S MESSAGE

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*To the Senate and House Members of the Forty-fourth General Assembly:*

In accordance with the mandates of the Constitution of Iowa, I submit to you the following message:

The Constitution makes it my duty to present to you the conditions of the State. The reports of the various departments and officers of the State are now ready and will be placed on your desks. These reports will outline to you more in detail than it will be possible for me to do in this message without extending it beyond a reasonable length. A clearer understanding of what the State is doing can be obtained from a study of these reports and in no better way can you qualify yourself for an intelligent, satisfactory discharge of your duties.

There is no outstanding obligation against the State except the bonus indebtedness and on January 2, 1931, there remained in its treasury an unencumbered balance of \$7,440,661.07.

In pursuance of the responsibility reposed in me by the Legislature under the provisions of Code Section 334, I herewith transmit to the Senate and the House of the General Assembly the detailed report of the Budget Director concerning the cost of the State government including expenditures for the support of the various State institutions during the past two years, together with his recommendations for their continuance for the ensuing biennium. The same has received my careful attention and my approval as provided by statute.

The report and recommendations of the Budget Director are now available for your examination, and they command your careful study.

## EFFICIENCY IN GOVERNMENT

Extravagance in expenditures of money received by the State has not been permitted.

The State government in all of its departments should be conducted in the same economical and efficient manner as obtains in the best conducted private enterprise.

I summon to this task every person in the public service and all other good citizens of the State.

In advocating economy I do not do so to the extent of hindering advancement and progress. In the business of government we must have economy but not at the expense of efficiency. We must continue to advance. We must have revenue to carry on the building programs of our public institutions. We are a growing state and if the people demand, and get, from their government more and more service, they must expect a greater cost for governmental functions and consequently higher taxes.

Iowa has advanced along the line of human endeavor. We face the future with confidence in our ability to keep abreast in the march of present day progress and civilization. To do so we must have a sound economical policy which will continue to bring new capital into the State and make Iowa a greater industrial center that will invite sound investment and will produce legitimate business that gives employment at good wages to honest labor.

## ELIMINATING DUPLICATION

As an aid to reducing taxes, duplication in governmental offices should be abolished. The grouping of agencies devoted to similar major purposes would greatly reduce expenses.

Governmental affairs in like classes of business should be regrouped and centralized. This consolidation would mean a greater saving of public funds.

For example, the creation of the State Board of Assessment and Review necessitated employees for the listing of property and its assessment, who could also serve advantageously in the collection of the inheritance tax, and the duty of the collection of the inheritance tax should be transferred from the Treasurer's Department to the Board of Assessment and Review. This will result in a saving to the state as the same men charged with investigation and listing of property under the Board of Assessment and Review could likewise advantageously list the property which is necessary and essential in the collection of the inheritance tax.

Recommendation for this transfer is concurred in by R. E. Johnson, Treasurer of State, who regards the transfer in the interest of economy and service.

Another example: The power to purchase equipment and supplies of every sort paid for out of the State Treasury could be conferred on one agency. A board or commission for such a purpose could be created by the Legislature out of the offices already authorized without adding to the expense of government. Such a board could also salvage thousands of dollars worth of discarded or obsolete equipment, machinery and supplies. Purchases are now made independently by the various departments without consultation. Standard specifications and centralized purchasing would be at least a step toward the goal of lessening the expense of government.

In my Inaugural Address of 1927 I called attention to the fact that further consolidation in our various departments of government could be carried forward in the interest of efficiency and economy in the conduct of the State's business, and in that address, I stated:

"After a survey of the Division of Accounting under the direction of the Auditor of State as provided in Section 113, Code of 1924, pertaining to the examination of accounts of all counties of the State and of cities and towns within the State having a population of 300 or more, it is my belief that the examinations authorized by said section can be more efficiently and economically conducted if the accounting department, as designated in line 13, page 202, Acts of the 41st General Assembly, and the municipal department, as designated in line 14, page 202, be combined and the work done by one Chief Clerk of Accounting; the duties of the departments are similar and when combined are not of such volume as to require the services of two chief accountants."

I recommend their consolidation.

The office of Fire Marshal is charged with the investigation and enforcement of the law against incendiarism, and this work properly belongs under the direction of the Bureau of Investigation. It is not necessary to have a separate and distinct department. Investigators under the direction of the Chief of the Bureau of Investigation would be adequate and eliminate an unnecessary department. There is no reason why this department should not be consolidated under the department charged with the enforcement of law.

I recommend that this office be abolished and the duties transferred to the Bureau of Investigation.

I further called attention in my Biennial Message of 1929 to the fact that the office of School Treasurer in the various school districts should be abolished, and the County Treasurer should be authorized to pay all warrants out of the school funds. If this provision is not adopted, the law as to the audit of school treasurers should be extended so as to include rural districts. The abolishment, however, of the office of School Treasurer would be a saving to the taxpayers and would eliminate an unnecessary office.

My investigation of the hospital situation at Iowa City convinces me that it would be in the interest of economy and efficiency to combine the

psychopathic hospital with the general hospital, as it is difficult to administer what are essentially two independent hospitals. To accomplish this purpose, there should be a greater degree of integration between the two. To this end I would suggest minor alterations in the wording of the present law as follows:

(1) Section 3955 should be amended to read "It shall be known as the state psychopathic hospital, and shall be located at Iowa City, and *integrated* with the college of medicine and *hospital* of the state university."

(2) Section 3956 should be omitted, since the following section (3957) duplicates it.

(3) Sections 3972 and 3973 should be deleted altogether, for if the two hospitals are integrated there will be no difficulty in arranging transfers to and from all services.

(4) Section 3982 should be omitted, save for the final clause ("all moneys collected from said patients shall be used for the support of the said hospital") and this clause should form the final sentence of Section 3963. As it is now, the hospital feeds and houses private patients, supplying them also expert medical and nursing care, and must then deduct the cost of doing so from what is already a distressingly small sum allotted to the treatment of indigent mental cases.

## TAXATION

During the entire period of my administration I have constantly urged the necessity of an improvement in our taxation system to bring about a more equitable assessment, and to relieve from real property some of the excessive share of the public burden it is bearing.

Despite the general trend everywhere toward increasing taxation, the state millage levy, which was fixed at eleven and one-half mills when I assumed office, is eleven mills as I leave it. In addition to a reduction in the millage levy, the assessed valuation of property has been reduced.

The progress made during my administration has resulted among other things, in the creation of a State Board of Assessment and Review, which has already added millions to the assessment roll and is now at work on the equalization of the tax burden on property subject to taxation. It can be said that sufficient progress has been made by this board, by its efforts since its creation, to justify the belief that without any material changes in existing tax laws justice will be worked out by the Board, which will result in a substantial reduction in our present tax levy.

The Board is functioning in a satisfactory manner, and has drafted a program for taxation reform in Iowa which will be presented for the consideration of this General Assembly.

The State has already adopted the policy of constructing its primary roads entirely without direct property tax. A competent committee of

your own members reporting unanimously in conjunction with the State Board, now lays before you recommendations dealing both with the elimination of existing assessment irregularities and with the possibility of reducing or eliminating entirely the present direct tax for state purposes. These recommendations, based as they are upon two years of research, are worthy of your most sincere consideration.

The student of governmental costs sees possibilities of reducing existing expenditures for government projects in many ways but he also sees that the sum total of these reductions will not to any appreciable extent stem the rising tide of expenditures and he finds no evidence to indicate any considerable permanent abandonment of the modern functions performed by government.

To give practical relief, taxation reform of necessity must, to meet the major problem, be directed toward discovery of sources of revenue, creating sources which are now avoiding their proper share of the tax burden, or the adoption of methods which will permit the fairest spread under all circumstances of the cost of government among the people and on property selected to carry it.

The use of the general property tax, applying alike to all real and personal property, has in practice resulted in only real estate being reached for the major part of the tax burden.

This tax, as more and more money has been expended, grows more burdensome in cases where all the property owned is real estate, and so far as the individual is concerned, is less burdensome where large amounts of personal property are owned but not fully taxed.

The time has come when real estate of certain classes is subjected to an almost confiscatory burden of taxation. The relief of this class of property is the immediate concern that prompts the attempt to reform the tax system.

The immediate problem is to relieve real estate and in individual communities the equal need of relieving the tax strain on the mechanical part of the industry, which represents about all the tangible personal property tax, other than motor vehicles and live stock, that the local assessors seem inclined to impose, prompts most investigating commissions to direct attention to the many forms of intangible wealth.

The taxing of intangible wealth through an income tax is generally looked upon as the only means of effectively reaching intangible personal property. Yet, it should be borne in mind that the Federal government raises the greater portion of its four billion annual expenditures from an income tax, and while it is desirable that relief should be given to the small property owner, we should remember that the Federal income taxpayer is now paying the small property owners' share of Federal taxation. A state income tax could easily be made so burdensome as to drive wealth from the State of Iowa.

Everyone realizes the importance of increasing industry in Iowa. Every addition of an industrial plant furnishes additional property, subject to taxation and an added market for Iowa farm products.

Every such addition automatically reduces taxation on other property. Great care should be taken that no legislation is passed which will drive out existing industry or raise a barrier against new.

If we are also to retain our existing tax upon moneys, credits and other intangibles the law should be made as workable as possible and rigidly enforced.

The tax problem cannot be settled by merely considering local conditions. Business being on a national scale and the thought of the people being nation-wide, the tax problems are influenced by the same nation-wide tendency. Iowa should not, and cannot, adopt taxation laws placing its residents on an unfair basis with those of other states.

No tax reform will be of value unless there is builded in connection therewith a good administrative practice.

So long as human nature manifests a desire to shift burdens of taxation and is not anxious to assume any new ones, there will be demands for tax changes and excursions will be quite common into fields of tax reform.

There is only one certain way to bring about tax reduction and that way is to reduce expenditures. There is only one way to reduce expenditures and that is to hold the budget of the local government within safe limits.

Our efforts should be bent toward increased efficiency rather than increased expenditure of public money. Instead of studying new methods of spending more money let us study new methods of spending less.

Indirect pressure from the Board of Assessment and Review might be helpful but it will not be decisive.

The fact is noncontroversial that high taxes are the result not altogether of the legitimate cost of government but to some extent to political waste and inefficiency.

In the State about ninety-one cents out of every dollar of taxes collected is controlled by county boards, school boards, village boards and town boards, whereas only nine cents out of every dollar of taxes collected is under the control of the legislature. You are closely associated with all of these people. If taxes are running rampant, talk to them and curtail your expenses.

Public spirited citizens protest against the waste of millions of dollars in the mismanagement of the school system. Similar waste is found in other important branches of the local government. The crippling taxes on real estate would be substantially reduced by simplified, economical and efficient administration of public affairs. Yet persons complaining

of excessive taxes as a rule do little if anything to bring about good local government. They are prone to leave the choice of public officials to the very spoils machines that plunder them.

A fit school board, a fit mayor supported by a fit council majority would order a thoroughgoing survey of all school and municipal service and would reorganize them on a basis of lessened cost and increased benefits. The resultant savings would be translated into tax reduction or needed improvements.

A friend of the taxpayer is the conservative official who provides a dollar's worth of public service for every dollar spent under his direction. Property owners who have learned to "keep their eye on the ball" know this.

Once the money has been appropriated, all that the assessors and reviewers together can do is to apportion the budget among the property owners. They cannot keep taxes down. That can be done only by the tax appropriating and tax spending officials.

All who have looked carefully and impartially into the tax situation are now agreed that unless appropriations for next year are held to the figures which the Budget Director has made, they will find themselves in a position wherein the tax levy will have to be increased.

The budget makers for local government must also realize their obligation in this matter. The great bulk of our taxes are levied by local authorities. Many of such governmental units are bonded almost to the constitutional limit. The members of the Legislature, the Budget Director for the State, and the various departments of government must realize the responsibility which rests upon them.

I hope that the members of the Legislature and the officials of the various departments of government will rise to their opportunity.

#### EQUALIZATION OF PUBLIC SCHOOL FACILITIES

Education must enable the individual to meet the real problems of actual experience as he finds them in daily life. It must definitely adjust him to his place as a citizen of the State and Nation and cause him to grow in it, accomplishing the most for himself and for society.

The betterment of the rural school is a vital problem. The rural school, too frequently, has not had adequate financial support. There is good reason for this in sections of the country where farm property has had a low valuation, where the land was sparsely settled, or covered by heavy mortgages. As these conditions have gradually disappeared, the school has shared to some degree in this prosperity; but not fully. An equalization fund for the support of the schools should be provided by state aid where other funds are not adequate. Again, the concentration of the wealth of our Nation has presented some very perplexing problems to school administrators in the matter of financing public education.

A tax levied on the property of the community was equitable when the wealth of our country was vested principally in real estate. But since this wealth has been shifted to other types of investment it has become necessary to make changes in the method of financing public education.

States having equalization funds are making an effort toward equalizing educational opportunities, and these funds as a whole are distributed to the different school units on the basis of their effort and need.

It may be added that State aid to schools has proven a wonderful incentive in local communities to become more liberal in their support of schools. I would suggest that the State school fund might be increased from a tax on cosmetics, tobacco, soft drinks, gum, and other articles considered as nonessentials. All are paying large dividends and a portion thereof could be well turned into the State school fund. We are of the opinion that an increase of taxes on farm lands should be avoided.

Expensive buildings are not essential in order to conduct all the various activities of the school. Many of the present rural school houses do need remodeling in order to make the rooms attractive, properly lighted and better heating and ventilation installed. We cannot help but feel that the erection of expensive one-teacher buildings in rural communities is a mistake. Our system of rural schools is undergoing a change. Perhaps the most progressive states in providing better school facilities in rural communities are Indiana and Ohio. The one-room school is fast disappearing in these states. Eventually, the movement is sure to spread to other states. The objection, which may have been well founded, that the transportation of pupils is difficult on account of bad road conditions is quite rapidly being overcome, especially in Iowa. This has been the chief objection advanced by many patrons against the establishment of central schools. Again does it not seem that the erection of expensive one-teacher schoolhouses on paved and graveled roads will become a troublesome problem and necessarily a waste of funds? Sentiment, prejudice, and penury must not be allowed to deprive the country boys and girls and those living in small towns of their right to secure the best possible education, including the high school, where the children may be at home while attending the public schools. Whatever the causes or opposition to consolidation may be, this opposition must cease before the rural school can fulfill its function and provide the rural child with educational opportunities approximating those given the children in well graded town schools. It is generally conceded that the consolidated school provides better educational advantages for children. It is an established fact that the enrollment as well as regularity of attendance are very much improved in these districts.

The school premises should be beautified and playground equipment provided. The school should be amply equipped with devices used in connection with modern methods of teaching. The school library should be made an important factor in every school where convenient access to public libraries is impossible.



The rural school building is the natural place for community activities for the benefit of all in the district. To successfully carry out these activities requires the finest kind of directorship to secure the interest and cooperation of all who should be concerned.

The efficiency of the rural school is seriously handicapped because of frequent change of teachers, and because of lack of experience of the rural teacher.

The rural schools should require especially trained teachers to the same extent that especially trained teachers are being required for the elementary grades and high schools in approved town, city and consolidated districts. The field is a broad one, covering the work of the first eight grades. Specialization to the extent that the grade teacher is a specialist may be impossible. However, the rural teacher must be prepared to select the better and approved methods of instruction for each of the eight grades in her school, not simply for one or two grades as organization may be carried out in the grade schools. Problems of classification and organization place additional responsibilities on the rural teacher. Necessarily there always has been and always will be too many classes in order to cover eight grades of work for one person to handle well. True, there may be classes with only one pupil, but such a class must necessarily be lacking in interest and enthusiasm. The provision by law for the closing of small schools having attendance of five or less pupils is well taken.

We believe the next step in advancement of teacher qualification requirements should be two years of normal training above a four-year high school course. Every other profession, including medicine, law, and the ministry require at least this amount of special preparation. The work of the teacher is fully as important as any of the professions. Should not the preparation of the teacher be made commensurate to the importance of the calling?

### HIGHER EDUCATION IN IOWA

In common with all the states in the Union, Iowa has always considered the education of her people as of paramount importance. If the sacrifices made for education in Iowa when the State was well nigh destitute of taxable wealth could be celebrated in song, it would constitute one of the noblest epics ever written. We have kept the faith of our fathers and we have kept pace most wisely—not extravagantly—with the best educational thought of the nation and the world, alike as to secondary and higher education.

In this connection it might not be amiss to say a word about the plan which Iowa originated twenty-two years ago for the government of its higher institutions of learning. It is a system of unified control which at the beginning was looked upon askance in many quarters. But it has proven itself as worthy of the confidence of the people and is now being adopted by not a few of our sister states.

Not long ago, a man whose name would find a place among the very foremost authorities on educational matters, regardless of by whom the list was compiled, stated that the Iowa system of unified control of state-supported institutions of higher learning had come to be looked upon as ideal—due to two things: the structure of the State Board of Education and the fact that each succeeding chief executive of the State from the beginning had “in the matter of appointments taken the system wholly outside the realm of partisan politics and free from all personal considerations whatsoever.”

This Board has always taken its work seriously. This year it has been mindful of our economic situation and has exercised great restraint in its askings of the Legislature—showing a willingness to await a more convenient season before even so much as making a request for certain capital improvements the need for which is apparent to everyone.

The State Board of Education has frankly talked over all its problems with the Director of the Budget and myself. The details of its askings will be set forth in the several official reports which will be submitted for the consideration of the Legislature. Iowa cannot afford to take any backward steps in education and I am confident it has no desire to do so. The progress of our State institutions since 1909 justifies the high opinion in which our system of government of these institutions is held and argues well for the future.

### VOCATIONAL EDUCATION

One of the essential factors in the future welfare of our country is the permanent and efficient employment of our people in gainful and worthy occupations. To provide food, shelter, clothing, and the other requirements of life is a problem that has been common to mankind during all ages from primitive time to the present day. In order that each individual may have the necessities and the finer things of life he must be capable of following successfully some worthy remunerative occupation.

That there is a growing need and demand for vocational training in Iowa is evidenced by the progress which has been made in the program during the past two years.

During the fiscal year closed June 30, 1930, there were 12,772 persons enrolled in Iowa vocational schools and classes organized under the provisions of the Smith-Hughes and George-Reed Acts. This number represents the largest enrollment in the history of vocational education in the State.

The enrollment for the year ended June 30, 1930, was approximately thirty per cent greater than the total enrollment for the previous fiscal year of 1928-29. The total enrollment for the past year was also double that for the year ended June 30, 1925.

Perhaps one of the most important features of the entire vocational program of the past year is that more than forty-seven per cent of the

total attendance consisted of men and women enrolled in evening industrial, agricultural and homemaking classes. Of the total enrollment of 12,772 persons, 6,044 attended adult evening classes as compared with 1,535 part time school students and 5,193 regular high school vocational pupils.

Although vocational education in Iowa has made marked progress during the past biennium, there is a great need for further expansion of the program. There are approximately 869 fully approved high schools in the state. During the past year vocational work, organized under the provisions of the national and state vocational education acts, was offered only in the following number of centers:

	Number of districts offering work in 1929-30	Approximate per cent of fully approved high schools
Agriculture .....	109	12.5
Homemaking .....	49	5.6
Trades and Industries.....	27	3.2

Many additional school districts need and desire to establish vocational departments but cannot do so because of lack of available funds.

During the fiscal year ended June 30, 1930, a total of \$173,097.57 of federal funds were expended for vocational education in Iowa. This amount includes an expenditure of 98 per cent of all available federal funds appropriated under the provisions of the national vocational education acts. During the last fiscal year Iowa ranked in 17th place among the various states in respect to the amount of federal aid received for vocational education. However, Iowa is one of the lowest ranking states in the union in regard to the amount of state support for vocational training. During the past fiscal year every bordering state appropriated from four to twenty-seven times as much state aid for vocational education as Iowa.

If the State of Iowa expects to meet the need and demand for vocational education it is imperative that state funds be appropriated for this important phase of our public school program.

Due to the development of science, invention, and the effect of the machine upon agriculture, commerce, industry and the home, our civilization is passing through a series of changes, the complexity of which is unparalleled in the history of the world. Occupations are constantly changing in their demands and opportunities. Likewise, new occupations are arising making new demands.

At the present time there are approximately 4,000,000 men in the United States who are unemployed. Without an opportunity to adjust themselves to these new conditions, to new demands of industry, calling for new skilled hands and new technical information, many individuals will fall by the wayside and become idle parasites living off the work of others, or dependents, criminals, and unnecessary victims of the "iron man." Therefore, the state and national governments should work out a

cooperative program which will help solve the pressing and momentous training problems incident to:

a. The continuous vocational re-training of wage earners, temporarily unemployed, unsteadily employed, or likely to be, because of increasing mechanization, progress in business and industrial efficiency and changing economic demands, into operators of the newer machines and processes or into new and expanding occupations, similar to the occupations in which they are experienced.

b. The continuous vocational improvement of wage earners, temporarily unemployed, unsteadily employed, or likely to be, because of their lack of the hand and technical efficiency increasingly demanded of the occupations in which they are attempting to earn a livelihood.

c. The vocational training of older tradesmen into the lighter and more skilled branches of their respective crafts in which their past experiences will be continuing assets and declining strength will be no bar.

d. The training of the nation's increasing number of apprentices in the skilled trades, and learners in other occupations, to a high degree of all-round hand and technical efficiency in their chosen occupations as insurance against future unemployment and loss of wages, and as assurance of an adequate supply of thoroughly skilled workers for the nation.

In the early times young workers acquired the skill and knowledge of a given vocation by watching, imitating and copying fathers, mothers and other elders. That is, they were trained by methods of "followership." For complicated and restricted vocations "followership" methods were in time superseded by "regularized apprenticeship" methods. At present the followership methods of vocational training are precarious, poorly led and in such cases as farming and homemaking, utterly inadequate to keep pace with the scientific developments in these fields. Likewise, the old type of apprenticeship training has become entirely or partly inadequate to meet the demands of today in certain industries. Consequently the demand has become insistent for vocational education programs to perform the service which is no longer secured under these old methods.

The United States Bureau of Education is responsible for the statement that of all the boys and girls who enter the fifth grade in the public schools, only 14 per cent finish high school and get their diplomas. Only 7 per cent enter college, and only 2 per cent graduate. The 98 per cent who quit or dropped out are scattered all along the journey of life from the fifth grade to the graduating exercises in college, but take no part in those exercises.

What becomes of the 98 per cent? Some of them no doubt enter some gainful occupation, but the great majority have been turned loose on the world inadequately prepared to meet life's problems. It is essential that our public school program be so organized that it will meet the needs of this group. Such a program must include adequate provisions for vocational training.

Hence vocational education has become legitimately a matter of public concern and is an activity which is just as important a public enterprise as are the building of roads, the erection of public buildings, or the building of battleships.

The rehabilitation division of the state board for vocational education is commended to the citizens of Iowa as a humanitarian and economic measure worthy of their investigation and support. Persons with physical defects or infirmities are disadvantaged in their efforts to earn a livelihood. Unless unusually endowed with fortitude and persistence, there is danger that they will become disheartened and give up the unequal struggle to maintain their self-respect. Not the least of the evils to follow is the economic loss to society, but to this must be added the unhappiness and desperation born of their despondency.

The efficiency demanded by present day employment conditions demands an equal efficiency on the part of the handicapped. These people do not fall into a class but represent a collection of individuals. Many of these can become unusually efficient in suitable employment. The rehabilitation service undertakes to help them as individuals to organize and direct their efforts toward suitable employment and assist them in their preparation for the job objective. Many times, after this sympathetic but scientific preparation, these persons, despite their physical handicaps, are in better position to meet modern competition than their more fortunate fellows.

The greatest obstacle in the employment of disabled persons is the prejudice of prospective employers. This often comes from judging one from another of similar appearance or considering them as a class. If the people generally could appreciate the social and economic advantages of their employment, their difficulties would be lessened. Their greatest desire is to prove that they can be successful if given an opportunity within their limitations.

No bureau or department of the state can accomplish the rehabilitation of our disabled citizens without the sympathy and support of the public. The public should be interested if for no other reason than that of self-interest. The enormous saving between the cost of maintaining a person in idleness and his earnings in employment is at once apparent. His contribution to the community as a self-supporting citizen for a single year often amounts to more than the entire cost of his rehabilitation. When this is multiplied by his probable usefulness of 20 to 30 years, it is evident that the economic value of a state rehabilitation service is worthy of consideration. To these considerations should be added the vast improvement in happiness, in living standards, and in useful citizenship.

#### COUNTY LIBRARIES

The Iowa Library Commission has recognized the importance of progress in connection with the activities of their Department.

Paved roads and easier means of communication, developed as they are in our state, the efficient library in the future will consist of a county library with one large collection of books centrally located, and branches scattered throughout the county. This system will mean every resident in the county can have available for use any book in the county.

It will also be a time-saver to the busy reader for the reason that a trained librarian will be stationed at the county library who will be in a position to readily find the material desired and thus place it in the hands of those desiring knowledge on a particular subject.

The idea of a county library is worthy of your earnest and serious consideration.

#### STATE DEPARTMENT OF HEALTH

President Hoover, in his address to the members called in conference on Child Health last month, said: The questions of child health and protection are a complicated problem requiring much learning and much action, and we need have great concern over this matter. Let no one believe that these are questions which should not stir a nation; that they are below the dignity of Statesmen or Governments.

"If we could have but one generation of properly born, trained, educated and healthy children, a thousand other problems of government would vanish. We would assure ourselves of healthier minds in more vigorous bodies to direct the energies of our nation to yet greater heights of achievement.

"Moreover, one good community nurse will save a dozen future policemen."

Since Iowa may be considered a rural State, our President's remarks pertaining to rural child life is pertinent. To quote:

"We have grave responsibilities to the rural child. Adequate, expert service should be as available to him (as to the city child) from maternity to maturity. Since science discovered the cause of communicable disease, protection from these diseases for the child of the farm is as much of an obligation to them as to the child of the city. We must find ways and means of extending these influences to the children of rural districts.

Iowa has the permissible County Health Unit law, and also an optional county public health nursing law. This carries forward the principle our President called to the attention of his conference members. Five Iowa counties have adopted the county health unit plan and several others are now contemplating its adoption. Two counties not in the county health unit have full time public health nursing service. The township or town as a unit for public health work has long since been relegated to oblivion by our progressing methods of transportation.

The State Department of Health, during my administration, has developed into a well functioning department of state which will prove of much

benefit to our people. Only a short time ago the State Department of Health consisted of a licensing and a recording division, consisting of a personnel of five or six full-time and a few part-time employees. Now the Department consists of the following Divisions: Administration, Licensure, Sanitary Engineering, Public Health Education, Public Health Nursing, Nursing Education, Vital Statistics, Preventable Diseases, Rural Sanitation, Laboratory, Barbering, Cosmetology and Law Enforcement, employing forty-three trained, full-time employees.

Finding some duplication of activities the Department of Health joined with the Dean of the Medical College and the late Commissioner of Health, Dr. Albert, in soliciting the Surgeon General of the United States Public Service, to detail a competent employee to make a complete survey of all health activities now being carried on in the State by official, semi-official and lay organizations. Dr. A. J. McLaughlin, who has had world-wide experience in public health work, was detailed for the work and after several weeks reported his findings, with recommendations.

Much information and many facts pertaining to plans and procedure toward the further development of state-wide public health activities may be found in his report.

No governmental funds will yield the percentage of return upon the investment as the money expended in public health.

Iowa, economically, spends hundreds of thousands of dollars annually for protection of live stock and rightfully so, but money for the improvement of human kind should be met with favor since science has given us facts sufficient to guide and direct our expenditure with profit.

Recent General Assemblies have seen fit to add to the usefulness of the State Department of Health.

The last session of the Legislature gave the Department a specialist in the science of control of preventable diseases.

Since the Department is charged with law enforcement as it pertains to the several professions, money was appropriated for a Division of Law Enforcement.

Most professions through their licensure pay all the expenses incidental to their being legalized by the State, but the laws governing the professions are made with the thought in mind of protecting the public and public welfare, so therefore illegal practice, or the law enforcement, is a matter in which the State as a whole should become interested.

The last session of the Legislature made it legal for the Department to accept outside financial aid.

The Rockefeller Foundation and the Rural Sanitation Division of the United States Public Health Service has made it possible to assist financially in the organization of County Health Units.

This financial aid is given for a period of years, to be withdrawn as soon as the organization is adjusted and the local authorities can take over the expenditure.

The United States Public Health Service has given personnel as well, in detailing one whose salary is paid by the Service, to assist in advising those interested in the organization and benefits of a county as the unit for all health activities. County surveys indicate that the monies now expended in strictly public health work in most counties is almost, if not fully, enough to finance a county-wide organization which is much more effective in service.

The policy of the Department of Health should be to avoid a great central, paternalistic Department, but to advise and assist local officials in giving their constituents service.

The control of communicable disease is best when scientifically and promptly handled by local officials.

All public health activities are handled more successfully if the administration is local and governed by sound public opinion.

Iowa, in the interest of humanity, could afford to adopt, in addition to the work already being carried forward by the Health Department, a division of maternity and child hygiene together with a Director of Public Health Nursing.

These measures tend to relieve suffering, prevent death, and insure a future generation healthier and better than the one preceding it.

I have not yet found any woman against these measures. Its chief opposition lies among professional men who feel their field is being invaded. The doctors have a great fear of what they call state medicine; that is, of government operated hospitals and clinics, but they need have no such fear in this case.

The maternity and child hygiene act should be passed and the division made a bureau in the Health Department. The actual administration would be wholly in the hands of the medical officer of the State. Our people are indebted to many non-official agencies which have been contributing factors in this great work.

Every child in the United States has the right to be well born; and every mother in the United States has the right to be safeguarded in bearing her child.

These activities as a part of the State's program, would not only be beneficial to the people of Iowa but to the nation generally, and would sustain the President in his well thought out program for rehabilitating the child, thus affording him a real opportunity in the race of life.



## CONSERVATION

Iowa has made progress in conservation. Before we can effectively complete a conservation policy in keeping with our State we must have a definite program. This program must be based upon definite knowledge. To obtain this knowledge there should be a scientific survey of our parks, our rivers, our lakes, and our forests, to ascertain the effect the cutting of our forests, the draining of our lands, and the building of our highways, is having upon the water level.

The water level of Iowa soil needs watching. The practice of past decades in draining all of Iowa's lakes and sloughs which could possibly be drained has been unwise. Every lake, no matter how small or how shallow, plays an important part in the plant and animal life of this State, and should be preserved. Marginal lands should be planted to forests and trees should be placed along our highways; thus adding beauty and comfort.

The State's natural resources should be conserved, and such resources dedicated to the benefit of all the people of the State.

Reforestation is a necessity.

## INSTITUTIONS UNDER THE BOARD OF CONTROL

The duties of the Board of Control have been increased materially during the biennium on account of the ever increasing population.

The total number of wards in State Institutions, June 30, 1928, was 12,325, and the average for two years ending June 30, 1928, was 12,039. The total number in residence December 1, 1930, was 13,375, an average of 12,592 for the period from June 30, 1928, to December 1, 1930. This increase of 721 inmates at an average cost of \$25.00 per month per patient amounts to \$18,025 per month or \$432,600 for the biennium.

For the year ending June 30, 1929, the gross expenditures for salaries, support and maintenance was:

	Expenditures .....	\$4,180,784.67	
	Less collections and refunds.....	274,801.90	
	Net cost support, 1929.....		\$3,905,982.77
Year 1930			
	Gross expenditures .....	\$4,235,515.82	
	Collections and refunds.....	266,456.99	
	Net cost support, 1930.....		\$3,969,058.93
	Total net support for biennium.....		\$7,875,041.70
	Special appropriations expenditures for betterment and improvements,		
	1929 .....	\$ 159,039.70	
	1930 .....	437,592.58	
	Total .....		\$ 596,632.28
	Total expenditures, support and specials.....		\$8,471,673.98

This does not include expenditures from the Industry Funds which includes cell house at State Reformatory, \$150,000; dairy barn and creamery at Clive State Farm, and cell house and water tank at State Penitentiary at Fort Madison. The improvements for which capital appropriation was made have all been completed or are in course of completion.

The industries maintained at the Penal Institutions are all in a prosperous condition and constant efforts are being made by the Board to increase the State use industries. During the two year period an average number of 1,313 inmates were employed in the nineteen industries at the Men's Reformatory and the State Penitentiary at Fort Madison. The total sales from these industries was \$2,119,111.85. The prisoners were paid in wages \$282,975.32. The net profit of the above industries to the institutions for the period was \$407,824.22.

Splendid herds of pure bred dairy cows are maintained at each institution supplying sufficient whole milk for the inmates at a very moderate cost of production. The dairy herds under this department are second to none in the United States and consist of many 1,000-lb. cows that are known to breeders throughout the nation.

In addition to the dairying industry, large acreages of splendid farm land are being operated, producing food for the herds as well as meat and garden products for the support of inmates.

The net profits to the State from the 12,348 acres of land owned by the State and 3,335 acres rented by the various institutions, including the profits from the dairy herds, was \$509,035.28.

### TREATMENT OF CRIMINALS

Failure to provide suitable productive occupations for prisoners is today breaking down the morale of hundreds of men and women. From the practical business viewpoint, idleness means that these people are a net loss to the state, whereas the majority of them could be converted into productive workers.

The enforcement of the Hawes-Cooper Act in 1934 will in effect destroy the contract system under which prison labor was "let out" to private contractors. The Hawes-Cooper Act will close markets previously used under the private contract system. It is necessary, however, to transpose the work of men and women who were laboring under this contract system to other lines of work. The prison authorities must act quickly for the alternatives are riot or re-organization.

The results of idleness do not all appear while the prisoner is under detention. It is a corrosive that destroys the will to work. It affords the opportunity for morbid introspection. It opens the doors to pernicious communion with other convicts. All these factors result in the breakdown of men and women whose criminal propensities might be wiped out and creative ones substituted if the prisoners were supplied with adequate industrial equipment.

Overcrowding, lack of classification, old prison buildings and idleness, it must be remembered, constitute the four great prison problems. Out of them can grow bloodshed, degradation and an appalling waste of human life and tax monies, or they can be handled in a clear, constructive manner so that the opposite results will be realized.

Receiving Bureaus in which prisoners are studied and analyzed should be established.

The mentality, physical condition, moral attitude and causes and nature of crimes committed by those sent to our penal institutions should be carefully analyzed and subsequently a proper classification into groups for service, treatment and character of confinement should be carried out.

The mental attitude of the prisoner is the most important single factor in his prison life and should not be overlooked. When prison officials can appreciate this fact and adjust the prisoner's life accordingly, disciplinary problems will be reduced in a marked degree and the morale of the entire institution maintained at a higher level.

This is not a plea on behalf of criminals. It is rather an indictment of conditions which continue to breed both inside and outside the prison. And it shall not improve until some saner and more intelligent method is pursued in the understanding and handling of some of these problems from the psychiatric standpoint.

Until then we can expect to see the same grotesque spectacle of men constantly being sentenced to serve terms in prison for the same offense and constantly growing more hardened, more bitter and more relentless in their hatred of society. We shall continue to see the germ of insanity grow and flourish, and we shall see the anti-social traits etched deeper and deeper into their character, without a single step to remedy it so long as we adhere blindly and stubbornly to old ideas.

There should be a close relationship between the courts and the Receiving Bureau. The Receiving Bureau, if functioning properly would lessen the number of prisoners who would finally be committed to prison.

Whatever the system adopted, prison management gets down to a question of character of the system. There is no fixed formula for dealing with prisoners. Those who work as wardens and deputies in our prisons have as difficult a task as there is in this world.

Fortunately, more and more men and women are going into institutional work, inspired with the belief that their vocation is a noble one of the same class as that of the great teaching force of the country. More and more people are realizing that our prisons are a part, and an essential part, of the administration of justice in the land. We are also beginning to realize that the highest jurisdiction is found in a deep and intelligent sympathy with erring and straying men.

Crime means suffering and oftentimes an injustice is visited upon the innocent when the bread winner is taken away from the children and their

support is thrown upon the mother and her wash tub, or some poor, faithful and loyal man, father of the convict.

Such convicts should be employed at wages which might and should be diverted to keep the family hearth warm. It appears to me that a vast reformatory influence would be exerted if the convict, by his labor, could support, partially at least, his family and return to a home that had been maintained by his efforts when he had served his sentence.

Ofttimes it is neither justice, economics or advantage to the state when this bread winner is taken from his family or his dependents, possibly an aged mother, and no return made to those dependents to keep them from the poor house, public charity, the wash tub, or, in some cases, from prostitution.

It is imperative from the standpoint of statesmanship in a Christian Nation and a Christian State that we who are thus perpetrating a serious injustice to the innocent through the power of the State should seek and find a remedy. There is no question of greater importance today than the study of the cause and treatment of crime.

The social status of the next generation of adults is the direct outgrowth of the training and environment of the present time.

We must become awakened to the fact that the extent of crime has become alarming. Let us remember that punishment has a two fold purpose: first, the punishment of the offender; second, the rehabilitating and re-establishing of the convict as a useful and self-sustaining citizen.

## PARDONS, COMMUTATIONS, SUSPENSIONS AND REMISSIONS

I have endeavored to deal justly with the prisoner and the public in the matter of pardons, commutations, suspensions and remissions; each case presented has received my personal attention and reviewed with care and caution. A detailed report setting out each case fully is presented to the General Assembly in a separate report, as provided by law.

The Board of Parole has given me excellent cooperation in the investigation of all cases which have been submitted to the Board by me.

## CRIME: CAUSES AND PREVENTION

I would suggest that a thorough study of the causes of crime and a follow-up with a systematic plan of public education is the most practical method of solving the crime problem. A study of causes and prevention of crime is the best method of combating crime.

1. The greed for gain by individuals, by business organizations and corporations develops an attitude of mind that is responsible for much of the crime tendency of the time. The inordinate desire to get business at the expense of human energy reflects the spirit of the day. In its worst form this greed for money is shown in bank robberies, kidnapping for ransom,

bootlegging, misrepresentation in quality of merchandise and the demands and deception of the laborer and labor organizations.

2. People have gone amusement mad. Waste and extravagance to satisfy a desire for pleasure at the expense of securing and maintaining reasonable needs of the home is in large measure responsible. Frequent attendance at movies, in some instances, two, three or more times a week; even to the extent of daily waste of time and expenditure of money, over use of the automobile at the expense of paying for homes, for clothing and for food are cases too prevalent.

3. A third factor is the neglected child. Every child's birthright is right example and training in the home. Club and society life occupy too much of parents' time. The home must ever remain as having the major attention of parents. Civilization will fail and decay without this. An examination of the lives of those who commit crime shows a lack of proper home conditions and surroundings. The divorce evil separates families and the child grows up without proper parental affection and guidance. Social ideals gradually become lax as the child develops into manhood and womanhood. Respect for order, respect for law and the rights of others suffer.

4. Improper parentage is a factor in criminality. Physical and mental deficiencies of parents is a tragedy that will destroy the virility, virtue and sense of honor of the family and ultimately of a nation or race of people.

5. The decline in regular attendance at church is partially responsible. Religious instruction is the highest type of ethical training. Devotion to the Sunday newspaper, automobile trips, catching up the left-over details of office work interfere with attendance at church.

6. Abandonment of discipline in the home and the school is productive of lawlessness and disrespect for authority. Discipline to the extent of crushing individual initiative is not to be commended, but discipline that promotes orderly activity and that insists on proper conduct is essential in the making of a law abiding citizenship.

7. The responsibility for law enforcement rests upon both State and Federal authorities. It is likewise the duty of each citizen to observe the law and to assist and encourage the observance of law by others. It is as important that the elective and appointive officers charged with the enforcement of the State and Federal laws, who are selected within the State, be just as courageous, fearless and honest in the performance of their duties, as it is that the officers charged with the wider authority in enforcing the Federal law, possess those qualifications. Public officials appointed for the purpose of enforcing the law must themselves be law abiding citizens and must have respect for all laws and be personally in favor of their enforcement, if we are to have a discharge of duty that meets the standards which law abiding citizens have the right to expect. Iowa with her boast of the greatest per cent of literacy of any State and a code of laws of the highest type, should be an example to other states in the matter of law observance and law enforcement.

8. I denounce all propaganda against the Eighteenth Amendment as vicious. Evils of every sort were never remedied by compromise. Return to State control of the liquor problem would simply be a return to a system that makes control of the liquor traffic impossible. It must be obvious to every one who stands for temperance and sobriety that no state can remain dry when surrounding states are wet. The ineffectiveness of State control was demonstrated beyond dispute prior to the enactment of the Eighteenth Amendment.

Henry Ford is right, "An industrial order that has discarded the reins, dashboards and a team-that-knows-the-way-home can't afford to line its highways with 'regulated liquor shops'—not with a forty horsepower motor under the toe of a drinking citizen."

Let us have observance and enforcement of the law—not repeal.

#### SOCIETY'S OBLIGATION TO PROTECT ITSELF

The Forty-third General Assembly passed a law providing for the sterilization of defectives. The law remains idle on the books. It has no appropriation clause and without an appropriation the intention of the legislators in the framing of the measure cannot be carried out.

The Iowa sterilization law offers the operation to inmates of State institutions who have been singled out by the Board of Eugenics consisting of the superintendents of these institutions. Among those who will be recommended for operations will be advanced syphilitics, feeble-minded, epileptics, and chronic sexual perverts. The law exists in nineteen states at present.

This State owes it to itself to protect future generations. Without eugenic perspective, we are in danger of raising a race of idiots.

Justice Holmes of the United States Supreme Court in holding the sterilization law constitutional, said: "We have seen more than once that the public welfare may call upon those who already sap the strength of the State for these lesser sacrifices, often not felt to be such by those concerned, in order to prevent our being swamped with incompetence. It is better for all the world, if instead of waiting to execute degenerate offspring for crime or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the fallopian tubes. Three generations of imbeciles are enough."

An ineffective law is equal to no law.

#### NO GOVERNMENTAL COMPETITION

There is a tendency in recent years for governments to engage in certain lines of business in competition with its citizens. Such competition is unfair, tends to socialism, and makes more and higher taxes. Some of the institutions of the State are continuously reaching out and engaging

in business. This aggrandizement should be avoided for it is the duty of government to see that every citizen has equal opportunity to engage in any lawful enterprise without the handicap of governmental competition. We should have the right to the rivalry of life on a footing of equality of opportunity, for of such has been the upbuilding and glorifying of America. The door of opportunity must stand ajar so that all who wish may enter, rich or poor, native or foreign born. There will be no office-holding oligarchy in Iowa.

President Hoover in a recent public address well said:

"Every expansion of government in business means that government \* \* \* is driven irresistibly without pause to greater and greater control of the Nation's press and platform. Free speech does not live many hours after free industry and free commerce die. \* \* \* Every step in bureaucratizing the business of our country poisons the very roots of liberalism—that is, political equality, free speech, free assembly, free press, and equality of opportunity."

#### STATE FISH AND GAME DEPARTMENT

During the past years the Fish and Game Department has been placed upon a sound business basis. Rapid strides have been made by the department in its activities of the past biennium. At the close of the two year period, June 30, 1930, the balance in the Fish and Game protection fund was \$132,045.23.

The demand made upon fish, game and fur bearing animals is increasing each year. More people are seeking out of door recreation and employment. As the demand increases so must the supply increase. To this end the department has increased the number of nursery ponds where game fishes are held until they attain a size of from four to twelve inches before being distributed. During the biennium new nurseries have been established at Diamond, Welch and Clear Lake. The feasibility of this plan is readily seen as there is practically no loss when fishes of this size are distributed.

One hundred and thirty-five acres of land have been purchased adjoining Wall Lake in Sac County for fish nursery and game refuge purposes. Bass hatchery ponds have been built in the Palisades State Park near Cedar Rapids. New trout ponds are now in use in Dalton Lake which has been turned over to the State. This lake is near Preston.

Brood bass have been supplied to sportsmen organizations wherever they were found to have suitable waters for their propagation. The capacities of the various fish hatcheries have been very materially increased. More fishes have been rescued from land locked ponds and distributed than ever before. The total of all fishes distributed during the biennium was 130,177,709.

Two State game farms are now maintained at Clive and Lansing, Iowa. Distributions of ringneck pheasants for the biennium were 7,231 birds and 19,052 eggs.

Due largely to protective measures enforced by this department, the fur industry in Iowa brought trappers during the last season more than \$780,000.00 for furs of animals trapped by them.

The department has received better support from sportsmen's organizations throughout the State than ever before. Many men have given of their time and labor gratuitously to assist in emergency cases where fish were stranded.

The present system of assistant game wardens should be discontinued and a field force established of scientifically trained men in addition to the present fish culturist whose duties it shall be to make a complete scientific, biological survey of the lakes and streams of Iowa, including the effect of algae in Iowa lakes upon fish and provide for its treatment and control, in addition to the duties now carried forward by the deputy game wardens. The field force should also be granted power as police officers.

### STREAM POLLUTION

The causes of pollution are many and virtually all of them can be removed. Many Iowa towns are dumping the refuse from their sewage disposal plants into their nearest lake or stream. No purification plant has ever been made which will totally eliminate impurities in water—these plants simply reduce the impurities.

After nearly six years of experience with the Iowa law in attempting to remedy Iowa's pollution problem in the lakes and rivers of the state, the only conclusion possible is that further material progress cannot be expected until a broader and more intelligent view of the whole problem is adopted.

The development and maintenance of the sewage system is dependent upon securing adequate funds in competition with more popular undertakings, such as schools, developments of parks, highways, police and fire departments and welfare work.

As few are concerned with what becomes of sewage as long as it is removed from the individual's premises, the sewerage system is provided for only after the wants of all others are met, with the result that it is neglected and always lagging in its development many years behind the general development of the community.

Our experience in Iowa indicates that unless this question of disposal of sewage is looked upon as an essential public utility, just as is the supply of pure and wholesome water, no improvement in the present unfortunate situation can be expected.

On the other hand, if we admit that the supplying of pure water and the removal of that water after it has been converted into sewage by the householder is one continuous operation, and that each part of this operation is as important as the other, then it would be logical to admit that each step in the operation should be financed in the same manner.



A proper conception of the whole subject would be to provide that the householder should pay for sewage removal in exactly the same way as he does for the water supplied him, and on the same basis; that is, by a rate so fixed that it will bear the cost of the service so rendered.

Other causes of pollution are live stock wading in the waters stirring up mud and destroying vegetation; low waters which expose vegetation and mud bottoms; breaking the soil and clearing woods, resulting in silt running out into the waters; oil-discharging motor boats; refuse left by tourists and picnickers; and industrial refuse which is worse in streams than in lakes.

Much investigation has been made as to the most scientific plan to stop the present pollution of streams and lakes, and to prevent the further destruction of same by natural and artificial pollution.

Our statutes charge the Department of Health with the work incidental to stream and lake pollution. We find other Departments of State vitally interested; viz., the Fish and Game Department and the Department of Conservation.

In fact, the lake and stream pollution as a direct public health problem is of minor importance, but indirectly is of public health significance, and also has a direct significance to the Fish and Game and Conservation Departments.

The work of lake and stream pollution is of such a nature that it necessitates the employment of Sanitary Engineers. With the efficient corps of engineers now employed by the Health Department, they should and can be employed to do the engineering necessary to the project, thereby avoiding the necessary expense of employing another corps of engineers.

The Fish and Game Department, the Board of Conservation and the Department of Health have agreed upon a bill to be presented to the Session, co-ordinating and correlating all activities pertaining to stream and lake pollution to be directed by the heads of the aforementioned departments.

All State Departments whose endeavors bring them into association with the same problems, might well follow the example of these three departments in dealing with the monster problems of lake and stream pollution, that whatever their problem, it may be handled efficiently and economically.

### THE CONTROL OF BLUE GREEN ALGAE

The presence of blue green algae in a body of water is evidence that the waters of the lake are polluted, for this type of algae feeds upon the impurities of the water.

There should be a scientific study to determine the source of the pollution upon which algae feeds, coupled with measures to control it until its

causes are determined, and the natural conditions restored as much as possible which formerly controlled this type of plant life.

Copper sulphate has been used for four seasons at Storm Lake. There can be no doubt that the physical characteristics of the lake have been improved by this treatment. Likewise it has been demonstrated that copper sulphate, properly handled, can be applied without poisoning the fish or destroying the plant life to the extent of endangering fish life.

All agree that copper sulphate at best is a palliative treatment and does not remove the cause of the trouble, and this should be kept in mind. On the other hand, since physical benefits have been derived at Storm Lake, and since the effect of the copper sulphate treatments on plant and animal life is only a negligible quantity, the use of copper sulphate could well be recommended in the control of blue green algae.

If it should be found that the removal of the blue green algae in the lakes be economically unfeasible, then palliative measures which prolong the usefulness of the lakes for recreational purposes should be carried forward.

If palliative measures, such as copper sulphate treatment, are definitely found to be injurious to fish propagation (as some contend) it may then be necessary to make a choice between fishing lakes or lakes free from objectionable concentration of algae.

Some lake should be selected for this treatment for the purpose of further study and comparison with untreated lakes and in order that this might be accomplished, I recommend that there be appropriated by the Legislature the sum of \$10,000.00 annually to carry forward this program, to be expended under the direction of the Board of Conservation.

## AGRICULTURE

During the past six or eight years, farm relief has been a much discussed subject throughout the country and in legislative halls. This period has witnessed attempts on the part of politicians of every shade of belief to climb upon the farm relief legislative band wagon. Others have been working more or less quietly, but nevertheless effectively, for the benefit of agriculture.

I came into office about the time the Iowa farmer was feeling most keenly the result of the general post-war economic depression. I realized that legislative action was necessary, but instead of rushing into vague promises and impossible farm relief programs, I surrounded myself with a group of engineers, economists and farm organizations, and with this group, after a study of the farmers' ills, actually laid the foundation for many of the legislative benefits that have come to the farmers within this period.

It was the Iowa Industrial and Agricultural Commission created by me in these early days of farm relief agitation which made an expert study

of the farmers' difficulties and pointed to tariff inequality, to improper marketing conditions and to transportation handicaps which are today recognized by the National administration as the greatest obstacles to be overcome before the condition of the farmers can be rectified.

This Iowa Commission which has heretofore received very little public acclaim, produced economic data which convinced Eastern interests and business leaders of the country that more legislative assistance was necessary for the farmer. This groundwork was one of the initial tasks before farm relief advocates, and only until this was accomplished was it possible to center attention upon the condition of agriculture to the extent that the farmers' cause received consideration in Congress.

Information gathered by this Industrial and Agricultural Commission constituted the evidence which finally led to a revision of trading regulations on the Chicago grain market, to adoption of rules protecting grain shippers from improper grading practices, and to the ousting of certain commission firms which had abused their Board of Trade privileges.

In the second year of my administration, I personally went to Washington and played a part in the Federal Tariff Commission's consideration of higher tariffs on certain farm commodities. Through these efforts an increase of the tariff on butter from 8 cents to 12 cents a pound was secured, thus achieving a prohibitive duty for the protection of the Iowa dairy industry.

Through work with this Commission we were able to lay before the Tariff Commission the most valuable data that body obtained during its consideration of the corn tariff. At that time, I was requesting a corn tariff of 25c to 30c per bushel. My position is borne out by the fact that the present tariff bill raises the duty on corn from 15c to 25c.

Back as far as 1924, I was working along another line for the relief of farmers. I realized that there were two phases of the movement to be dealt with;—one, the producing of facts for the guidance of legislative bodies, and the other the task of arousing public sentiment in behalf of the farmer. For this latter purpose, the idea was conceived, which later was known as the "Committee of Twenty-two," including the governors of eleven states, farm leaders, legislators, eminent professors and others familiar with the farm situation. This organization functioned throughout the period that farm relief legislation was before Congress, arousing the legislative support and public sentiment in behalf of various farm relief projects.

Throughout this whole agitation, I have been content to study the problem and to work quietly, but none the less effectively.

Two years ago the people of Iowa, proud of their native son, and confident of his ability to fill the high office of president, turned to Herbert Hoover with a record vote.

I am today a sincere supporter of President Hoover's farm relief program. I am cooperating in every way possible with the Federal Farm

Board and other agencies devoted to farm welfare. The facts are, however, that up to date the efforts to bring about a substantial improvement of agricultural conditions by legislation, either state or nation, have been of little avail.

It is, in my opinion, necessary to face the fact that there must be a more substantial guaranty of reasonable prices to the farmer for what he produces than has yet been afforded. Certainly if we are to accept the theory that the state owes an obligation to its employees, which we admit, it also owes a like obligation to see that its farmers are assured fair compensation for their labors.

The state or nation cannot, of course, protect agriculture from overproduction, but it can, by proper tariff regulations and better marketing machinery, insure to the American farmer the right to enjoy a profitable market.

Agriculture is not yet on a basis of equality with other major industries of the nation.

An economic inequality between agriculture and industry exists. Back of this inequality is the tariff. The question never will be finally settled until adjusted on the basis of fairness and equality, upon which depends the happiness and prosperity of the people engaged in these major pursuits.

It is fundamental that something be done to revive a fair relationship between farm prices and the prices of industry and labor. This in my opinion constitutes the crux of the matter. There can be no satisfactory settlement of the question by misrepresentation and masking of the situation in tariff revision.

As long as American business men, workers, and farmers go on submitting to the inequalities of our present tariff legislation, there will be no permanent relief for the depressed cycle.

### COAL INDUSTRY

Although Iowa ranks 16th in population and 23rd in area of land, she ranks first in the production of corn, oats, horses, hogs and poultry, also first in the total value of farm products, and first in the percentage of farm land improved.

According to the 1925 state census, the Iowa Manufacturers Association and the Department of United States Commerce find that the factories in Iowa have an annual output of over \$800,000,000.00 and have over \$450,000,000.00 invested in plants and machinery, yet there are many who fail to recognize that the coal industry is second only in importance to agriculture.

In 1917 the peak of the production of Iowa coal was 9,049,806 tons and there were employed in the production of the same 15,464 miners. In 1910 there were actually engaged in the producing of Iowa coal, 18,005

men, although the tonnage for that year fell short somewhat of the tonnage in 1917, with approximately 2,500 less men working.

There are 201 coal mines in Iowa, according to information received from the State Mining Inspector's Office, and in 1929 there was produced 4,337,013 tons of Iowa coal, valued at \$11,938,000.00. It is estimated that approximately 70 per cent of this value went to labor alone, or approximately \$8,000,000.00.

The estimated annual fuel requirements for Iowa is approximately 16,000,000 tons, therefore it can be seen that only about 25 per cent of this amount was Iowa coal for 1929, yet it is encouraging to note that the production in 1929 over that of 1928 was increased approximately 600,000 tons and over 900 more men were engaged in producing coal in 1929 over that of 1928.

According to the Iowa Geological Survey, Iowa coal ranks high in heat units, and computed on a dry basis, the average Iowa coal ranks 12,045 B. T. U.'s while only a few of the far eastern coals even approach 15,000 B. T. U.'s, the maximum heat content of the very best coals. It has been determined therefore, that Iowa coal is the most economical and that a saving can be made of from 20 per cent to 50 per cent by using this home product.

Those connected with the Iowa coal industry and in particular with the Iowa Coal Institute, see no reason why the coal industry in our state should not be placed on a plane with the various bureaus in the State Department of Agriculture. The Institute therefore made application through the State Mining Inspector's Office, for the nominal sum of \$6,250.00 to be devoted for promoting and encouraging the use of Iowa coal by Iowa citizens. The State Budget Director and myself have approved this application. If this recommendation is approved by the Legislature and an appropriation so made, it will enable the Institute to carry on its educational campaign to acquaint the citizens of our state with the true merits of Iowa coal, and directly benefit the industrial situation.

A definite sum should be set aside in the appropriation to be allotted the research departments of the two state schools, namely Iowa State College and the State University of Iowa, which sum could be used entirely in the chemical engineering departments to determine the various means and methods whereby Iowa coal can be used in the manufacture of various commodities produced or manufactured in our state. The Department of Ceramic Engineering of Iowa State College, under the direction of Paul E. Cox, has suggested that a fellowship would cost about \$900.00. This Department is working along the lines of research work, studying clay products, and is trying to design kilns to burn Iowa coal. This Department has not forced itself to the attention of Iowa coal, but is willing to cooperate if sufficient means are provided for further research. Dr. O. R. Sweeney of Iowa State College is very anxious to have a definite sum set aside to his department for technical study of the Iowa coal industry and states that under the present plan their funds are so limited that very

little constructive work can be done on account of the lack of funds, or lack of a certain stipulated amount that will assure them of carrying on their work, there being so many departments that cut in on the same.

The present unemployment situation in Iowa could be largely met if Iowans would burn Iowa coal, for it would mean that if we could even get our tonnage back to 9,000,000 tons, as it was in 1917, that over \$16,000,000.00 would be added to labor alone. Money kept in Iowa enables the coal miners and others connected with the industry to buy Iowa products produced on the farm or in the factory.

The Iowa Preference Law should be strengthened to the point that a penalty would make it mandatory for all Iowa public officers to buy and use only those products that are produced or manufactured in our own state, for buildings under their supervision. In other words, the so-called Iowa Preference Law should have "teeth" inserted in this statute. In fact, if all public buildings in our state, including state institutions, county and municipal buildings and schools, were to use Iowa coal exclusively, the mines would be required to devote their entire time to producing coal for this demand. Yet over \$55,000,000.00 is sent out of the state annually for foreign fuels.

Cement, brick and other materials that go into the construction of public buildings and highways should be prepared with Iowa coal.

The present difficulties in the bituminous coal industry are general over the nation. Iowa alone is not the only state in which this industry is suffering; however we are having more than our share of competition for other states have a very favorable freight rate, particularly from Western Kentucky, Indiana, West Virginia and Illinois, that enables coal to be hauled at several times a greater distance, for even a lower freight rate than coal can be shipped to various points in Iowa from Iowa mines. For a concrete example: coal can be shipped from Illinois and Western Kentucky to Davenport for 78c per ton less than from the Appanoose county field to Davenport, although the differential is only about one-third in distance. Actually, consumers in Sioux City can procure coal from Colorado, Arkansas or Missouri, for a considerable amount less on freight rates, although the differential in miles is twice to three times as great as compared to the distance from Iowa mines. The Interstate Commerce Commission should equalize the rates granted coal companies in foreign states, or the Iowa Distance Tariff should be revised.

The demand for coal has been reduced due to the development of electrical water power, of natural gas and oil, and of improvements in consumption, which have operated to slow down the annual demand for coal, leaving a most excessive production capacity.

Our competitive system should not be permitted to produce a competition which destroys stability in an industry and reduces to poverty all of those within it. The ideal is rather to maintain that degree of competition which will tend to induce progress and protect the consumer. Regulatory laws should be enacted or revised to the extent that this ideal may

be reached. Proportionate taxation upon those interests that have tended to compete with the coal industry should be enacted, thereby placing the responsibility upon competitors to pay their just share of the tax burden. I refer to natural gas and oil pipe lines which are being installed by companies, and which should be properly regulated and supervised so as to co-ordinate with our existing industrial system.

There should be a revision of our tax laws as to utilities so that all of our utilities, including railroads, telegraph, telephone, express companies, transmission lines, electric, gas and water companies, be assessed by the State Board of Assessment and Review with proper provision in the law so that local communities may have the benefit of the tax on local property owned by these companies. This legislation could properly include the natural gas and oil pipe lines.

Railroads operating within our state borders should be impressed with the importance of burning and using Iowa coal on their various lines, operating and depending upon the people of our state. These companies should recognize that they cannot be prosperous unless industry and agricultural interests are likewise granted reciprocity, namely by burning Iowa coal and using Iowa products in so far as they possibly can.

Summary of suggestions presented under this caption :

1. Preference law with penalty.
2. Relief to unemployment by using Iowa coal.
3. Support of Iowa industries by all state institutions.
4. Regulatory laws to protect encroachment of electrical power and natural gas.
5. Importance of the coal industry.
6. Sound economy.
7. Provision of Interstate Commerce Commission on freight rates.
8. Appropriation for further definite research upon coal and its qualities.
9. Appropriation to enable Iowa Coal Institute to be placed on a plane with other industries.

## BANKING

In my previous messages to the legislature I have at various times outlined certain fundamental principles necessary and essential to the strengthening and modernizing of the banking code of our State. At the last session of the legislature many of these provisions were written into our code and without question constituted the most comprehensive re-codification of the banking laws that Iowa has ever undertaken since banking was set up in this State. That re-codification of banking laws has served

to point the way for other states that have taken under consideration the re-vamping of their banking statutes.

Under the provisions of this act the banking situation has shown steady improvement during the past biennium. The better banking practices which have been put into effect by the State Banking Department during the past five years have produced good results in building better and safer banks in Iowa.

The economic administration of the closed banks under the Banking Department has been an outstanding achievement in the handling of trusts of this kind in the United States. It has been commended by well known authorities in many states.

The judges in our District Courts handle these receivership cases every ninety days. A complete report of all funds received and paid out is filed and a public hearing held on each report in their respective counties. A continuous check is thus had on the accounts in every receivership. In the case of bank receiverships the Banking Superintendent, as receiver of closed banks, should be required to publish a list of all debtors and the amounts owed by each in the county newspaper within a reasonable period of time but not to exceed three months from the date that said banking institution goes into receivership, and at the end of each three months thereafter until such receivership is finally liquidated, in order that the public may be informed as to the assets of the institution.

Many of our smaller communities, in which banks have closed, being unable to support a regular bank, are asking for some kind of banking accommodations. The feasibility should be considered of permitting state incorporated banks to open up offices (not branches, for the Iowa law already prohibits branch banking) in those communities that do not have any banking facilities. If such a policy is adopted, no office should be opened in any town having a bank, and if a bank is organized in a town where an office might have been established, the office should then be discontinued. The State Banking Department and the State Banking Board should administer and prescribe rules and regulations under which such offices might be opened and conducted,—the operations thereof to be confined to the work of accepting deposits, paying checks, and any other necessary clerical work. All loans should be made at the parent bank and the office should be restricted to the county in which the parent bank is located.

### AERONAUTICS

In general, the Iowa laws enacted in 1929 are very satisfactory. Any general altering of them is needless and would necessarily make them less satisfactory. They are simple. They provide for uniformity with other states and the Federal government. They involve the State in no large expense and the aeronautic industry in no red tape.

Would suggest, however, as possible improvements of our aeronautic laws, the following:



1. *The regulatory statute.*

The licensing provisions of this law are wholly sound. That part of the law which quotes the Federal air traffic rules as they were in operation in the spring of 1929 and makes them Iowa laws, could well be amended to bring it up to date. The purpose of this part of the law of course is to establish uniformity of air traffic rules.

2. *The airport enabling act.*

This act gives cities and towns adequate powers. It should be amended to give the state government or some appropriate branch of it similar power to establish airports. It might also be well to extend the power to counties and to allow two or more cities or towns, or a city and county, jointly to acquire and develop airports. Development of airports by the State itself on any large scale is unlikely in the near future. There is at least the possibility that usable ports could be established in existing State parks, on land already owned.

3. *Zoning.*

Cities should be given power of regional zoning over territory contiguous to municipal airports, though those airports be, as they usually are, outside the cities' corporate limits. This power of regional zoning should extend to territory within two miles of the airport in every direction.

There is need for the granting of this power.

4. *Gasoline tax.*

The revenue from this source would not be great at present. It seems only fair that Iowa cities and towns should have available for partial support of their airports and airport facilities such sums as could be produced by a reasonable tax on aviation gasoline sold at such air ports. This could be provided by amendment of the gasoline tax law. A tax on aviation gasoline in the same amount per gallon as that now levied on automobile gasoline would not be unduly burdensome. Regularly established air transport and air mail lines operating across Iowa could be exempt from this tax, which would seem to be a real encouragement in the development of such lines.

## INSURANCE

Iowa owes much to its insurance institutions and the value of the protection they provide for the individual citizen.

Personally I am a great believer in insurance. In the light of the numerous business failures—during the past six years, many have changed their views on insurance. There are people who have lost everything and all that remains between their families and the necessities of life are their policies of insurance. It is sound business and no man can

afford to be without it in order that his family may be provided for and saved the hardships incident to being left without the sustaining influence of a husband or father. I am more and more satisfied that insurance should be an essential element and a part of the assets of the head of every family.

It is the obligation of the State to see that our insurance laws remain adequate and that they are safely and properly administered.

### WORKMEN'S COMPENSATION

One of the important developments of modern times for the general good of the whole community has been the adoption of the principle of workmen's compensation for industrial accidents in lieu of the old principle of employer's liability for injuries due to the negligence of the employer. The idea of workmen's compensation was wholly foreign to our country before the twentieth century. The doubtful means of recovery based on proof of negligence, which existed prior to the twentieth century, has gradually been replaced in the vast majority of states by the right to relief based on the fact of employment. Workmen's compensation aims to alleviate the financial distress of the injured workman or his dependents by making good to a considerable extent the wage loss which results from his disability or death. Moreover, it promotes industrial safety by giving employers a pecuniary incentive to reduce accidents and to restore the earning capacity as far as possible of injured workmen.

The modern idea of industrial accidents is not that the employer is to be made to pay damages, nor that the employee is to carry the burden of accident to his person, rather such accidents and their recompense are considered as part of the costs of production. This represents an advance upon the practice of earlier days, when employees sought to hold employers responsible and sometimes collected very heavy damages and when, on the other hand, the employer sought to escape ruinous liability.

There is a tendency and properly so, to liberalize the compensation law. Liberalization of benefits received the sanction of more than twenty states during the past two years. Employers and employees generally are greatly concerned about the continual legislative tinkering with the workmen's compensation acts. It makes uncertainty and what they desire is stability.

Much can be done to bring about a measure of stability by employers and employees taking an active interest individually in the trend of legislative amendments and rulings that affect compensation benefits and costs.

This department is being ably administered and the policies of the administration have the approval both of employees and employers.

### LABOR DEPARTMENT

Iowa is in need of a boiler inspection law carrying an adequate appropriation to make the same effective, establishing requirements similar to

those of the A. S. M. E. Code so as to prevent parties owning second hand or faultily constructed boilers which are unsalable in other states from shipping them to Iowa and disposing of them within the State.

The present employment agency law is highly discriminating. The fee limitation section should be rewritten with a much higher limit than the present and if exceptions are retained they should be very greatly reduced in number.

The Supreme Court has practically nullified the child labor law as it applies to theatrical appearances. This law should be rewritten.

Modern sanitary science regards the common towel and the common drinking cup as a means of spreading contagion. The Department of Labor should be given authority to abolish these in favor of devices which will prevent the spread of infectious disease.

There is reason to believe that Congress will pass the Wagner Bill with reference to State Federal Employment Agencies and provision should be made by this Legislature to permit the Labor Department to meet Federal requirements.

#### THE NATIONAL GUARD

The National Guard is composed of many of the finest men in the State. The officers in command are professionally qualified, many of whom have attended one of the many service schools of the Regular Army.

The Iowa National Guard is most fortunate in having one of the very finest training camps in the entire United States.

There are no state-owned armories in Iowa. Each unit of the Guard must provide its own armory, for which the State pays an annual rental. In the larger cities, the State should construct suitable armories on account of the fact that over long periods it would be much more economical.

The reports show that the attendance at Armory drill continues to increase.

During the past two years the Militia Bureau has permitted the organization of two additional units of Artillery, viz., a Headquarters Battery, and a Service Battery and Band.

Inspections of all National Guard Units are made each year by officers of the Regular Army.

The Iowa National Guard is an educational institution in that it teaches civic pride, respect for law and order, and the respect for the property and lives of others. It builds character and teaches the members how to care for themselves physically.

The National Guard stands ready at all times to aid with both men and equipment during a catastrophe such as a tornado, fire or flood, and the

greater the efficiency of the officers and men the greater the service performed.

The excellence of the Iowa National Guard is due to the untiring and unselfish efforts of the officers and enlisted personnel, and I desire at this time to take the opportunity to express to the officers and enlisted men my sincere thanks for their hearty cooperation and support. It is gratifying in the extreme to observe the progress made from year to year, and the entire Guard personnel is to be both congratulated and complimented.

### IOWA'S RECORD IN THE WORLD WAR AND ON THE MEXICAN BORDER

By provisions of the General Assembly, it is designed that a permanent and accurate record of Iowa's part in the World War and on the Mexican Border shall be prepared and published by the State. The records show 114,218 persons were called for service in the World War and 5,500 were sent to the Mexican Border. A work of this sort to be valuable requires the utmost care and diligent research in the preparation and collection of material. Its value depends upon accuracy and completeness of the assembled data.

Volume 1, consisting of brief historical sketches, is completed and awaiting an appropriation for its publication. It is important that this volume be published at an early date and placed in all libraries; public, school and patriotic orders. A copy should be filed in the office of each County Auditor and each County Superintendent of schools. It is estimated that 5,500 copies will be sufficient to meet this need and all individual requests for copies.

The task in connection with the preparation of the roster is limitless. Many corrections have been found necessary in the service records as first prepared and obtained from the departments at Washington. Congestion of work and correspondence exists in the office of the Adjutant General connected with the War Department. Some of the states have employed competent help to work under the direction of the Adjutant General to expedite securing corrections and supplying of omitted data. If cooperation can be carried out in this way the work should be completed not later than 1932. The necessity for a record as contemplated must be apparent to all.

No greater sacrifice in behalf of country can be shown than that given in time of war when the flower of our manhood is called in defense of country.

### HIGHWAYS

Our highways are divided into two general classes—primary roads and secondary roads. The primary roads are under the jurisdiction of the state. The secondary roads are under the jurisdiction of the counties. The secondary roads are subdivided into two classes, "County Trunk

Roads" and "County Local Roads." In relation to both the primary and secondary road systems, Iowa has taken an enviable position among the states of the Union.

*Secondary Roads:*

Our secondary roads were formerly known as "County Roads" and "Township Roads." The county roads were under the jurisdiction of the county board of supervisors. The township roads were under the jurisdiction of the township boards of trustees. Since we have ninety-nine counties with an average of four supervisors per county, and sixteen hundred fifty townships with three trustees per township, our secondary roads were under the control of an army of about 5,500 local officials. Naturally there was inefficiency and lack of system. This was perhaps not so bad as long as the funds expended from year to year were small. But when the secondary road expenditures increased to nearly \$22,000,000 per year as they did in 1927, there arose an insistent demand for more tangible results from the funds expended.

The Forty-second General Assembly in special session in the spring of 1928 took action providing for the creation of a secondary road commission to study this problem. The report of this commission was submitted to the Forty-third General Assembly and that body enacted a measure, commonly known as the "Bergman Bill" or "The Secondary Road Law," completely revising our secondary road administrative code. The essential features of this Act were,

1. The township was eliminated as a road administration unit. The control of all township roads was transferred to the counties.
2. The number of secondary road administrative officials was reduced from fifty-five hundred to about four hundred.
3. Responsibility for all secondary roads was fixed in a few easily accessible units instead of being dissipated over a multitude of units.
4. Secondary road funds were consolidated. The use of these funds and the accounting therefor were simplified. Whereas formerly each county had four secondary road funds and each township had three road funds, there are now only two secondary road funds—a construction fund and a maintenance fund.
5. Secondary road officials must, in advance, budget their funds and lay out comprehensive construction and maintenance programs for the expenditure thereof.
6. A larger responsibility was placed on the county engineer for secondary road construction and maintenance, thus bringing his technical knowledge and experience more fully to bear on the problem.
7. The purchase of unnecessary and little-used road machinery and equipment was eliminated.

8. Haphazard and slipshod road construction and maintenance methods were done away with.

This Act has attracted nation-wide attention. The Federal Government and other states are looking to it as a model. Iowa is leading the way.

The Secondary Road Law has been in effect only a year, but already the results are most gratifying. System has taken the place of confusion. Efficiency has displayed inefficiency. Connected improvements are crowding out patchwork. Better work is being done. Hundreds of miles of secondary roads have been graded and surfaced with gravel. Great credit is due the county boards of supervisors and engineers for the tact and skill they have shown in putting this measure into effect.

Doubtless this law is not perfect. No piece of legislation is perfect. It would be a miracle if a great measure such as this were not found deficient in some respects. There will be amendments suggested. These amendments should be viewed in the light of strengthening the law, harmonizing it with other statutes, and smoothing out the rough spots. There should be no backward step.

#### *Primary Roads:*

Iowa has come into her own. After years of patient preparation in legislating, locating, grading, draining and bridging, during which we were known as the "Mud Roads State of the Union," Iowa has suddenly stepped out as one of the "best road states of the Union." This transformation could not have been effected without the patient preliminary work. We have planned wisely, built well, and realized the fruits of our efforts. Only five states have more pavement than we. Only one state ever built more pavement in a single year. Our quality is second to none.

It will help us appraise the present if we briefly review the past. Six years ago we had less than six hundred miles of pavement, and twenty-five hundred miles of gravel. Less than 47 per cent of the primary system had a surface of any kind. Now we have 3,340 miles of pavement and 2,470 miles of gravel. Forty-nine per cent of the original system is paved. Eighty-six per cent is surfaced with gravel or better. Six years ago 28 per cent of the system was unimproved. Now only 3 per cent of the original system remains unimproved.

Six years ago our primary road laws were in a chaotic condition. We were in danger of losing our allotments of Federal road aid because we had not complied with Federal statutes. We were dissipating our primary road funds by allotting them to the ninety-nine counties. In some cases we were using these funds on secondary roads. We were assessing one-eighth of the cost of paving against farm lands. Interest on bonds had to be paid out of local tax levies. We had no gasoline tax.

There were two steering wheels on our primary road car. They were interlocking. Neither could work without the other. The Highway Commission had hold of one wheel and the county boards of supervisors had hold of the other. Often they tried to go in different directions. Con-

struction projects were initiated by the county boards subject to the approval of the Highway Commission. Contracts were let by the county boards of supervisors subject to the approval of the Highway Commission. Plans were prepared by the Highway Commission subject to the approval of the boards of supervisors. Primary roads were maintained by the county boards and bills sent to the Commission for payment. Sometimes one of our chauffeurs was looking backward and the other looking forward. We were unable to dodge the mud holes. All we could do was puddle through. We were hopelessly entangled.

This chaos has given way to order. The laws have been revised. The counties were divorced from the primary roads. The state took control. Allotment of primary roads among counties and the use of those funds on secondary roads, was done away with. Special assessments were repealed. Assessments that had been levied were refunded. Interest on bonds is being paid out of motor license fees and gas tax instead of tax levies. Refunds have been made to the counties for expenditures by them for bridges, culverts and right-of-way on primary roads. A gasoline tax of two cents per gallon was levied. This was later increased to three cents per gallon. The gas tax funds are split, five-ninths to the primary roads and four-ninths to the secondary roads. A definite plan and program has been adopted for improving our primary road system. This plan calls for 5,000 miles of pavement and the grading, bridging, and graveling of the remainder of the system. This work will be completed in 1933.

Our highway administration laws are now adequate for our needs. They comply fully with the Federal Aid road law. They are second to none.

During the past two years we have paved 1,766 miles, graveled 670 miles and graded and bridged 770 miles. In the season of 1930 we paved 1,027 miles. Only one state, Illinois, has ever exceeded this record. The present condition of those roads which were in the primary road system at the beginning of this year, is as follows:

Paved .....	3,340 miles
Graveled .....	2,470 miles
Graded .....	760 miles
Not Improved .....	216 miles
<hr/>	
Total .....	6,786 miles

All of this vast improvement has been carried out without increasing the tax levies. In fact, the tax on real and personal property for primary roads, has been removed. The burden has been shifted from property owner to the road user. The entire bill is being borne by the gasoline tax and motor license fees, except that a small percentage comes from Federal aid. The property owner pays nothing.

But one thing remains to complete this plan and program. We should adopt the State bond issue. County bonds have been used as a temporary financing medium until such time as State bonds might be available.

Eighty-three of the ninety-nine counties have voted primary road bonds. At the present time there are \$86,257,000 of such county bonds outstanding, and \$12,933,000 more bonds voted and available for issue. These county bonds were voted largely on the assumption and understanding that they would be taken over and paid by the State through a State bond issue.

There is now pending and will be submitted to you for ratification, a proposed amendment to the State Constitution, authorizing the issuance of \$100,000,000 of State primary road bonds. This amendment was passed by the Forty-third General Assembly and now awaits your action. It is recommended that you act promptly in order that the amendment may be voted upon by the people early in March. It would thus be possible, if the people approved the amendment, for this General Assembly before it adjourns, to pass a bill authorizing the issuance of such bonds.

I wish to make it clear that this State bond issue is not in addition to, but in lieu of, the county primary road bonds. If these State bonds should be authorized, the funds derived from the sale thereof will be used to call in and pay off the county primary road bonds as the county bonds become due or subject to call.

There are many reasons why this amendment should be adopted and these State bonds authorized. I will mention only two.

*First:* We should keep faith with the counties that have voted primary road bonds with the understanding that such county bonds will be called in and paid off by the state with state bond money.

*Second:* We should place a definite limit on primary road indebtedness. This proposed constitutional amendment does both of these things.

That the people of the State want this State road bond issue, there can be no doubt. The Forty-second General Assembly, in special session, passed a proposed State bond act similar to the proposition now before you. That act was approved by the people of the State at the November election, 1928, by an overwhelming vote. This is the only time the people of the State as a whole have had an opportunity to express themselves on this subject. The Forty-third General Assembly, which was in session at the time the Supreme Court declared the State bond act invalid, immediately adopted this amendment to the Constitution and referred it to the present General Assembly for approval and submission to the people.

Without a definite, comprehensive program of highway improvement such as was outlined in connection with the State bond plan, we could not have made the progress we have in the improvement of our primary highways. Now that the present program is nearing completion, it is hoped that this General Assembly will formulate and adopt a comprehensive plan for the extension and further improvement of our highway system, as current funds are available.



## TOLL BRIDGES

We have no toll bridges located within the State of Iowa. There are, however, some fourteen toll bridges spanning boundary streams on our main highway connections with states to the east and to the west of us. We have spent many millions of dollars for the building of toll-free highways. We have done nothing toward the elimination of toll bridges that separate us from other states.

The toll bridges should go. Iowa, in cooperation with her neighboring states, should provide free highway bridges across these boundary streams. Naturally, the principal problem is one of finance. There are three general methods in which Iowa could finance her portion of the cost of these structures:

(a) By the issuance of revenue bonds for each bridge, and levying tolls on the traffic crossing such bridges until such time as the tolls collected shall have retired the bonds. The bridge should then be made a free bridge.

(b) By authorizing the State Highway Commission to set aside each year a small percentage of the primary road fund (say three or four per cent) to constitute an interstate bridge fund.

(c) By combining the above two methods; that is, by authorizing the setting aside of a small percentage of the primary road fund from which the cost of such bridges can be paid, tolls being collected on the traffic crossing each bridge, until such time as the tolls so collected shall have reimbursed the primary road fund for the expenditure made, on account of such bridge.

It is recommended that you take steps at this session of the General Assembly to solve this problem.

You will note that three methods of financing are suggested. Personally I would prefer the method outlined under (b); that is, pay for the bridges out of the primary road fund.

## SPECIAL LEGAL HELP ON HIGHWAY CASES

Pursuant to Chapter 236 of the laws of the 43d General Assembly, a special assistant attorney general has been assigned to handle the legal work of the State Highway Commission. The large highway program under way necessarily involves a vast amount of legal work. Many court actions arise out of right-of-way matters. These cases frequently involve large sums of money. It would be physically impossible for one attorney to handle all of these cases. In each of these cases it is necessary to have a local attorney, who knows local people and local conditions, to assist the special assistant attorney general.

Employment of such special attorney is by law subject to approval by the Executive Council. The cost thereof is paid out of the general revenue of the state. During the fiscal year ending June 30, 1930, a total of

\$6,637.95 was spent out of the general revenue of the state for this purpose. It is recommended that the law be amended so that in the future such special legal help on highway matters will be paid out of the state highway commission's support fund created by Section 4755-b31 of the Code.

### HIGHWAY TRAFFIC PATROL

Traffic on the primary roads has increased many fold in the last few years. Ten years ago we had only about one-half as many motor vehicles as we have today. The annual mileage traveled by the average motor vehicle today is probably twice what it was ten years ago. Heavy busses and trucks are appearing on our highways in ever-increasing numbers. Highway accidents have increased at an alarming rate. We have spent many millions of dollars to build a modern road system, and will spend many more millions within the next few years. Thus far we have done nothing to supervise traffic on these roads. We have passed laws to regulate this traffic but have made no efforts to enforce these laws. We have taken no steps to safeguard the lives and property of the people who travel our roads or to protect the highways themselves from destruction under the wheels of the illegal vehicle.

Largely speaking, our traffic laws are reasonably adequate. Undoubtedly some additions thereto and some changes therein should be made, but our real need is for the enforcement of the traffic laws we now have. This can be done in a proper manner only by a state motor traffic police organization. Such organization should be under the state highway commission. The same body that builds and maintains our state roads should be vested with the authority, the responsibility and the means for supervising the traffic on those highways.

Such a state motor traffic police organization need not necessarily be large. An efficient, well-trained force of about thirty men should be able to handle the problem at this time. It is not necessary that a traffic officer cover each piece of primary road at frequent intervals. The mere fact that the state had such a force, and that a traffic officer might appear on any primary road at any time, would be a most powerful and beneficial influence.

The duties of these officers should be confined solely to the control of primary road traffic and the enforcement of traffic laws and regulations with respect to such roads. These men should not be used as general peace officers. They should be responsible for the enforcement of no laws except traffic laws.

Since the highway user would be the principal beneficiary of such a traffic patrol force, he should bear the cost thereof. Payments should not be made out of general state revenue.

## STATE POLICE FORCE

Suggestions have been made to the effect that we should have a state police force or constabulary. I do not favor this suggestion. I do not believe that our circumstances demand a state police force. Such organization, to be effective, must be large. The expense would be great. Payments should be made from general state revenue and funds are not available therefor, unless new taxes or increased taxes are levied.

It has been proposed that state police officers could be used to patrol the primary road traffic when their services were not needed in chasing criminals. This proposal may sound good in theory, but in my opinion it is not practical. Neither duty would be handled efficiently. The men would be out on highway patrol duty when they were most urgently needed as peace officers, and when they were acting as peace officers, the highway work would go undone. The two lines of work are different, requiring different training, different equipment, different personalities, and a different attitude toward the people with whom they deal.

## CONCLUSION

Many difficult problems have confronted us during the past six years. In each of these problems, it has been my pleasure to work shoulder to shoulder with the citizens of our state who have Iowa's progress at heart; people who are ready to make personal sacrifice without stint to better conditions under which we live. I am frank to say that whatever success we have had in readjusting matters of government, social welfare, financial or commercial progress, the hearty cooperation of every Iowan upon whom I have called has been a source of strength and encouragement.

Some Iowa achievements are enumerated as follows, in which I am proud to have played my humble part:

Six years ago, the finger of scorn was pointed at Iowa because of the condition of our highways. We then had only about 500 miles of paved road. Today, we have 3,340 miles of paving. Other states of the Union admire our progress. Some of them are adopting our methods. Within another year or two, Iowa can boast of the most complete, the most useful hard road system of any of the states. We will have achieved that goal without a property tax. This is progress.

Before giving my approval of an extensive plan of road improvement, I did consistently insist on provision for the payment thereof by other methods than direct taxation on real estate, which was already bearing a heavy burden of taxation. We believe the method adopted in Iowa is just and generally so acknowledged today, viz.; aside from the Federal Aid, the people pay for good roads in proportion to which they use them.

The fame of Iowa's educational institutions has spread throughout the world. It has long been our boast that we led the nation in literacy. We can go beyond that. We can claim educational institutions which are the equal of those of any state and we need not take a second place to any

state in the movement for equalization of educational opportunity, either for the youth of the farm or the city. All departments of your state government have cooperated with local educational boards to broaden opportunity for the youth of Iowa.

Recent years have brought Iowa to a turn also, in economic development. We have passed the period where we could be called a strictly agricultural state. We have come to the point where our growth as a state depends in large measure upon the upbuilding of our industries. Agriculture will flourish at its best when we have cities filled with prosperous, industrious factory workers; when our farm products are consumed in larger measure by our own people; when the income from our manufacturing plants is turned back in larger measure to the people of our farms. A wave of de-centralization of industry is sweeping the country and Iowa has not been ignoring her opportunity. Our factories have been multiplying at a rapid pace. Factory pay rolls have been steadily climbing. The industrial income of the state is nearing a balance with the agricultural income.

And the reason for this?—simply the fact that Iowa's governmental agencies have at every opportunity, played a helpful part in interesting new industries and in promoting the welfare of those already established. We have no laws that throttle industry. We have no political trends that seriously threaten the future of industry. We have an abundance of raw materials. We have an abundance of industrious workmen. We have, at our door, a market for manufactured and processed commodities which is equal to that of any other state. We are well on our way to economic balance. We can look to the future with assurance.

This constructive attitude has been reflected not only in legislation we have adopted. It is found, too, in legislative proposals we have rejected. The post-war unsettlement created a financial disturbance in Iowa, as well as in other states. Some of our neighboring commonwealths plunged headlong into untried legislative fields. Iowa's conservatism saved her from the mistake which has been partially rectified in Nebraska only recently, by the repeal of bank guaranty legislation. There has been no trifling in Iowa, with economic laws. We have not attempted to overturn any of the fundamental foundations of our commercial system. We have, on the contrary, worked tirelessly to avoid mere panaceas; to remove the disturbing element, rather than to trifle with temporary relief measures of doubtful merit.

The ever-increasing complexities of our social and business life have greatly increased the problems facing our state government. New demands are made for governmental service. New problems must be met by our law enforcing agencies. Our penal and hospitalization institutions have had to be placed upon a new basis of operation. Yet with all these new demands upon the government, we find today that each department is functioning smoothly. The cost of state government has not mounted in proportion to the increased demands for service. It is conceded that at no time in the past has any branch of our government rendered more

efficient service at a smaller public cost. This means that our governmental progress has kept pace with our growth as a state. Reduced to figures, for the benefit of the taxpayer, it means that out of the \$140,000,000 expended annually in Iowa by state and local governmental bodies, the state itself requires only about ten million dollars to be raised by direct taxation.

Our state health department has reduced disease by 40 per cent. Our institutions for the care of state wards are, aside from expansion costs, largely self-sustaining. Our law enforcement agencies are functioning in a high state of efficiency, our conservation agencies are building up recreational facilities all over the state and protecting the great natural resources we possess. Our social welfare departments are acting on a broader scale than ever before. Our labor is well employed. Our commerce is thriving. Our great industry, agriculture, is looking with confidence to the future.

We rightly associate our state progress with the type of state government we enjoy. Our state government touches our daily life in many ways. It is, therefore, our sacred duty to interest ourselves in public affairs and to participate, not only in choosing our officials, but in guiding their official actions.

I am glad that I live in the greatest agricultural state in the Union and that I live among a people where standards of literacy and intelligence are unexcelled and where we are maintaining schools and churches second to none. I believe in the opportunity for rightful employment for every worker at a good wage. I believe in a nation of home owners as one of the greatest blessings to the family. I believe in public improvements to the extent of the ability of the people to pay for them.

I believe in clean politics. As Governor I have endeavored to give the people an honest, economical, and businesslike administration. My ambition has been to do right at all times and under all circumstances, and honestly and impartially, to the best of my ability, to serve all who are entitled to the protection of a righteous government.

Faith and courage should endure to the end. We should have an ideal and love for the work in which we are engaged, rather than simply a desire for the pay we receive. The foundation of free government consists in holding that public office is a public trust for the good of the state and not for the benefit of the individual holding the office.

We must have faith in Iowa, faith in our government, and faith in ourselves. I call on the citizenship everywhere to come to the aid of the officers they have chosen for the next biennial period and help them make Iowa the best in the galaxy of all the states in the Union. Let us put spirit into this task for such makes for excellence. Let us help raise humanity to greater heights of well being.

Let us all strive to advance the ideals of good will, and of law, and of peace.

Respectfully submitted,

JOHN HAMMILL,

*Governor.*

Senator Doran of Boone referred to the presence of the National Commander of G. A. R., James H. Jewell; and former National Commander James W. Willett and moved that comrades O. W. Lowry and Oley Nelson be appointed as a committee of two to escort James Jewell and James W. Willett to the Speaker's rostrum.

Motion prevailed and James W. Willett presented James H. Jewell, who briefly addressed the joint convention.

#### CANVASS OF VOTES

The President announced that the time has arrived for the canvass of the votes cast for the offices of Governor and Lieutenant-Governor at the general election held on November 4, 1930, and announced as teller on the part of the Senate, Cole of Delaware, and as assistant tellers, Senators Clark of Cerro Gordo, and Irwin of Clinton.

Speaker Johnson announced as teller on the part of the House, Van Buren of Jones, and as assistant tellers, Representatives Lichty of Black Hawk, and Durant of Hancock.

The President further announced that, in accordance with statute, Tellers Cole of Delaware and Van Buren of Jones, would constitute the judges of said canvass.

Speaker Johnson in the chair.

The Speaker then opened the returns in the presence of the Joint Convention, and the tellers proceeded to canvass the vote for Governor and Lieutenant-Governor of the State of Iowa cast at the general election held on November 4, 1930.

Van Buren of Jones moved that the Joint Convention now recess until 1:45 p. m. Thursday.

Motion prevailed.

The House reconvened, Speaker Johnson in the chair.

On motion of Ballew 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 14, 1931.

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

Prayer was offered by the Rev. A. E. Griffith, pastor of the Methodist Episcopal Church, Des Moines.

Journal of January 13th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Thompson of Fayette for the day, on request of Hollingsworth of Boone; Rutledge of Webster for balance of week, on request of Simmer of Wapello; Matthews of Des Moines for the day, on request of Pattison of Jefferson; Craven of Jasper for day, on request of Wearin of Mills; Millhone of Page for balance of week, on request of Hush of Montgomery; Hayes of Dubuque for balance of week, on request of Rawlings of Monona; Hansen of Scott for balance of week, on request of Elliott of Scott.

## RESOLUTION

Simmer of Wapello offered the following resolution:

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That whereas it is now apparent that the committee on committee clerks has not employed a sufficient number of clerks to meet the requirements of the present session, said committee is hereby authorized to employ twenty (20) additional committee clerks to be assigned to the members of the House as deemed advisable and necessary by said committee.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Simmer moved its adoption, and requested unanimous consent that his remarks in support thereof be made a matter of record.

Request granted.



MR. SPEAKER: This day there prevails a condition in our nation that our President and national legislative body are doing everything possible to alleviate.

Our Governor stated in his message yesterday that there is a seven million dollar surplus in our treasury, and that being the fact, I do not believe that this body, under the conditions prevailing, is going to quibble about a few extra clerks who are needed. Now let me show you why I feel they are needed. Sometimes we come in here and find our clerks with nothing to do. We do not stop to realize they come earlier in the morning and work before we arrive, preparing our journal and bill books for the day. It is necessary to have this information ready and in proper order. Suppose a bill was before the house and you were called upon the floor and did not have the amendments made by the Senate or motions made by any member of this House on that bill, it is possible that more time and money would be spent, caused by the delay, hunting up the amendments than it would take to pay for all the committee clerks for a month. So I say we forget that this work must be done in the early morning hours, before we arrive to begin our work.

It is the duty of this House to aid in the alleviation of the unemployment situation as far as possible.

Yesterday after the report of the committee was read, I heard one young lady remark she had had no employment since last December. My wife, sitting in the corridor, overhead one clerk say being overcome and discouraged by not obtaining a position, that "There is always the river."

I want to tell you the situation is serious and if we sit here and quibble over a few dollars that may be paid for help that we really need, and at a time when our own citizens need helping, we will regret it.

We have some big problems coming up which will involve not hundreds of dollars, but thousands, and we can show our people by our actions on those matters that we intend to economize and prevent profligate spending in directions not needed. But I want to tell you gentlemen of the House that we as men are not doing our part if we fail to do our bit in alleviating the unemployment situation. I plead, gentlemen, that we be not small; that we face a situation that does not cost the state of Iowa very much; that will never be missed, and will help our state and help our citizens.

I know what you are thinking—what the folks at home will think. I want the folks in Wapello County and the state of Iowa to know that I am for helping the citizens of our state insofar as possible. I want the record to go down that I made this resolution and that I endeavored to help the employment situation.

Hollingsworth of Boone moved the previous question.

Motion prevailed.

On the question, "Shall the resolution be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 53.

Aiken	Greaser	Lamb	Ryder
Allen	Greene	Langland	Rylander
Bair	Hansen of	Lichty	Simmer
Ballew	Audubon	Long	Stiger
Berry	Hanson of	McCaulley	Strachan
Dayton	Winnebago	McCreery	Tamisiea
Ditto	Hesse	McDermott	TePaske
Drake of Keokuk	Hollingsworth	McLain	Thiessen
Drake of	Hollis	Mayne	Van Buren
Muscatine	Hopkins	Morton	Van Wert
Elliott	Hunt	Nelson of Story	Wamstad
Ellsworth	Hush	O'Donnell	Watts
Figgins	Hutcheon	Pattison	Whiting
Gissel	Kern	Peaco	Witt

The nays were, 40.

Augustine	Gilmore	Mead	Reimers
Avery	Helgason	Miller	Roe
Babcock	Hook	Nelson of	Shields
Beath	Husted	Cherokee	Short
Bonnstetter	Johnson of	Osborn	Snyder
Davis	Marion	Pendray	Sours
Donlon	Koch	Randall	Stanzel
Durant	Kohler	Randolph	Torgeson
Felter	Laughlin	Rawlings	Wearin
Finnern	Lepley	Reed	Mr. Speaker
Garrett	Malone		

Absent or not voting, 13.

Brown	Hansen of Scott	Millhone	Ratliff
Byers	Hayes	Orr	Rutledge
Craven	Mathews	Paisley	Thompson
Forsling			

Motion prevailed and the resolution was adopted.

## RESOLUTION

McCaulley of Calhoun offered the following resolution :

*Resolved*, That a standing committee on Tax Revision, composed of twenty-five members, be appointed by the speaker to consider tax revision and especially bills prepared and recommended by the Legislative Tax Committee, organized under House Joint Resolution No. 9, Chapter 401, Acts of the Forty-third General Assembly and the State Board of Assessment and Review.

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

Motion prevailed and the resolution was adopted.

On motion of Garrett of Wayne the House adjourned until 11:00 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 15, 1931.

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

Prayer was offered by the Rev. H. E. Rasmussen, pastor of the Central Lutheran Church, Des Moines.

Journal of January 14th corrected and approved.

## REPORT OF COMMITTEE ON COMMITTEE CLERKS

Avery of Clay, chairman of the committee on committee clerks, submitted the following report:

MR. SPEAKER: We, your committee on committee clerks, beg leave to submit the following supplementary report in accordance with the resolution adopted by the House on January 14.

Allely, Jennie  
Crawford, Pauline  
Garret, Louie  
Harper, Ruth  
Hughes, Pauline  
Johnson, Maude  
Johnson, Mrs. Arthur  
Kaplan, Cecil  
King, Nina

Kurth, Bertha  
Kurtz, Marjorie  
Kilgore, Edna J.  
Lake, Maude  
O'Boyle, Catherine  
Schaben, Ann  
Walker, Merwin  
Styre, May

On motion of Mr. Avery the report was adopted.

Hanson of Winnebago, chairman of House Committee on Joint Committee on Extra Help, submitted the following report and moved its adoption.

## REPORT OF JOINT COMMITTEE ON EXTRA HELP

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

Your joint committee, appointed to consider applications and to nominate the extra help of the Forty-fourth General Assembly, begs leave to submit the following report and recommendations:

That the positions following be filled by the persons whose names appear herein at the compensation respectively set forth, beginning January 12, 1931:

Assistant Law Research—D. D. Staples, \$8.00 per day.

Assistant Research—General—Fern Gray, \$5.00 per day.

Stenographer and Typist for Librarian—Gertrude Walsh, \$4.00 per day.

Page to Librarian and his office—James McGuire, \$4.00 per day.

Stenographer for Economics and Sociology Division of Library—Katherine McCurdy, \$4.00 per day.

Senate Telephone Messenger—Cedric Foster, \$2.50 per day.

Assistant Matron—Bertha Gaines, \$4.00 per day.

Elevator Tender—Clara Boudier, \$4.00 per day.

Elevator Tender—Thomas Brooks, \$4.00 per day.

Electrician—Frank Shaffer, \$4.00 per day.

Assistant Electrician—S. R. Geyer, \$4.00 per day.

Messenger to Sergeant-at-Arms—Stewart Ross, \$2.50 per day.

Messenger and Mail Carrier—Wm. Jones, \$4.00 per day.

Assistant Messenger—B. J. Wolcott, \$4.00 per day.

Porter—W. W. Sulser, \$4.00 per day.

Porter—Jack Ancerson, \$4.00 per day.

Janitor—Thomas A. Allen, \$4.00 per day.

Janitor—J. E. Grove, \$4.00 per day.

Janitor—Carl Kurchinsky, \$4.00 per day.

Janitor—Beerl B. Stuart, \$4.00 per day.

Janitor—G. A. Cline, \$4.00 per day.

Janitor—R. T. Mitchell, \$4.00 per day.

Janitor—A. G. Sayler, \$4.00 per day.

Janitor—H. C. Cater, \$4.00 per day.

Janitor—Peter Burt, \$4.00 per day.

Janitor—G. W. McConnell, \$4.00 per day.

Janitor—O. T. Rice, \$4.00 per day.

Respectfully submitted,

O. P. BENNETT

CHAS. L. RIGBY

FRANK D. ICKIS

*On the part of the Senate.*

H. N. HANSON

FRED W. NELSON

GEO. M. HOPKINS

*On the part of the House.*

Motion prevailed and the report was adopted.

Simmer of Wapello, chairman of the contest committee, in the case of L. W. Hatter vs. J. P. Gallagher, submitted the following report.

MR. SPEAKER: Your committee on the election contest wherein L. W. Hatter is contestant and J. P. Gallagher is the incumbent, beg leave to report that they have had the same under consideration and have heard the arguments of counsel on both sides and that a sub-committee consisting of the gentleman from Harrison, Mr. Tamisiea; the junior gentleman from Pottawattamie, Mr. Mayne; and the gentleman from Keokuk, Mr. Drake, was appointed.

The sub-committee was asked:

1. To ascertain whether a representative is compelled to file a claim for expenses and to brief the law relative to the same.
2. To ascertain what constitutes a bribe as interpreted by the Iowa courts in election promises.

Said sub-committee reported the law to be that a representative is not compelled to file a claim for expenses under the law as enacted by the Forty-third General Assembly and that not being compelled to file an expense account a promise that he would not file an expense account would not be offering the voters of his county anything of value as set out in the law constituting one of the grounds of election contests.

That after a full study of the law and the facts in this case the committee unanimously agreed and do hereby unanimously recommend that this House seat J. P. Gallagher of Iowa County as a member of the Forty-fourth General Assembly.

LEONARD SIMMER, *Chairman.*

HUGH J. TAMISIEA,  
GEO. H. MAYNE,  
CAROLYN C. PENDRAY,  
ROY DRAKE,

*Committee.*

On the question, "Shall the report of the contest committee be adopted?"

The ayes were, 90.

Aiken	Craven	Figgins	Helgason
Augustine	Davis	Finnern	Hesse
Avery	Ditto	Garrett	Hollis
Babcock	Donlon	Gilmore	Hook
Bair	Drake of Keokuk	Gissel	Hopkins
Ballew	Drake of	Greaser	Hush
Beath	Muscatine	Greene	Husted
Berry	Durant	Hansen of	Hutcheon
Bonnstetter	Elliott	Audubon	Johnson of
Brown	Ellsworth	Hanson of	Marion
Byers	Felter	Winnebago	Kern

Koch	Mead	Reimers	TePaske
Kohler	Miller	Roe	Thiessen
Lamb	Morton	Ryder	Torgeson
Langland	Nelson of Story	Rylander	Van Buren
Laughlin	O'Donnell	Shields	Van Wert
Lepley	Osborn	Short	Wamstad
Lichty	Pattison	Simmer	Watts
Long	Peaco	Snyder	Wearin
McCreery	Pendray	Sours	Whiting
McLain	Randall	Stanzel	Witt
Malone	Randolph	Stiger	Mr. Speaker
Mathews	Rawlings	Strachan	
Mayne	Reed	Tamisiea	

The nays were, none.

Absent or not voting, 16.

Allen	Hollingsworth	Nelson of	Rutledge
Dayton	Hunt	Cherokee	Thompson
Forsling	McCaulley	Orr	
Hansen of Scott	McDermott	Paisley	
Hayes	Millhone	Ratliff	

Report of contest committee was adopted.

#### OATH OF OFFICE

Gallagher of Iowa took and subscribed to the following oath:

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

#### ASSIGNMENT OF SEATS IN PRESS GALLERY

The Chief Clerk announced the following assignments of desks in the press gallery:

1. Glenn Cunningham, Register.
2. Wendell Erickson, Tribune-Capital.
3. John T. Milar, Associated Press.
4. Edward G. Dickson, United Press.
5. Don P. Hawkins, International News Service.
6. Fred Wolfe, Iowa Press Association.
7. J. W. Jarnagin, Special Correspondent.
8. H. R. Gross, Iowa Union Farmer.

On motion of Gallagher of Iowa the House adjourned until 1:30 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

Helgason of Emmet 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: Helgason of Emmet, Davis of Delaware, and Drake of Keokuk.

The committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that their duty had been performed. The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President pro tempore of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President pro tempore 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 in the west side of the chamber.

## JOINT CONVENTION

JANUARY 15, 1931.

The Joint Convention reconvened, Hon. Wm. E. McLeland, President pro tempore of the Senate, presiding.

The President pro tempore declared a majority of the General Assembly present at the Joint Convention.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, JANUARY 15, 1931.

MR. PRESIDENT AND MEMBERS OF THE JOINT CONVENTION: Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant-Governor at the election held November 4, 1930, beg leave to make the following report of the total vote cast for Governor:

Dan W. Turner.....	414,536
Fred P. Hagemann.....	184,721
William Patten .....	1,195
John M. Smith.....	2,494



And the total vote cast for Lieutenant-Governor at the election held November 4, 1930.

Arch W. McFarlane.....	322,498
T. R. Osborne.....	182,077
Albert Gerling .....	1,222
Henry W. Nuhring.....	2,245

All of which is most respectfully submitted.

C. G. COLE,  
G. J. VAN BUREN

*Judges.*

E. W. CLARK,  
H. L. IRWIN,  
E. M. LICHTY,  
S. B. DURANT,

*Tellers.*

On motion of Senator Cole of Delaware the report was adopted.

President pro tempore of the Joint Convention announced that Dan W. Turner having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified, and that Arch W. McFarlane was duly elected to the office of Lieutenant-Governor for the ensuing term or until his successor is duly elected and qualified.

The following certificates were signed in the presence of the Joint Convention.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 15, 1931.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-fourth General Assembly of the State of Iowa, of all the votes cast at the general election held November 4, 1930, for the office of Governor of the State of Iowa, it appeared that Dan W. Turner received the highest number of all votes cast for any candidate at said election for said office, and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 15th day of January,  
A. D. 1931.

W. E. McLELAND,  
*President of the Senate and*  
*President of the Joint Convention.*

FRANCIS JOHNSON,  
*Speaker of the House.*

C. G. COLE,  
*Teller of the Senate.*

G. J. VAN BUREN,  
*Teller of the House.*

SAM C. RAGAN,  
*Clerk of the House and*  
*Clerk of the Joint Convention.*

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 15, 1931.

This is to certify that upon a canvass in Joint Convention of the two Houses of the Forty-fourth General Assembly of the State of Iowa of all the votes cast at the general election held November 4, 1930, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Arch W. McFarlane received the highest number of all votes cast for any candidate at said election for said office, and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this 15th day of January,  
A. D. 1931.

W. E. McLELAND,  
*President of the Senate and*  
*President of the Joint Convention.*

FRANCIS JOHNSON,  
*Speaker of the House.*

C. G. COLE,  
*Teller of the Senate.*

G. J. VAN BUREN,  
*Teller of the House.*

SAM C. RAGAN,  
*Clerk of the House and*  
*Clerk of the Joint Convention.*

President pro tempore McLeland then directed the abstract of votes and certificates of election to be filed with the Secretary of State.

Senator Leonard of Taylor moved that a committee of five be

appointed to notify Governor-elect Dan W. Turner and Lieutenant-Governor-elect Arch W. McFarlane of the official result of the canvass of the votes.

Motion prevailed and the President pro tempore named as such committee, Senators Leonard of Taylor and Wenner of Black Hawk, and Representatives Beath of Adams, Lichty of Black Hawk and Hush of Montgomery.

Senator Leonard of Taylor, chairman of the joint committee appointed to notify Hon. Dan W. Turner and Hon. Arch W. McFarlane of their election to the offices of Governor and Lieutenant-Governor, respectively, submitted the following report and moved its adoption.

MR. PRESIDENT: As a committee appointed at the joint convention to inform the Honorable Dan W. Turner and Honorable Arch W. McFarlane of their election to the offices of Governor and Lieutenant-Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of his office.

ARTHUR LEONARD,  
EDWARD J. WENNER,  
F. H. BEATH,  
E. M. LICHTY,  
HOMER HUSH.

Motion prevailed and the report was adopted.

The sergeant-at-arms announced the arrival of Governor-elect Dan W. Turner and Lieutenant-Governor-elect Arch W. McFarlane, accompanied by the Governor's staff.

Governor-elect Turner and Lieutenant-Governor-elect McFarlane were escorted to the Speaker's station.

Invocation was delivered by the Rev. Norman E. Lambly, Corning.

The oath of office was administered to Lieutenant-Governor-elect Arch W. McFarlane by the Hon. Frederick F. Faville, Chief Justice of the Supreme Court of Iowa.

Lieutenant-Governor Arch W. McFarlane, President of the Joint Convention, presiding.

The oath of office was administered to Governor-elect Dan W. Turner by the Hon. Frederick F. Faville, Chief Justice of the Supreme Court of Iowa.

Lieutenant-Governor McFarlane then presented Governor Turner, who delivered the following address:

#### GOVERNOR'S INAUGURAL ADDRESS

*Members of the General Assembly and Citizens of Iowa:*

By the will of its electorate, our beloved Commonwealth of the State of Iowa has conferred upon me the highest honor in its power to bestow.

One has to experience the weight of this obligation to feel the full impact of its significance. To you, who listen to my voice, it is but the witnessing of the inauguration of another Governor. To me it is the assumption of a grave responsibility. And yet, this inauguration concerns every citizen of Iowa. Realizing, that in the conscientious fulfillment of the functions of my office is involved, to some degree, the prosperity and happiness of our people, I am resolved in all my deliberations and in all my executive acts, your welfare will be the primary consideration. In virtue of my induction, I no longer belong to myself. I belong to you. Every Iowa home, and the interest of every individual Iowan, irrespective of station, color or creed, becomes my personal concern.

This day is significant to you, as to me, because it solicits your loyal participation. It serves the high purpose of impressing us with the fact that every task is an exalted one if it contributes to the common good. It brings its recurrent conviction that whilst I, as your Chief Executive, continually devote myself to your well-being, it is only as each of us performs his daily work in the true spirit of industry, patriotism, and loyal citizenship, that we shall reach the commonly coveted goal, and share a mutual benefit.

The high esteem in which I hold the people of my native state, the deep sense of a helpful comradeship in a common cause, the conviction that you worthily merit the best in leadership, increases my determined devotion to this task. The hope that the full measure of our expectations may be realized is inspired by the assurance of your valued assistance. I realize the magnitude of the official obligations with which I am commissioned. With a deep sense of humility, I am conscious of the limitations of individual human endeavor. I would be destitute of feeling if I were not deeply affected by the abundant evidence which my fellow citizens have given me of their confidence by entrusting me with this high office, the functions of which I now assume with a gratitude I profoundly feel but cannot adequately express.

To the task of guiding our favored Commonwealth in its continued growth, in the prosperity of its farms, cities and industries, and in the development of a contented people, I have been called. I shall not have fully realized the high ideals that now inspire me, nor completely achieve the ambitions that now actuate me, should I look back over my term of office with a single regret that I have, at any time, or to any person, been delinquent to the trust you have so generously reposed in me.

### ECONOMY

The business of government is the concern of the people. It becomes more involved as the country grows older. As the demand for laws increase, the machinery of government becomes more complicated.

To meet the natural needs of organized society and not overburden the statute books with unnecessary legislation is your problem.

It is not my purpose on this occasion to deal in detail with the many questions that shall be considered in this session. I desire, however, to comment briefly on those problems that are imminent and of grave importance.

The cost of government has steadily mounted since the pre-war period. Taxes have increased in ratio. In many taxing districts of the state taxes are twenty per cent higher this year over last year. In fifteen years the cost of government in Iowa has more than doubled. During the years of this century taxes have more than quintupled in our state. The day of retrenchment is at hand.

Not a dollar should be appropriated out of the State Treasury unless deemed by you indispensable in carrying on the state's business. Every demand on the State Treasury should be rejected unless backed by reasons based on necessity. We cannot and will not neglect the wards of the state, but there is room for economy in many directions. You have the power to curtail expenditures. It is your stern duty to exercise it.

Consider the importance of reducing cost of government. If taxes can be reduced and the tax burden spread out equitably among the people, we are justified in the belief that the load will be lightened on real and other visible property.

County, municipal and school governments have equal responsibility with you in this effort toward economy and retrenchment.

The Budget Department, inaugurated to induce economy, has valuable features but its recommendations are purely advisory, carrying neither legal nor moral weight.

I would recommend that this Department be abolished and the power of the Budget Director be invested in the State Board of Assessment and Review. The principle of the budget is a sound principle and if consistently adhered to will have a vital influence in holding down governmental expense, not only in recommendations of appropriations necessary to be

made, but in aiding us to arrive at the hoped for goal of receiving one hundred cents value in the expenditure of each dollar of the taxpayer's money. Whatever else we do, let us have economy.

### TAXATION

Before entering into a discussion of possible and proposed remedies that will be brought to your attention in the effort to relieve visible property of part of the unjust burden it now bears I had thought it would not be inappropriate to set forth here some of the reasons that have prevailed with the people in the demand for tax revision.

Ninety-six per cent of all direct taxes are derived from the general property tax. Intangible property, representing approximately one-half the wealth of the state, shoulders less than four per cent of the tax burden. Out of each one hundred dollars of the farmer's income the sum of twenty-eight dollars is required to pay taxes. Tangible property, real and personal, including the farms and homes, buildings, merchandise, live stock and machinery, property the assessor can see, bears nearly ninety-seven per cent of the tax burden, invisible wealth, less than four per cent, while earnings and incomes have no share in the cost of government. Under our ancient system of taxation the citizens who enjoy incomes not derived from ownership of property are in a special privileged class, immune from taxation altogether. Let the rule of justice obtain. Favoritism for any group should be abandoned.

The total income of the people of Iowa in normal years is approximately one and a half billion dollars annually. The income from real estate is less than twenty-six per cent of this amount. This property, yielding only one-fourth of the state's income, under the present tax system, pays nearly ninety per cent of all state and local taxes. Debate is unnecessary to prove the contention that the tax laws must be revised. The tax burden should be distributed more justly among our citizens. The income tax is based on the sound principle that taxes should be paid according to the ability to pay. Provision for state income tax should be written into the laws of Iowa. The law when written should exempt wages and earnings needed to provide families with necessities, to enable them to educate their children and live in some degree of comfort. Rates ought to be high enough in the upper brackets to permit the citizens of substantial incomes to contribute their share toward the cost of government.

It is essential that you incorporate in this law a mandatory provision guaranteeing a reduction in the state millage tax, corresponding in amount to the total raised through the income tax. It must be a replacement tax.

### CORPORATION TAX

Corporations should be included in such income tax.

To tax the individual and allow the corporations to go free would work

a palpable injustice on the former. Such evasion of our duty cannot be justified in any effort made for genuine tax revision. I think you should earnestly consider the wisdom and fairness of a tax on the income of corporations. The corporation with small earnings will welcome this form of taxation and new industries will be encouraged to locate in our state having the knowledge that when earnings are moderate the tax is light.

The larger industries enjoying greater earning power are amply able to pay a tax that will be their just contribution to the Commonwealth, which fosters and protects them and furnishes a large share of their patronage.

Iowa is one of only six states in the Union failing to provide for some form of corporation tax. Any effort made for genuine tax revision will include such a tax.

I am confident a careful survey will convince you that earnest thought should be given to the inadequate methods now in use in the assessment and taxation of Power Corporations, Public Utilities and Telephone and Telegraph Companies.

Under the Constitution of this state Public Utilities cannot be released from the general property tax. This fact must necessarily be kept in mind in considering a tax on the gross profits of these companies, or an income tax on net income, or whatever plan in your estimation seems best.

### INHERITANCE TAX

The principal purpose of an inheritance tax is to supplement the general taxes and relieve to some extent the tax burden borne by the great mass of people of the state. The fact that it is so designed, and furthermore that it is an instrument of revealing considerable property which has been concealed from ordinary taxation, has naturally caused opposition from those whom it affects.

The present Inheritance Tax Act produces an annual revenue of approximately \$1,200,000.00, which is about one mill in the general tax levy. The statute as it now stands covers both direct and collateral heirs although the exemptions permitted to the direct heirs are so great that the returns from that class of beneficiaries are not commensurate with the property passing.

I recommend that these exemptions be reduced, and that the rate of tax upon the collateral beneficiaries be increased so that the more distant relatives and those who are strangers to the blood would pay a higher rate of tax. A reclassification of collateral heirs would permit this without any injustice to those who are closer related to the decedent.

The changes recommended, which include some other changes of a more administrative nature, would, according to the estimates made by the Inheritance Tax Department of the State Treasurer's office, increase the annual revenue to approximately \$2,250,000.00.

The inheritance tax is eminently a just tax, so recognized by practically all authorities on taxation and should be made more thoroughly a principal source of revenue rather than a supplementary tax.

### ASSESSMENTS

The laws relating to the assessment of property should be revised. Brindley's survey shows that property is assessed all the way from ten per cent to one hundred and ten per cent of its actual valuation. The law now prescribes that property shall be assessed at its actual value. In point of fact, custom has neutralized and failed to follow this rule. In the majority of the counties the attempt is made to assess property at fifty to sixty per cent of its value. As a result, glaring inequalities exist in practically every taxing district of the state. A yard-stick of measurement should be provided—some certain standard established and adhered to. I hope it will be clearly set forth in the revised law that intangible value or earning power shall enter into assessment valuation of property.

The Board of Assessment and Review created in the last General Assembly has taken initial steps to establish a standard of measurement in assessments. The powers of this Board should be amplified rather than curtailed.

The county assessment system is strongly urged by many business men, farmers and students of the tax question. It is now in operation in thirty-three states. The claim made for it is that it minimizes the likelihood of favoritism in the assessment of property and links up the units together into one uniform system. This subject deserves your earnest thought and investigation.

### JOINT LEGISLATIVE TAX COMMITTEE AND BOARD OF ASSESSMENT AND REVIEW

On this whole subject of tax revision, I commend to your attention for serious study and thought the report to this General Assembly of the Joint Legislative Tax Committee and the State Board of Assessment and Review.

This Legislative Committee, working in conjunction with the Board, has been engaged over a period of eighteen months in painstaking and studious investigation of the whole tax problem.

They have devoted much time in digging to the bottom in their examination of this important subject. The result of their work is embodied in the report which will be laid upon your desks. This document represents labor—consistent, thorough and constructive.

The facts therein set forth are incontrovertible and while opinions may vary as to certain conclusions reached, particularly regarding rates and exemptions, there can be no difference in judgment regarding the sub-



stantial value brought to the discussion of the tax problem, through the efforts of your colleagues and the State Board.

### REVISION THAT REVISES

I leave the subject of revision of our revenue laws with this closing thought. In the face of the present exigency, thorough and genuine tax revision is demanded. It is a "condition and not a theory" confronting us. If I am any judge of the temper of the people, nothing less than a thorough revision of the entire tax system will meet with their approval. To fail them now would be plain evasion of our duty. Half-hearted revision is little better than no revision. Let us be sure when we have finished in this session with this great undertaking that wealth and income now escaping are required to make their fair contribution to the cost of government.

### PUBLIC UTILITIES

In order that the public interests may best be served, public utilities, including transmission lines and telephone and telegraph companies, must be made subject to regulation and supervision by the state. Iowa is one of the few states which have permitted the public service corporations to operate without adequate law regulating and controlling their activities. Recent Federal hearings have disclosed that in many instances the utilities which furnish electric service to the public have established rates which have been based upon inflated values. No company should be permitted to fix a rate based upon a fictitious value.

In this state rates vary in the different communities, determined by contracts made with the municipalities. On account of the utilities' elaborate and intricate financial set-up and their involved corporate structure it is obviously impossible, under our present system, to secure fair and uniform rates. A survey and study of the various rates in force in the municipalities of the state discloses the fact that there is no relation between the cost of production (plus a reasonable profit) and the rate charged. This is grossly unfair.

Public utilities are rapidly extending their services to the country-side and our rural population is required to pay for such service the price asked by the utility which is serving them. The consumers are without protection against extortionate rates, nor do they have the requisite knowledge to determine whether the rate charged is reasonable and fair. We cannot permit this system to continue longer in our state. We must see to it that the public is guaranteed a fair and reasonable rate for the services rendered.

This question ought to be given serious consideration at this session and a law enacted which shall provide for state regulation of all public utility companies so that the public shall be guaranteed just rates measured by cost of production. An adequate method should be provided for

arriving at and determining the value of the properties of public utilities located within the state. This will assist in the matter of rate making and will be of benefit in connection with the taxation of these companies.

At the present time certain securities of the public utility companies are exempt from taxation and may also be offered and sold to the public without any supervision whatsoever. These are special privileges and cannot be justified, and I recommend that the law exempting them from taxation be repealed and that all securities of public utility companies be made subject to the Blue-Sky Law.

Municipal ownership of utilities should not be discouraged. Improved machinery for generating electric current on either a large or small scale, and at a low cost, make it practicable in some instances to erect municipal plants, to be paid for out of the earnings thereof. However, this cannot now be done because there is no statutory provision therefor.

A statute should be enacted in this session granting authority to cities and towns to contract for municipal utility plants to be paid for from earnings of said plants.

#### TELEPHONE AND TELEGRAPH

There is no provision in law giving either the state or municipalities within the state authority to stand between the people and the large telephone and telegraph companies now operating within the state, in the vital question of establishing fair rates for service. Eight years ago the governor of the state in his biennial message called attention to the monopoly enjoyed by these large telephone utilities and the necessity of protection for the people, but his sound advice went unheeded. The situation is even more acute now.

These quasi-public, franchise privileged corporations should be subjected to regulations in law that will insure the consumers of the service furnished, fair rates based on an intelligent survey of operation costs and capital invested.

In any instance wherein individuals or corporations hold control of public necessities it is the imperative duty of the state to establish regulation thereof. No method other than state control has been devised giving assurance of protection against exorbitant rates levied by unfettered monopoly.

#### PIPE LINE TRANSPORTATION

A new factor is about to enter our economic and industrial situation. Large organizations are engaged in constructing lines of pipe for the conveyance of natural gas and petroleum products from distant fields for consumption and distribution in this state. Their advent will materially affect our existing systems of transportation and other domestic industries. If legislation is sought by these organizations for the purpose

of obtaining corporation and franchise privileges within the state it will be the duty of the legislature to adequately protect citizens whose property rights may be affected.

No franchise rights should be granted unless proper regulatory laws are enacted to safeguard the rights of the citizens of this state and means should be devised of exacting from these new properties such taxes as will constitute their just share of the tax burden.

### ROADS

Iowa has taken a leading place among the states of the Union in the important work of designing and constructing a state-wide system of good roads. This road building program has been determined by our people and can now be considered a settled policy of the state. We should continue with that work in as expeditious a manner as is consistent with good business and sound financing.

We have adopted the plan of paying the cost of our primary roads from funds contributed by the people who use them. We must steadfastly hold to this plan. It was on this solemn promise the various counties furnished the funds to make possible the great achievement in highway improvement. By this token we shall vigorously oppose any effort made to divert primary road funds from the purposes now defined in the law. It is our absolute duty to use every safeguard insuring property owners that the cost of these improved highways shall never result in a tax on property.

In continuing with our road building program, we must ever keep in mind that the benefits to our people, for whom roads are established and maintained, must be properly apportioned. The construction cost of the main arteries of travel is necessarily high. It will be found to be impractical and financially impossible to carry that class of construction beyond the main channels of travel and down to every community entitled to improved roads. Therefore, some less expensive plan of surfacing must be employed on many of the roads in order that a more complete system of serviceable, all-season roads may be built. The value of good roads, universally acknowledged, will be more apparent when a system of all-weather highways connect farms with markets, and communities with those centers of trade and the main arteries of travel, to which they desire access.

### REDISTRICTING

You will be confronted with the duty of redistricting our state into fewer Congressional districts. There is still a justifiable hope that in the Congressional reapportionment Iowa may be represented by ten members in the House of Representatives. But should Congress persist in granting aliens representation, the delegates in that body from Iowa would be reduced to nine members.

In either event there must be a reduction from the present number which will require a new districting for Congressional representation from Iowa.

In the creation of the new districts an arbitrary arrangement of the political divisions of the state, in disregard of the natural or proper boundaries as indicated by geographical position, should not be made.

Districts should be geographically compact and uniform in population to the degree of practicability.

### CONSOLIDATION OF DEPARTMENTS

In the interest of economy there should be consolidation of some of the departments of state government. This can be accomplished without impairing efficiency. Early in the session I will call to your attention several possible departmental consolidations that should, in my opinion, be effected. I earnestly hope you will give careful thought, followed by action, to this matter of consolidation, involving increased efficiency and decreased cost of government.

### INDUSTRIAL CONDITIONS AND UNEMPLOYMENT

Industrial stagnation with resulting unemployment is a world condition, in which our own nation is the least sufferer, with less unemployment in Iowa than in other states. This does not mean that there is no problem confronting us and that the most serious consideration should not be given to adjustment, so that every citizen, willing and capable, should have the opportunity of a well ordered and well conditioned means of livelihood. An idle man is not an asset to a community, and of small value to its business interests. His labor power is a total loss in the creation of the material things necessary to a happy and progressive commonwealth. Continued idleness breaks personal morale, and means either state or voluntary charitable support in the end. This must be averted insofar as possible. To say that we are better off in our unemployment than other states or nations during a time of great general distress is poor consolation to people out of work.

The causes leading up to our present industrial situation and consequent problems of unemployment can be largely attributed to the mechanization and development of industry, which kept in mind the matter of production only and almost entirely disregarded distribution. New methods and means of conducting all our industries have produced economies in man power further reducing employment.

These displaced workers should be given aid in the seeking of new employment. This aid should be given without cost to either the person seeking employment or the employer. As a means to this end an extension should be made of the present State-Federal Free Employment Service so as to make possible the best attainable disposition of the willing but idle person into the employment opening fitted to his capacity.

In the meantime our great natural resources, and our industrial opportunities should be fully developed so that great employment will follow, and that our people may not only be producers but consumers and assets in a distributive market.

### PRISON LABOR

Prison labor is one of our most pressing problems at this time. There is universal agreement that the prisoner should be kept busy at some productive work. Modern enlightened thought is that the work should not only be productive but that it should give a training that will fit the prisoner for employment by which he can earn a livelihood upon release.

There is no disagreement in this regard. There is, however, difference of opinion as to the method of disposal of the product and the beneficiary thereof. In this lies our major problem at this time. Contracts for the employment of approximately 1,000 prisoners are in effect. These contracts run to private persons or corporations. The Congress of the United States passed an Act to become effective during the early part of 1934, which makes impractical the shipment between states of prison made goods. This will render difficult the disposal of such goods by a private contractor, and therefore, unless provision is made for employment of the prisoners now engaged in contract work, our state will face a serious condition of idleness in prison institutions. This constitutes an urgent problem and one of immediate necessity.

### VOCATIONAL EDUCATION

Ample facilities are provided for those of our people who can afford to take advantage of higher educational privileges. It is equally important that full opportunity be provided for the efficient training of those who are to perform the manual tasks of the world. The problems of the farm are daily becoming more intensive, and more adequate training in all the elements for successful farming should be encouraged. The experiments, investigations, farm economies and sciences must, of necessity, be the task of the higher institutions, but the results thus obtained must be brought through vocational instruction to the boys and girls who do the active farm work.

The rapid changes in industry have displaced hundreds of workers who must be given an opportunity to earn a livelihood in new lines of work in which they have no experience or training. For these there must come a fundamental training along general industrial lines that will make possible a readier adaptation to other lines of work, and for the person who expects to follow more highly skilled vocations, there should be given an opportunity of training for fitness in his chosen field.

There is also the adult who had no opportunity of definite education, or who perhaps now realizes neglected opportunities, and who has sufficient energy and ambition to become a more valuable person to society. He should have his chance.

Vocational education aims to cover these fields, and has made good progress during the decade of its existence. Encouragement should be given so that its program can spread to every locality and to each person seeking its advantages.

## EDUCATION

Iowa is the peer of any state in the Union in the opportunities offered our young people to obtain higher education. The many fine colleges of the state, together with the state's own renowned institutions of higher learning, afford scholastic opportunities to our sons and daughters, not exceeded by any state and equalled by few.

While we have a justifiable pride in our colleges and universities, we should not forget that the common schools deserve our utmost concern and devotion. Not only because they are the foundation of our Commonwealth, but also for the reason that the great majority of our citizens receive their only educational advantages in the common schools.

It is entirely probable that many localities have set up a more elaborate educational program than their financial abilities justify. All school officials or governing boards should conscientiously scrutinize their school costs to the end that all possible economies may be effected and that expenditures shall, wherever possible, be reduced to the minimum, without impairing the quality of instruction.

The report of the Superintendent of Public Instruction shows that during the last year 65,476 pupils were enrolled in the first grade of our public schools, while 35,925 graduated from the eighth grade and 21,011 received high school diplomas. Nearly four times as many children were enrolled in the grades as in the high school. Let no one interpret these facts as minimizing the value of high school and college training, but we must emphasize the necessity of first providing the essentials of a common school education and of making them equally available to all.

## AGRICULTURE

Farming is our greatest industry. Among all the states of the Union Iowa stands first in value of farm lands, farm equipment and farm products. Our state, bounded on either side by the great rivers of the continent, comprises a valley characterized by dark loam soil, unequalled in fertility by any area of land of equal size in the world. Having been blessed by Providence with fruitful acres and propitious climate, it only remains for us to apply our energy and best intelligence to the task of working out economic justice for the farm. First, in standing back of our Congressmen in every effort to stabilize on a fair price level the products of the farm. Second, in providing an impartial tax and assessment system which should reduce the taxes upon the farm and here, this Forty-fourth General Assembly, has unquestioned authority and opportunity to render to agriculture a distinct service. In no other way can the farm be ac-

corded equality and opportunity with business and industry. Moreover, in degree and as a direct result, when agriculture prospers all business in Iowa, manufacturing, wholesale, and retail, is stimulated and encouraged. It is a truism so trite that it needs no repetition here—that when the farmers are doing well, the beneficial result is immediately reflected in better business conditions throughout our state.

The great farm organizations under virile and sagacious leadership are rendering invaluable service to the state, through unremitting efforts, intelligently directed in behalf of our state's greatest industry. They are entitled to our cooperation, that agriculture may come into its own in the greatest agricultural state in the Union.

### MANUFACTURES

Iowa has many manufacturing industries, some of them the greatest of their kind in the world. These industries add in material degree to the sum total of the state's resources. They employ our labor and purchase large quantities of Iowa products in raw material.

James A. Garfield said fifty years ago: "Place the factory beside the farm and both will prosper."

A practical way to encourage these industries and what will constitute a drawing power to influence new manufacturing industries to locate in Iowa would be for Iowans to buy whenever possible Iowa manufactured and processed products. This rule holds goods in all the fabric of business, linking up the manufacturer, the wholesaler, and the retailer with the ultimate consumer. Our economic problems are not all dependent on legislative enactments for solution. The effort to keep the Iowa dollar in Iowa depends on our realization of the value of cooperation in retaining in our state the wealth created here.

### IOWA COAL

Over eight thousand Iowa citizens, the majority of them heads of families, depend upon the mining of coal for a livelihood. We should encourage this industry. We ought to strive to bring our mining population back to the 1910 basis when eighteen thousand men were mining coal in Iowa.

By tests made on a basis of thirty-six representative samples of coal from different Iowa mines, it was found that Iowa coal furnishes more heat units per cost than other coal.

Let us use every means to encourage Iowa consumption of Iowa products. The more Iowa coal used the more men employed—these miners in turn buy Iowa farm and manufactured products. They patronize the retailers, who are the customers of the wholesalers. Thus, we see forcibly illustrated the value of patronizing our own industries. A more striking example in this respect could not be given.

### CHAIN SYSTEMS IN BUSINESS

The growth in recent years of chain business presents a new economic problem and one that is regarded with deep anxiety by many of our citizens.

The laws governing interstate commerce make it difficult for the state, through legislation, to deal with some classes of these large chain organizations. However, where laws do not apply, public opinion often decides issues. The individual citizen will seriously ponder the apparent lack of cooperation in community enterprises on the part of any chain system not locally controlled. These systems should not be permitted to escape their share of community responsibility. Methods of taxation should be devised also to compel them to carry their fair share of the tax burden.

### CHAIN BANKING

Chain banking presents problems of a different kind. This state has been developed through extension of credit to citizens intent on home ownership and community enterprise. Any system that curtails credit to the frugal, industrious citizens who are ambitious to till the land, own their homes, or engage in business, will have a depressing effect on the development of our state. In the last analysis credit must be determined by the financial interests in the community where a bank is located and not be determined by persons outside the state.

### CHAIN FARMING

Chain farming is now in its incipency in Iowa. The time may come when it will be our chief concern. I do not believe chain farming can take root in this state when conditions are such that our people are encouraged to live on the land—conditions that hold out substantial hope of a fair price for their products, and taxes that are not oppressive. I doubt the validity of the claims made of lower cost of production through corporation farming methods. But, granting chain farms will produce crops, it is an assured fact that they will not produce yeomen citizenry. The individual farmer is interested in schools, churches, and community building. The whole question of the standard of our citizenship is involved in the system that shall obtain in the business of farming. I hold to the family unit system—it has proved excellent in the production of both citizens and crops.

### CONSERVATION

No state can hope to retain a devoted and happy populace which does not in due measure provide for the preservation of health and beauty in its surroundings.

The people of Iowa have a right to expect that out of nature's bountiful endowment of rivers, lakes, and wooded hills, sufficient areas may be pre-



served for their recreation and enjoyment. Thoughtless encroachments of commerce and private ownership have polluted many of our streams, drained our lakes and cut off our approach to those natural playgrounds of our people. Our scattered efforts toward conservation need coordination under an expertly devised state-wide and continuing program immune to the favoritism of changing political forces.

To this end, I call the attention of the Legislature to the need of a budgeted program, extending over a term of years, made by competent experts, to provide the state of Iowa with parks, game refuges, bird havens, fish hatcheries, and recreation areas, based on a complete and extensive survey of the entire state. We are in need of a program toward which all the conservation forces of the state may bend their energies and resources in a coordinated effort. Too much money is being wasted in haphazard efforts which benefit a few instead of the whole state.

Without increasing expenditures, but by coordinating and directing the funds now provided, toward a definite state-wide plan we will attain a more efficient and orderly progress toward a common goal.

The establishment of such a program is in accordance with the most successful methods employed in progressive state management.

Linked up with this subject of a definite program, we should consider that many students of conservation believe a more efficient and economical administration of the state fish and game department could be had through a Commission.

This plan has to recommend it the fact that in the states where it is in operation it has proved successful. The conservationists backing the Commission plan are animated by unselfish motives and a keen desire to improve our methods in propagation of fish and game, protection of bird life, and in preventing pollution of the lakes and streams.

Our streams are rapidly degenerating into open sewers, receiving the waste drainage of private industry and the sewage of municipalities. I trust the Legislature will make sure there is ample legislation to enable the administrative branch of government to terminate this practice of stream pollution.

Without entering into a more thorough discussion of the subject at this time, I commend it to you as deserving your careful study and thoughtful investigation.

#### EXPENSE ACCOUNT

Chapter One, Acts of the Forty-third General Assembly, grants each member of the General Assembly the right to file a statement of expenses to the maximum amount of five hundred dollars, the amount so listed to be paid out of the state treasury. This law should be repealed. There is a principle involved here that will be apparent when careful analysis is made of this statute. Without going thoroughly into the matter I will

call attention to a contingency that might easily arise in connection with this law that I believe should cause grave concern regarding it. Any succeeding Legislature, by changing two words in the law, could raise the amount designated as a maximum to any figure desired. You can easily imagine a time when the expense money might exceed the salary. It does not measure up to our conception of what constitutes sound public policy. If I were you I would repeal it.

This law was supported, as I agree, by many honorable men with none but honest motives, the fact remains, this type of law is unsound in principle and may in future be subject to abuse.

### CHILD WELFARE

The influence of women in government has been greatly widened and strengthened during the decade just drawing to a close. Their presence at the polls in equal numbers with men, proves a sincere interest in governmental affairs and attests a true perception of the obligations of citizenship. The record of their competency in many offices of public trust is undisputed. They are keenly interested in all the economic questions pressing for solution. To the problems that center about the home, that deal with child health and protection, they bring exceptional understanding and the value of experience. The character of our civilization can be faithfully gauged by the interest we evince in all questions pertaining to the junior citizens of the state and the insistent and varied problems included in child welfare work.

To promote conditions that will safeguard the health of the children and insure them opportunities of education and surround them with influences that will aid in their spiritual development, is a duty so close to the hearts of our people that it resolves itself into a sacred privilege.

I grant you that the chief responsibility is with parents, and that home influence will ever be the strongest factor in raising children to be worthy citizens of the Republic. Nevertheless the community must share this obligation by providing them with clean, wholesome environment and facilities that encourage moral and mental development.

In this connection we will give special thought to the deficient, backward and delinquent children, and wherever possible set their feet on the path toward happy, normal and useful lives.

### PROFESSIONAL LOBBYISTS

The right of the people to be heard on any measure under consideration here, is unquestioned. We represent an intelligent and patriotic constituency and we should welcome their counsel and invite their opinion. The citizen, the corporation, the organized group, should each be accorded a fair hearing and equal consideration. But the professional lobbyist, prostituting his talent for hire, should be ejected from the presence of honest men with the same contumely we are prone to visit on other

enemies of the commonwealth. His methods are nauseous. He has no principles. He is the paid creature of any and every mercenary interest venal enough to hire him. He is insidious enough to devise ways and means to impose himself upon every right-minded organization in his lust for gold. He is ever the agent of special privilege seeking through underground methods to stifle good measures and promote bad ones. The professional lobbyist is affable and genial, but the smooth exterior is a cloak for sinister purposes. When he approaches you he under-estimates both your intelligence and your character. He is not interested in the well being of the people whom we represent.

Our constituents for the most part will not be seen here. They are home attending to their work. We constitute their only representation during the deliberations of the General Assembly. They trust us, their representatives, to go about the business of looking after their interests, uninfluenced by the crafty inducements of the professional lobbyist.

### LAW ENFORCEMENT

I feel constrained on this occasion to take up the subject of law observance, coupled with the problem of law enforcement.

When all those citizens, generally denominated good citizens, render strict observance of all laws the vexing problem of law enforcement will be well on the road to solution.

To obtain general law enforcement it is necessary in the premise to have the great body of public opinion awake to the necessity of unwaivering observance of each and every law. This accomplished we can deal with complete self-respect, with the vital question of law enforcement. Without going into the intricate subject of causes for the marked increase in crime, we acknowledge the fact, firmly resolved to meet it with all the forces at our command. If, in any respect, the laws are inadequate, strengthen them. If, in any locality, law enforcement officers are derelict in their duties they should be removed. The law provides machinery to obtain such commendable results. The automobile and hard surfaced roads have undoubtedly aggravated the problem. All the more necessary it is that every citizen accord moral, and, if need be, physical support to those agents of the law whose sworn duty imposes upon them the obligation to meet the crime situation with grim resolve and unwaivering courage. We are greatly encouraged by the resolute efficiency of our law enforcement machinery during the testing time of the last few months. Twenty-five bank robbers have been apprehended and in nearly all instances our officers have proved competent and courageous in the discharge of their duties. The press of the state can render a signal service in the vital matter of crime prevention by giving prominent space when criminals are apprehended equal to space devoted to the story of the commission of the crime.

The marked increase in loss of life and injury due to accidents on our highways, warrant you in taking steps to strengthen the laws regulating traffic.

### PROHIBITION

The Prohibition Law is the subject of much discussion. Many pronounce it a failure whose memories do not go back to the days when legalized sale of liquor by common consent was held directly responsible for broken homes, poverty and crime. It is unnecessary for me to enter into a defense of prohibition in the presence of representatives sworn to support the Constitution of the United States, and the State of Iowa, representatives in a Commonwealth where dry sentiment has been in the ascendancy for over fifty years. I wish, however, briefly to analyze propaganda set forth that can have no effect except to encourage lawlessness and breed crime. Prohibition was placed in the Constitution of the United States by an amendment that was ratified by forty-six of the forty-eight states of the Union. It is a fundamental law of the land. Neither Congress nor a state legislature can legalize the manufacture, sale or transportation of intoxicating liquors for beverage purposes. A law contemplating nullification would be declared by the courts as unconstitutional and void. Moreover what Iowans should keenly realize is the fact that Iowa's prohibition laws are stronger than the Volstead Act, therefore, it is beside the question in this state to complain of prohibition. No matter how much the Volstead Law might be weakened, the situation in our state would be no different. We would still be operating under our state laws. Let us, therefore, loyally maintain our own state ideals and laws by personal observance, and render unqualified support to our officials in the fulfillment of the duties of their office.

The talk of a referendum in this connection is futile and misleading. There is now no provision in law, either Federal or state, for a referendum and no vote of the people under existing laws would bind the legislature of the state, its law enforcing officers, or its citizens.

### LENGTH OF SESSION

It is my earnest hope that the work of the session will get immediately under way. Several days in time can be saved if we can eliminate the red tape which generally consumes time the first month and proceed as expeditiously as possible with the work of the Assembly.

If we wish to prevent inevitable congestion in the closing days of the session and if we hope to avoid a plethora of ill-digested legislation it behooves us to start immediately on the work of the session and in the consideration of the multiplied problems facing us.

### IOWA

An address of this nature must of necessity deal with problems and emphasize responsibilities. Such a statement, however, does not alarm but rather calls us to the heroic task of determined progress. Certain injustices exist that, happily, can be remedied. We will be strengthened and heartened in this undertaking if we consider the many advantages peculiar to our Commonwealth. Our innumerable material resources, our

diversified interests, both argicultural and industrial, our ability to supply the demands of other areas; all should contribute to a rapid return to stabilized prosperity.

More important than any material resource is the character of our citizenry. Sound in judgment, resourceful in action, resolute in conviction, honest in purpose, generously cooperative in every righteous cause, sternly insistent on justice where their rights are concerned, these are the characteristics of our people—the sturdy citizens of a great Commonwealth. Can we, then, doubt either the genius or ability of such a citizenry to meet and solve the problems, economic or moral, as they may arise.

I believe it is entirely appropriate here to pay tribute to the veterans of the Civil War. We honor them for their unselfish devotion to duty during the great crisis of the sixties. The youngest of them now are about 85 years of age, but the weight of years has not dimmed their love for their country. Theirs is not only a record of valor “in times that tried men’s souls,” but of nearly three quarters of a century of faithful citizenship in a united nation, so peculiarly the product of their loyalty.

Following in their footsteps of allegiance to the highest ideals of the Republic are the veterans of the Spanish War, and our younger comrades of the great World Conflict. We can but realize that the priceless possession of freedom has been won for us at an incalculable cost.

We revere the traditions of the past, the noble records written upon Iowa’s historic pages, and from them we draw the inspiration that insures the achievements of the future. The pioneers of the last century with courageous hearts, laid the abiding foundations of our state. In national crises, our soldiers defended our liberties and possessions. Forming the stable substance of our Commonwealth is that vast democracy called the people, whose collective patriotism, loyalty and industry permeates the whole social and economic structure and secures its permanency.

Members of the General Assembly, epochs of history are measured not in years, but in momentous events. We are the recipients of a clear mandate from a noble constituency, which, if faithfully carried out, will mark this an epochal session in achievement.

Grave responsibility we are impelled to shoulder, it is true, but with the obligation comes the opportunity of a great work for the common good.

In this high office, into which I am this day inducted, and in the administration of the executive functions with which I am invested, I will seek the valued counsel of my colleagues in office. I will be gratefully attentive to the voice of citizens in all walks of life, for I would understand their problems and share their ambitions. But, above all, I recognize that Divine Wisdom without which nations crumble into the dust of a forgotten past. With a humble and contrite heart, I reverently supplicate the God and Father of us all to be my Guide and Counsellor.

You, the people, are the sovereign state, and I your servant. To you, to my state, to my country, and to my God, I, this day, make my solemn dedication.

The minutes of the Joint Convention were read and approved.

Senator Booth of Shelby moved that the Joint Convention be now dissolved.

Motion prevailed.

The House reconvened, Speaker Johnson in the chair.

On motion of Ellsworth of Hardin, the House adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 20, 1931.

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

Prayer was offered by the Rev. J. E. Pritchard, pastor of the Methodist Church, Chapin, Iowa.

Journal of January 15th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: TePaske of Sioux for the day, on request of Durant of Hancock.

McCreery of Linn, chairman of the contest committee, in the case of L. W. Hall vs. Ernest H. Fabritz, submitted the following report:

MR. SPEAKER: The committee appointed by your honorable body to investigate the Hall-Fabritz election contest from Wapello county hereby submit this, their report of said contest.

Your committee feels that this contest was justified because of a situation over which no one seemed to have control and for which no one seemed to be consciously responsible.

The committee learned from evidence introduced and undenied statements made that several days after the general election on November 4th, 1930, in which Mr. Fabritz received a majority of 35 votes over Mr. Hall, the County Auditor's office found ninety (90) absent voters ballots which they had overlooked and had failed to deliver to the various voting precincts on election day.

After consulting with the County Attorney and the Attorney General's office the Auditor reconvened the election boards of the County to which any of the absent voters ballots were addressed and instructed them to count the ballots in the same manner as they would on a regular election day.

Your committee further found that four precincts refused to count the

ballots delivered to them and returned them to the Auditor's office unopened. There being sixteen of these returned ballots.

However the seventy-four (74) ballots counted by the other precincts cut the majority of Mr. Fabritz to ten votes. Mr. Hall then contested the election, asking that the sixteen votes be counted, that all rejected absent voters ballots be checked and also that all voting machines be checked.

Early in the hearing the contestant and incumbent agreed, through their council, that all of the requests of the contestants should be granted by the committee with the incumbent reserving the right to object to all of the proceedings in case the count should change the result of the election.

However after checking the machines and counting and checking all uncounted ballots the results showed that Mr. Fabritz still had a majority of six votes and Mr. Hall and his counsel conceded the election.

Therefore your committee respectfully reports that in their opinion Ernest H. Fabritz was legally elected State Representative of Wapello County and recommends that he be seated and entitled to all the rights and privileges of this body.

D. R. McCREERY, *Chairman,*

H. F. GARRETT,

SAMUEL D. WHITING,

HOMER HUSH,

C. W. LAMB,

*Committee.*

On the question, "Shall the report of the contest committee be adopted?"

The ayes were, 103.

Aiken	Drake of	Hollingsworth	McCaulley
Allen	Muscatine	Hollis	McCreery
Augustine	Elliott	Hook	McDermott
Avery	Ellsworth	Hopkins	McLain
Babcock	Felter	Hunt	Malone
Bair	Figgins	Hush	Mathews
Ballew	Finnern	Husted	Mayne
Beath	Gallagher	Hutcheon	Mead
Berry	Garrett	Johnson of	Millhone
Bonnstetter	Gilmore	Marion	Miller
Brown	Gissel	Kern	Morton
Byers	Greaser	Koch	Nelson of
Craven	Greene	Kohler	Cherokee
Davis	Hansen of	Lamb	Nelson of
Dayton	Audubon	Langland	Story
Ditto	Hansen of Scott	Laughlin	O'Donnell
Donlon	Hayes	Lepley	Orr
Drake of	Helgason	Lichty	Osborn
Keokuk	Hesse	Long	Paisley



Pattison	Roe	Stanzel	Wamstad
Peaco	Rutledge	Stiger	Watts
Pendray	Ryder	Strachan	Wearin
Randall	Rylander	Tamisiea	Whiting
Randolph	Shields	Thiessen	Witt
Ratliff	Short	Thompson	Mr. Speaker
Rawlings	Simmer	Torgeson	
Reed	Snyder	Van Buren	
Reimers	Sours	Van Wert	

The nays were, none.

Absent or not voting, 4.

Durant	Hanson of	TePaske
Forsling	Winnebago	

The report of the contest committee was adopted, and Ernest H. Fabritz was declared the duly elected Representative from the eighteenth Representative District of the State of Iowa.

#### OATH OF OFFICE

Fabritz of Wapello took and subscribed to the following oath:

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

Mr. Fabritz was assigned seat number 92 in the House Chamber.

#### ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Mr. Speaker announced the following assignment of standing committees:

##### AERONAUTICS

Elliott—	Ditto	Hollis	Thiessen
Chairman	Greene	Kern	Wearin
Drake of Keokuk	Hansen of Scott	Laughlin	
Ballew	Hayes	Simmer	

##### AGRICULTURE

Hanson of	Ballew	Durant	Husted
Winnebago—	Beath	Fabritz	Koch
Chairman	Craven	Gissel	Kohler
Felter	Davis	Hansen of Scott	Lamb
Augustine	Dayton	Helgason	Langland
Babcock	Donlon	Hesse	Lepley

Lichty  
McDermott  
McLain  
Mathews  
Malone  
Millhone  
Nelson of  
Cherokee

Orr  
Paisley  
Pendray  
Randall  
Randolph  
Ratliff  
Rawlings  
Roe

Rylander  
Sours  
Stanzel  
Strachan  
Thiessen  
Thompson  
Torgeson  
Van Buren

Van Wert  
Wamstad  
Watts

## ANIMAL INDUSTRY

Van Wert—  
Chairman  
Rutledge  
Bonnstetter  
Davis  
Greaser

Greene  
Hansen of  
Audubon  
Hesse  
Hollis  
Hook

Kohler  
Laughlin  
McCreery  
Miller  
Nelson of Story  
O'Donnell

Osborn  
Reed  
Thiessen  
Watts

## APPROPRIATIONS

Van Buren—  
Chairman  
Ellsworth  
Avery  
Babcock  
Berry  
Davis  
Drake of  
Muscatine  
Fabritz  
Figgins  
Finnern  
Garrett  
Hansen of Scott

Hansen of  
Audubon  
Helgason  
Hesse  
Hook  
Hopkins  
Husted  
Koch  
Kohler  
Lamb  
Lepley  
Lichty  
Long  
McCreery

McLain  
Malone  
Mayne  
Mead  
Millhone  
Morton  
Nelson of  
Cherokee  
Orr  
Osborn  
Paisley  
Pattison  
Pendray  
Randall

Randolph  
Rawlings  
Reed  
Roe  
Ryder  
Short  
Stanzel  
Stiger  
Strachan  
Wearin  
Whiting  
Witt

## BANKS AND BANKING

Torgeson—  
Chairman  
Snyder  
Babcock  
Bair  
Brown  
Ditto  
Drake of  
Keokuk

Ellsworth  
Gilmore  
Hanson of  
Winnebago  
Hesse  
Hollingsworth  
Husted  
Hutcheon  
Kern

Koch  
Langland  
McCreery  
McDermott  
Mathews  
O'Donnell  
Orr  
Paisley  
Ratliff

Reimers  
Short  
Stiger  
Tamsiea  
Thiessen  
Thompson  
Van Buren  
Wamstad  
Witt

## BOARD OF CONTROL

Rylander—  
Chairman  
Nelson of  
Cherokee  
Aiken

Bair  
Beath  
Ditto  
Gissel  
Greaser

Lamb  
Lepley  
Lichty  
Malone  
Paisley

Rutledge  
Stiger  
Van Buren  
Wearin

## BUILDING AND LOAN

Pattison—  
Chairman  
Ryder

Byers  
Garrett

Gilmore  
Hayes

Husted  
Hutcheon

## CHILD WELFARE

Lichty—	Brown	Johnson	Pendray
Chairman	Drake of	Langland	Rutledge
TePaske	Muscatine	Long	Sours
Babcock	Fabritz	Malone	

## CITIES AND TOWNS

Brown—	Fabritz	Long	Short
Chairman	Finnern	Mathews	Stiger
Byers	Hayes	Mayne	Tamisiea
Avery	Helgason	Mead	TePaske
Dayton	Hollingsworth	Millhone	Torgeson
Elliott	Hutcheon	Peaco	Watts
Ellsworth	Lichty	Rylander	

## CLAIMS

Hansen of Scott	Drake of	Hopkins	Rawlings
—Chairman	Muscatine	Kohler	Van Wert
Beath	Garrett	Lamb	Witt
Donlon	Hansen of	Miller	
	Audubon		

## COMMERCE AND TRADE

Wamstad—	Davis	Mayne	Randall
Chairman	Hanson of	Morton	Reimers
Hansen of	Winnebago	Nelson of Story	Simmer
Audubon	Hush	Nelson of	
Beath	McDermott	Cherokee	

## COMPENSATION OF PUBLIC OFFICERS

McCreery—	Gilmore	Roe	Watts
Chairman	Hook	Stanzel	
Bonnstetter	Husted	Thompson	
Brown	Laughlin		

## CONSERVATION OF RESOURCES

Hollis—	Lepley	Nelson of	Paisley
Chairman	McCreery	Story	Pendray
Avery	Mayne	O'Donnell	Reimers
Bonstetter	Millhone	Osborn	Van Buren
Laughlin			

## CONSTITUTIONAL AMENDMENTS

Gilmore—	Durant	McCaulley	Nelson of
Chairman	Finnern	McDermott	Cherokee
Davis	Langland	McLain	Stanzel

## COUNTY AND TOWNSHIP ORGANIZATIONS

Berry—	Davis	Helgason	Rutledge
Chairman	Ditto	Hook	Sours
Greaser	Drake of	Hush	Strachan
Augustine	Muscatine	McCaulley	
Beath	Finnern	McCreery	
Bonstetter	Gissel	Roe	

## DAIRY AND FOOD

Ratliff—	Babcock	Kohler	Wearin
Chairman	Helgason	Randall	
Strachan	Hunt	Thiessen	
Avery	Koch	Watts	

## DEPARTMENTAL AFFAIRS

Reimers—	Finnern	Hansen of	McCaulley
Chairman	Hanson of	Audubon	Shields
Figgins	Winnebago	Johnson	

## DRAINAGE

Hunt—	Babcock	Greene	Strachan
Chairman	Bair	Hanson of	Tamisia
Wamstad	Drake of	Winnebago	Thiessen
Allen	Muscatine	Roe	Thompson

## ELECTIONS

Byers—	Drake of	Forsling	Stiger
Chairman	Keokuk	Hutcheon	Wearin
Witt	Fabritz	Shields	
Augustine	Finnern		

## ENROLLED BILLS

Orr—Chairman	Rawlings	Thompson
Hesse	Reimers	

## FISH AND GAME

Helgason—	Ballew	Hunt	Short
Chairman	Bonnstetter	Long	Snyder
Hopkins	Donlon	Miller	Stanzel
Aiken	Durant	Orr	Van Wert
Avery	Fabritz	Randolph	Watts
Bair	Hayes	Rutledge	Whiting

## HORTICULTURE AND FORESTRY

Figgins—	Felter	McDermott	Rylander
Chairman	Hansen of	O'Donnell	
Pattison	Audubon		

## INSURANCE

Simmer—	Craven	Hesse	Nelson of Story
Chairman	Drake of Keokuk	Hunt	Osborn
Morton	Durant	Hutcheon	Paisley
Aiken	Figgins	Johnson	Pattison
Augustine	Forsling	Kern	Snyder
Avery	Gallagher	Langland	Van Buren
Bair	Gilmore	Laughlin	Witt
Berry	Gissel	Long	Whiting
Byers			

## INTERSTATE BRIDGES

Hayes—	Beath	Mead	Rawlings
Chairman	Elliott	Peaco	Short
Mayne	Greene		

## JUDICIAL AND POLITICAL DISTRICTS

Nelson of Story—	Berry	Hansen of Scott	Rylander
Chairman	Brown	Hollingsworth	Shields
Simmer	Drake of	Hopkins	Tamisiea
Aiken	Muscatine	Hunt	Thompson
Allen	Ellsworth	McCreery	Torgeson
Beath	Forsling	Ratliff	Van Wert

## JUDICIARY

Forsling—	Elliott	Johnson	Shields
Chairman	Ellsworth	Kern	Simmer
Reimers	Gallagher	McCaulley	Stiger
Brown	Garrett	Mayne	Tamisiea
Byers	Hollingsworth	Millhone	Te Paske
Dayton	Hush	Pattison	Whiting
Drake of Keokuk	Hutcheon		

## LABOR

Thompson—	Aiken	Helgason	Peaco
Chairman	Craven	O'Donnell	Wearin
Short	Gallagher		

## LAND TITLES

Dayton—	Augustine	Sours	Strachan
Chairman	Bonnstetter	Stanzel	TePaske
Garrett	Ditto		

## MILITARY

Greene—	Ellsworth	Greaser	Malone
Chairman	Fabritz	Hook	Morton
Hesse	Felter	Lamb	TePaske
Ditto	Gissel	McCaulley	Torgeson
Drake of Keokuk			

## MINES AND MINING

Ballew— Chairman	Donlon	Johnson	Reed
Berry	Hollingsworth	Lamb	Rutledge
	Garrett	Randall	

## MOTOR VEHICLES AND TRANSPORTATION

Bair— Chairman	Greaser	Lichty	Orr
McCreery	Hansen of Scott	McLain	Peaco
Ballew	Hush	Malone	Randolph
Craven	Husted	Mayne	Reed
Gallagher	Koch	Nelson of	Snyder
Gissel	Kohler	Cherokee	Sours
	Lepley		

## PHARMACY

Millhone— Chairman	Randall	Lichty	Ryder
	Garrett	Long	Whiting

## POLICE REGULATIONS AND SUPPRESSION OF CRIME

Johnson of Marion— Chairman	Augustine	Hollis	Randolph
Lamb	Durant	Lepley	Reed
	Garrett	Millhone	Snyder
	Gissel	Morton	

## PRINTING

Finnern— Chairman	Allen	Miller	Short
Gallagher	Mead	Rawlings	Witt

## PRIVATE CORPORATIONS

Lamb— Chairman	Fabritz	McLain	Stiger
Forsling	Hansen of	Mead	Snyder
	Audubon	Ryder	

## PUBLIC HEALTH

Ellsworth— Chairman	Berry	Pendray	Ryder
Long	Elliott	Randall	Rylander
Allen	Figgins	Ratliff	Torgeson
Ballew	Hollingsworth	Rawlings	Watts
	Hush	Roe	Whiting

## PUBLIC LANDS AND BUILDINGS

Wearin— Chairman	Sours	Rawlings	Stanzel
	McDermott	Reed	Simmer

## PUBLIC LIBRARIES

Pendray— Chairman	Figgins	Osborn	Ryder
Donlon	Hopkins	Peaco	Whiting

## PUBLIC UTILITIES

Hollingsworth—	Davis	Hayes	Osborn
Chairman	Drake of	Hopkins	Peaco
Hanson of	Muscatine	Hutcheon	Pendray
Winnebago	Elliott	McLain	Snyder
Ballew	Ellsworth	Mead	Wearin
Byers	Felter	Morton	Witt
	Forsling		

## RAILROADS

Aiken—	Forsling	Laughlin	Thompson
Chairman	Gilmore	Orr	Wamstad
Miller	Hanson of	Pattison	
Ballew	Winnebago	Peaco	
Berry	Kern	Tamisiea	

## RETRENCHMENT AND REFORM

Van Buren—	Hush	Miller	Ryder
Chairman	Forsling		

## ROADS AND HIGHWAYS

Shields—	Elliott	Laughlin	Randolph
Chairman	Felter	Lepley	Reimers
Helgason	Figgins	Long	Rutledge
Avery	Gallagher	McCreery	Rylander
Bair	Gissel	McLain	Short
Ballew	Greaser	Mathews	Sours
Berry	Greene	Mead	Strachan
Brown	Hayes	Miller	Thiessen
Craven	Hesse	Millhone	Van Wert
Dayton	Hollis	Morton	Wamstad
Donlon	Hook	Nelson of	Witt
Drake of	Hopkins	Story	
Keokuk	Hunt	Nelson of	
Drake of	Johnson	Cherokee	
Muscatine	Koch	Orr	
Durant	Kohler	Paisley	

## RULES

Rutledge—	Gilmore	Gallagher	TePaske
Chairman	Allen	Mathews	Torgeson

## SCHOOLS AND TEXTBOOKS

Hopkins—	Donlon	Langland	Roe
Chairman	Gallagher	Laughlin	Ryder
Johnson	Hook	Lichty	Shields
Avery	Hunt	Morton	Strachan
Babcock	Hush	O'Donnell	Thiessen
Bair	Husted	Paisley	Van Buren
Berry	Kern	Pattison	Wamstad
Bonnstetter	Lamb	Pendray	Whiting
Dayton			

## STATE EDUCATIONAL INSTITUTIONS

Allen—	Ellsworth	Hollis	Miller
Chairman	Greaser	Langland	O'Donnell
Mayne	Hanson of	Lepley	Osborn
Aiken	Winnebago	McCaulley	Pattison
Babcock	Hansen of	McLain	Pendray
Byers	Audubon	Malone	

## SUPPRESSION OF INTEMPERANCE

Mathews—	Hunt	Audubon	Stanzel
Chairman	Husted	Randall	Van Wert
Ratliff	Nelson of	Randolph	
Felter	Story	Roe	
Hook	Nelson of	Rylander	

## TAX REVISION

McCaulley—	Craven	Hanson of	Reimers
Chairman	Ditto	Winnebago	Rylander
Allen	Donlon	Hollingsworth	Shields
Augustine	Felter	Hush	Simmer
Beath	Green	Johnson	Tamisiea
Bonnstetter	Graeser	Miller	TePaske
Brown		Nelson of Story	Torgeson

## TELEPHONE, TELEGRAPH AND EXPRESS

Durant—	Figgins	Hollis	Stiger
Chairman	Finnern	Reed	Van Buren
Craven			

## WAYS AND MEANS

Hush—	Drake of	Hayes	Reimers
Chairman	Keokuk	Hollingsworth	Rutledge
Van Wert	Durant	Hollis	Shields
Aiken	Elliott	Hutcheon	Simmer
Allen	Felter	Kern	Snyder
Augustine	Forsling	Langland	Sours
Beath	Gilmore	McCaulley	Tamisiea
Byers	Graeser	McDermott	TePaske
Dayton	Greene	Mathews	Torgeson
Ditto	Hanson of	O'Donnell	Wamstad
Donlon	Winnebago	Ratliff	

## REPRESENTATIVES AND THEIR RESPECTIVE COMMITTEES

## AIKEN OF IDA

Railroads—Chairman	Judicial and political	State educational insti-
Board of control	districts	tutions
Fish and game	Labor	Ways and means
Insurance		



## ALLEN OF POCAHONTAS

State educational institutions—Chairman	districts	Rules
Drainage	Printing	Tax revision
Judicial and political	Public health	

## AUGUSTINE OF RINGGOLD

Agriculture	Insurance	suppression of crime
County and township organizations	Land titles	Tax revision
Elections	Police regulations and	Ways and means

## AVERY OF CLAY

Appropriations	Dairy and food	Roads and highways
Cities and towns	Fish and game	Schools and text books
Conservation of resources	Insurance	

## BABCOCK OF CHICKASAW

Agriculture	Child welfare	Schools and text books
Appropriations	Dairy and food	State educational institutions
Banks and Banking	Drainage	

## BAIR OF BUENA VISTA

Motor vehicles and transportation—Chairman	Board of control	Insurance
Banks and banking	Drainage	Roads and highways
	Fish and game	Schools and text books

## BALLEW OF APPANOOSE

Mines and mining—Chairman	Fish and game	Public utilities
Aeronautics	Motor vehicles and transportation	Railroads
Agriculture	Public health	Roads and highways

## BEATH OF ADAMS

Agriculture	County and township organizations	Ways and means
Board of control	Interstate bridges	Judicial and political districts
Claims	Tax revision	
Commerce and trade		

## BERRY OF MONROE

County and township organization—Chairman	Insurance	Railroads
Appropriations	Mines and mining	Roads and highways
	Public health	Schools and text books

## BONNSTETTER OF KOSSUTH

Animal industry	County and township	Schools and text books
Compensation of public officers	organizations	Tax revision
Conservation of resources	Fish and game	
	Land titles	

## BROWN OF POLK

Cities and towns—Chairman	Compensation of public officers	Judiciary
Banks and banking	Judicial and political districts	Roads and highways
Child welfare		Tax revision

## BYERS OF LINN

Elections—Chairman	Insurance	State educational institutions
Building and loan	Judiciary	Ways and means
Cities and towns	Public utilities	

## CRAVEN OF JASPER

Agriculture	Motor vehicles and transportation	Telephone, telegraph and express
Insurance	Roads and highways	Tax revision
Labor		

## DAVIS OF DELAWARE

Agriculture	Commerce and trade	County and township organizations
Animal industry	Constitutional amendments	Public utilities
Appropriations		

## DAYTON OF WASHINGTON

Land titles—Chairman	Judiciary	Schools and text books
Agriculture	Roads and highways	Ways and means
Cities and towns		

## DITTO OF OSCEOLA

Aeronautics	County and township organizations	Military
Banks and banking	Land titles	Tax revision
Board of control		Ways and means

## DONLON OF PALO ALTO

Agriculture	Mines	Schools and text books
Claims	Public libraries	Tax revision
Fish and game	Roads and highways	Ways and means

## DRAKE OF KEOKUK

Aeronautics	Insurance	Roads and highways
Banks and banking	Judiciary	Ways and means
Elections	Military	

## DRAKE OF MUSCATINE

Appropriations	County and township organizations	Judicial and political districts
Child welfare	Drainage	Public utilities
Claims		

## DURANT OF HANCOCK

Telephone, telegraph and express—Chairman	Constitutional amendments	Police regulations and suppression of crime
Agriculture	Fish and game	Roads and highways
	Insurance	Ways and means

## ELLIOTT OF SCOTT

Aeronautics—Chairman	Interstate bridges	Public utilities
Cities and towns	Judiciary	Roads and highways
	Public health	Ways and means

## ELLSWORTH OF HARDIN

Public health—Chairman	Judicial and political districts	Public utilities
Appropriations	Judiciary	State educational institutions
Banks and banking	Military	
Cities and towns		

## FABRITZ OF WAPELLO

Agriculture	Cities and towns	Military
Appropriations	Elections	Private corporations
Child welfare	Fish and game	

## FELTER OF WARREN

Agriculture	Public utilities	Suppression of intemperance
Horticulture and forestry	Roads and highways	Ways and means
Military	Tax revision	

## FIGGINS OF UNION

Horticulture and forestry—Chairman	Insurance	Telephone, telegraph and express
Appropriations	Public health	
Departmental affairs	Public libraries	
	Roads and highways	

## FINNERN OF CRAWFORD

Printing—Chairman	Constitutional amendments	Departmental affairs
Appropriations	County and township organizations	Elections
Cities and towns		Telephone, telegraph and express

## FORSLING OF WOODBURY

Judiciary—Chairman	Judicial and political districts	Public utilities
Elections	Private corporations	Railroads
Insurance		Ways and means

## GALLAGHER OF IOWA

Insurance	Motor vehicles and transportation	Roads and highways
Judiciary	Printing	Rules
Labor		Schools and text books

## GARRETT OF WAYNE

Appropriations	Judiciary	Pharmacy
Building and loan	Land titles	Police regulations and suppression of crime
Claims	Mines and mining	

## GILMORE OF CEDAR

Constitutional amendments—Chairman	Compensation of public officers	Rules
Banks and banking	Insurance	Ways and means
Building and loan	Railroads	

## GISSEL OF BUCHANAN

Agriculture	Insurance	Police Regulations and suppression of crime
Board of control	Military	Roads and highways
County and township organizations	Motor vehicles and transportation	

## GREASER OF BENTON

Animal industry	Military	State educational institutions
Board of control	Motor vehicles and transportation	Tax revision
County and township organizations	Roads and highways	Ways and means

## GREENE OF POTTAWATTAMIE

Military—Chairman	Drainage	Ways and means
Aeronautics	Interstate bridges	Tax revision
Animal industry	Roads and highways	

## HANSEN OF AUDUBON

Animal industry	Departmental affairs	State educational institutions
Appropriations	Horticulture and forestry	
Claims	Private corporations	
Commerce and trade		

## HANSEN OF SCOTT

Claims—Chairman	Appropriations	Motor vehicles and transportation
Aeronautics	Judicial and political districts	
Agriculture		

## HANSON OF WINNEBAGO

Agriculture—	Departmental affairs	Tax revision
Chairman	Drainage	State educational institutions
Banks and banking	Public utilities	Ways and means
Commerce and trade	Railroads	

## HAYES OF DUBUQUE

Interstate bridges—	Building and loan	Public utilities
Chairman	Cities and towns	Roads and highways
Aeronautics	Fish and game	Ways and means

## HELGASON OF EMMET

Fish and game—	Cities and towns	Dairy and food
Chairman	County and township organizations	Labor
Agriculture		Roads and highways
Appropriations		

## HESSE OF O'BRIEN

Agriculture	Banks and banking	Military
Animal industry	Enrolled bills	Roads and highways
Appropriations	Insurance	

## HOLLINGSWORTH OF BOONE

Public Utilities—	Judicial and political districts	Public health
Chairman	Judiciary	Tax revision
Banks and banking	Mines and mining	Ways and means
Cities and towns		

## HOLLIS OF BLACK HAWK

Conservation of Resources—	Animal industry	State educational institutions
Chairman	Police Regulations and suppression of crime	Telephone, telegraph and express
Aeronautics	Roads and highways	Ways and means

## HOOK OF TAYLOR

Animal industry	County and township organizations	Roads and highways
Appropriations	Military	Schools and text books
Compensation of public officers		Suppression of intemperance

## HOPKINS OF GUTHRIE

Schools and Text Books—	Fish and game	Public libraries
Chairman	Judicial and political districts	Public utilities
Appropriations		Roads and highways
Claims		

## HUNT OF LOUISA

Drainage—Chairman	Judicial and political districts	Suppression of intemperance
Dairy and food	Roads and highways	
Fish and game	Schools and text books	
Insurance		

## HUSH OF MONTGOMERY

Ways and Means— Chairman	Judiciary	Retrenchment and re- form
Commerce and trade	Motor vehicles and transportation	Schools and text books
County and township organizations	Public health	Tax revision

## HUSTED OF MADISON

Agriculture	Building and loan	Schools and text books
Appropriations	Motor vehicle and transportation	Suppression of intemperance
Banks and banking		

## HUTCHEON OF GREENE

Banks and banking	Elections	Land titles
Building and loan	Insurance	Ways and means
Cities and towns	Judiciary	

## JOHNSON OF MARION

Police Regulations and	Departmental affairs	Roads and highways
Suppression of Crime	Insurance	Schools and text books
—Chairman	Judiciary	Tax revision
Child welfare	Mines and mining	

## KERN OF POLK

Aeronautics	Judiciary	Ways and means
Banks and banking	Railroads	
Insurance	Schools and text books	

## KOCH OF BREMER

Agriculture	Dairy and food	Roads and highways
Appropriations	Motor vehicles and transportation	
Banks and banking		

## KOHLER OF PLYMOUTH

Agriculture	Claims	Motor vehicles and transportation
Appropriations	Dairy and food	Roads and highways
Animal industry		

## LAMB OF DALLAS

Private Corporations—	Board of control	suppression of crime
Chairman	Claims	Mines and mining
Agriculture	Military	Schools and text books
Appropriations	Police regulations and	

## LANGLAND OF WINNESHIEK

Agriculture	Constitutional amend- ments	State educational institutions
Banks and banking	Insurance	Ways and means
Child welfare	Schools and text books	

## LAUGHLIN OF FREMONT

Aeronautics	Conservation of	Railroads
Animal industry	resources	Roads and highways
Compensation of public officers	Insurance	Schools and text books

## LEPLEY OF GRUNDY

Agriculture	Motor vehicles and	Roads and highways
Appropriations	transportation	State educational institutions
Board of control	Police regulations and	
Conservation of resources	suppression of crime	

## LICHTY OF BLACK HAWK

Child welfare—	Board of control	Pharmacy
Chairman	Cities and towns	Schools and text books
Agriculture	Motor vehicles and	
Appropriations	transportation	

## LONG OF CERRO GORDO

Appropriations	Fish and game	Public health
Child welfare	Insurance	Roads and highways
Cities and towns	Pharmacy	

## MCCAULLEY OF CALHOUN

Tax revision—	County and township	Military
Chairman	organizations	State educational institutions
Constitutional amendments	Departmental affairs	Ways and means
	Judiciary	

## MCCRERY OF LINN

Compensation of public officers—Chairman	Conservation of resources	Judicial and political districts
Animal industry	County and township organizations	Motor vehicles and transportation
Appropriations		Roads and highways
Banks and banking		

## MCDERMOTT OF ADAIR

Agriculture	Constitutional amendments	Public lands and buildings
Banks and banking	Horticulture and forestry	Ways and means
Commerce and trade		

## MCLAIN OF POWESHIEK

Agriculture	Motor vehicles and	Roads and highways
Appropriations	transportation	State educational institutions
Constitutional amendments	Private corporations	
	Public utilities	

## MALONE OF CASS

Agriculture  
Appropriations  
Board of control  
Child welfare

Military  
Motor vehicles and  
transportation

State educational insti-  
tutions

## MATHEWS OF DES MOINES

Suppression of intem-  
perance—Chairman  
Agriculture

Banks and banking  
Cities and towns  
Roads and highways

Rules  
Ways and means

## MAYNE OF POTTAWATTAMIE

Appropriations  
Cities and towns  
Commerce and trade

Conservation of re-  
sources  
Interstate bridges  
Judiciary

Motor vehicles and  
transportation  
State educational insti-  
tutions

## MEAD OF HOWARD

Appropriations  
Cities and towns  
Interstate bridges

Printing  
Private corporations

Public utilities  
Roads and highways

## MILLER OF SHELBY

Animal industry  
Claims  
Fish and game  
Printing

Railroads  
Retrenchment and re-  
form  
Roads and highways

State educational insti-  
tutions  
Tax revision

## MILLHONE OF PAGE

Pharmacy—  
Chairman  
Agriculture  
Appropriations

Cities and towns  
Conservation of re-  
sources  
Judiciary

Police regulations and  
suppression of crime  
Roads and highways

## MORTON OF WRIGHT

Appropriations  
Commerce and trade  
Insurance

Military  
Police regulations and  
suppression of crime

Public utilities  
Roads and highways  
Schools and textbooks

## NELSON OF STORY

Judicial and political  
districts—Chairman  
Animal industry  
Commerce and trade

Conservation of re-  
sources  
Insurance  
Roads and highways

Tax revision  
Suppression of intem-  
perance

## NELSON OF CHEROKEE

Agriculture  
Appropriations  
Board of control  
Commerce and trade

Constitutional amend-  
ments  
Motor vehicles and  
transportation

Roads and highways  
Suppression of intem-  
perance



## O'DONNELL OF CARROLL

Animal industry  
Banks and banking  
Conservation of re-  
sources

Horticulture and  
forestry  
Labor  
Schools and textbooks

State educational insti-  
tutions  
Ways and means

## ORR OF CLAYTON

Enrolled bills—  
Chairman  
Agriculture

Appropriations  
Banks and banking  
Fish and game

Motor vehicles and  
transportation  
Roads and highways  
Railroads

## OSBORN OF DECATUR

Animal industry  
Appropriations

Conservation of re-  
sources  
Insurance

Public libraries  
Public utilities  
State educational insti-  
tutions

## PAISLEY OF LEE

Agriculture  
Appropriations  
Banks and banking

Board of control  
Conservation of re-  
sources

Insurance  
Roads and highways  
Schools and textbooks

## PATTISON OF JEFFERSON

Building and loan—  
Chairman  
Appropriations

Horticulture and  
forestry  
Insurance  
Judiciary

Railroads  
Schools and textbooks  
State educational insti-  
tutions

## PEACO OF CLINTON

Cities and towns  
Interstate bridges  
Labor

Motor vehicles and  
transportation  
Public utilities

Railroads  
Public libraries

## PENDRAY OF JACKSON

Public libraries—  
Chairman  
Appropriations  
Child welfare

Conservation of re-  
sources  
Public health  
Public utilities

Schools and textbooks  
State educational insti-  
tutions

## RANDALL OF LUCAS

Agriculture  
Appropriations  
Commerce and trade

Dairy and food  
Mines and mining  
Pharmacy

Public health  
Suppression of intem-  
perance

## RANDOLPH OF DAVIS

Agriculture  
Appropriations  
Fish and game

Motor vehicles and  
transportation  
Police regulations and  
suppression of crime

Roads and highways  
Suppression of intem-  
perance

## RATLIFF OF HENRY

Dairy and food— Chairman	Judicial and political districts	Suppression of intem- perance
Agriculture	Public health	Ways and means
Banks and banking		

## RAWLINGS OF MONONA

Agriculture	Enrolled bills	Public health
Appropriations	Interstate bridges	Public lands and build- ings
Claims	Printing	

## REED OF MAHASKA

Animal industry	Motor vehicles and transportation	Public lands and build- ings
Appropriations	Police regulations and suppression of crime	Telephone, telegraph and express
Mines and mining		

## REIMERS OF LYON

Departmental affairs— Chairman	Commerce and trade	Judiciary
Banks and banking	Conservation of resources	Roads and highways
	Enrolled bills	Ways and means

## ROE OF ALLAMAKEE

Agriculture	County and township organizations	Schools and text books
Appropriations	Drainage	Suppression of in- temperance
Compensation of public officers	Public health	

## RUTLEDGE OF WEBSTER

Rules—Chairman	County and townships organizations	Mines
Animal industry	Fish and game	Roads and highways
Board of control		Ways and means
Child welfare		

## RYDER OF DUBUQUE

Appropriations	Pharmacy	Retrenchment and re- form
Building and loan	Public health	Schools and text books
Private corporations	Public libraries	

## RYLANDER OF MARSHALL

Board of control— chairman	Horticulture and forestry	Roads and highways
Agriculture	Judicial and political districts	Tax revision
Cities and towns	Public health	Suppression of intemperance

## SHIELDS OF CLARKE

Roads and highways— chairman	Judicial and political districts	Schools and text books
Departmental affairs	Judiciary	Tax revision
Elections		Ways and means

## SHORT OF WOODBURY

Appropriations	Fish and game	Printing
Banks and banking	Interstate bridges	Roads and highways
Cities and towns	Labor	

## SIMMER OF WAPELLO

Insurance—Chairman	Judicial and political	Public lands and build-
Aeronautics	districts	ings
Commerce and trade	Judiciary	Tax revision
		Ways and means

## SNYDER OF HAMILTON

Banks and banking	Motor vehicles and	Private corporations
Fish and game	transportation	Public utilities
Insurance	Police regulations and	Ways and means
	suppression of crime	

## SOURS OF FLOYD

Agriculture	Land titles	Public lands and build-
Child welfare	Motor vehicles and	ings
County and township	transportation	Roads and highways
organizations		Ways and means

## STANZEL OF SAC

Agriculture	Fish and game	Public lands and build-
Appropriations	Land titles	ings
Compensation of public		Suppression of
officers		intemperance

## STIGER OF TAMA

Appropriations	Cities and towns	Judiciary
Banks and banking	Elections	Telephone, telegraph
Board of control	Private corporations	and express

## STRACHAN OF HUMBOLDT

Appropriations	Dairy and food	Roads and highways
Agriculture	Drainage	Schools and text books
County and township	Land titles	
organizations		

## TAMISIEA OF HARRISON

Banks and banking	Judicial and political	Railroads
Cities and towns	districts	Tax revision
Drainage	Judiciary	Ways and means

## TE PASKE OF SIOUX

Child welfare	Land titles	Tax revision
Cities and towns	Military	Ways and means
Judiciary	Rules	

## THIESSEN OF CLINTON

Aeronautics  
Agriculture  
Animal industry

Banks and banking  
Dairy and food  
Drainage

Roads and highways  
Schools and text books

## THOMPSON OF FAYETTE

Labor—Chairman  
Agriculture  
Banks and banking

Compensation of public  
officers  
Drainage  
Enrolled bills

Judicial and political  
districts  
Railroads

## TORGESON OF WORTH

Banks and banking—  
Chairman  
Agriculture  
Cities and towns

Judicial and political  
districts  
Military  
Public Health

Rules  
Tax revision  
Ways and means

## VAN BUREN OF JONES

Appropriations—  
Chairman  
Retrenchment and re-  
form—  
Chairman  
Agriculture

Banks and banking  
Board of control  
Conservation of  
Resources  
Insurance

Retrenchment and  
reform  
Telephone, telegraph  
and express  
Schools and text books

## VAN WERT OF FRANKLIN

Animal industry—  
Chairman  
Agriculture  
Claims

Fish and game  
Judicial and political  
districts  
Roads and highways

Suppression of intem-  
perance  
Ways and means

## WAMSTAD OF MITCHELL

Commerce and trade—  
Chairman  
Agriculture

Banks and banking  
Drainage  
Railroads

Roads and highways  
Schools and text books  
Ways and means

## WATTS OF VAN BUREN

Agriculture  
Animal industry  
Cities and towns

Compensation of public  
officers  
Dairy and food

Fish and game  
Public health

## WEARIN OF MILLS

Public lands and build-  
ings—Chairman  
Aeronautics

Appropriations  
Board of control  
Dairy and food

Elections  
Labor  
Public utilities

## WHITING OF JOHNSON

Appropriations  
Fish and game  
Insurance

Judiciary  
Pharmacy  
Public health

Public libraries  
Schools and text books

## WITT OF BUTLER

Appropriations  
Banks and banking  
Claims

Elections  
Insurance  
Printing

Public utilities  
Roads and highways

## RESOLUTION

Short of Woodbury, Hook of Taylor, Davis of Delaware, Watts of Van Buren, Torgeson of Worth, Van Wert of Franklin, McCaulley of Calhoun, Donlon of Palo Alto, Aiken of Ida, Reimers of Lyon, Hush of Montgomery, Hopkins of Guthrie, Wearin of Mills, Roe of Allamakee, offered the following resolution:

*Whereas*, House Joint Resolution No. 6 was adopted by the Forty-third General Assembly and by it referred for the consideration of both Houses of this the Forty-fourth General Assembly; and

*Whereas*, Said joint resolution proposes an amendment to the Constitution of this state authorizing the issuance of state road bonds in the sum of One Hundred Million Dollars (\$100,000,000.00); and

*Whereas*, It is necessary that said joint resolution be again adopted by both Houses of this the Forty-fourth General Assembly, and if adopted by it submitted to the voters of Iowa for their approval; and

*Whereas*, The submission of said proposed amendment to the voters for their approval will necessarily entail the expenditure of a large amount of money; and

*Whereas*, Many questions have arisen as to the legal effect of said proposed amendment and many members of this House of the Forty-fourth General Assembly, before again voting on the said resolution, desire to be informed and advised as to the legal sufficiency of said proposed amendment as it is contained in House Joint Resolution No. 6;

*Be It Therefore Resolved*, That the Attorney General be requested to render an opinion to this House advising it as to the legal effect and validity of the said proposed constitutional amendment as it is contained in said House Joint Resolution No. 6.

Laid over under rule 34.

## HOUSE CONCURRENT RESOLUTION NO. 4

Rylander of Marshall offered the following resolution:

*Resolved by the House, the Senate concurring*, That the pages of the Senate and House be required to wear a jacket during the session hours, the pages of the respective houses to be distinguished by different colors and be it further resolved, that the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House be instructed to procure such uniforms for the pages at a cost not to exceed \$5.00 each.

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

Motion prevailed and House Concurrent Resolution No. 4 was adopted.

#### INTRODUCTION OF BILLS

House File No. 1, by Greene of Pottawattamie, McCaulley of Calhoun, and Johnson of Marion, a bill for an act to create the office of county assessor, provide for his election, prescribe his powers and duties, provide for the listing and assessment of property for taxation, to provide penalties for the violation thereof, to constitute a county board of review and to prescribe its duties; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-five (6865), to sixty-eight hundred ninety-six (6896), both inclusive, sixty-nine hundred five (6905), sixty-nine hundred seven (6907), sixty-nine hundred eight (6908), sixty-nine hundred nine (6909), sixty-nine hundred ten (6910), sixty-nine hundred eleven (6911), sixty-nine hundred eighteen (6918), sixty-nine hundred twenty-two (6922), sixty-nine hundred twenty-four (6924), seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149),

seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), seventy-one hundred sixty-one (7161), all of the Code of Iowa 1927, and section fifty-seven a two (57-a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in section fifty-seven a four (57-a4) chapter twenty (20) Acts of the Forty-third General Assembly, section four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), fifteen hundred sixty-five (1565), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), section one (1) chapter one hundred sixty-two (162) Acts of the Forty-third General Assembly, fifty-six hundred sixty-four (5664), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-four (6864), sixty-nine hundred twenty-one (6921), sixty-nine hundred twenty-nine (6929), sixty-nine hundred fifty-nine (6959), sixty-nine hundred seventy-three (6973), seventy hundred seven (7007), seventy hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy-hundred twenty-eight (7028), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), of the Code of Iowa, 1927, all relating to the listing and assessment of property for taxation.

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

House File No. 2, by McCaulley of Calhoun, Johnson of Marion, and Greene of Pottawattamie, a bill for an act providing for

property tax relief by the levying, collecting and paying of taxes on incomes; providing for rules and regulations and prescribing penalties, and making an appropriation for carrying out this act.

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

House File No. 3, by Johnson of Marion, Greene of Pottawattamie, and McCaulley of Calhoun, a bill for an act to provide for the levy, imposition and collection of a privilege tax based upon intangible values against all corporations, joint stock associations, and limited partnerships organized and existing under the laws of this state or the laws of any other state of the United States, foreign country, territory, or the United States for profit, doing business in this state, as defined in the act, unless otherwise exempted by law, for the privilege of doing business in this state; to provide for the administration of said law; and to repeal sections seventy hundred eight (7008), seventy hundred nine (7009), seventy hundred ten (7010), seventy hundred eleven (7011), seventy hundred twelve (7012), and seventy hundred thirteen (7013), of the Code of Iowa, 1927.

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

House File No. 4, by Greene of Pottawattamie, McCaulley of Calhoun, and Johnson of Marion, a bill for an act to amend the law as it appears in paragraphs one (1), six (6), and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the State Board of Assessment and Review.

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

House File No. 5, by Johnson of Marion, McCaulley of Calhoun, and Greene of Pottawattamie, a bill for an act to provide for a registration fee on mortgages on real property and to provide a method for the collection thereof.

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

House File No. 6 by McCaulley of Calhoun, Johnson of Marion, and Greene of Pottawattamie, a bill for an act to amend the



law as it appears in sections sixty-eight hundred sixty-five (6865), sixty-nine hundred forty-four (6944), sixty-nine hundred fifty-three (6953), sixty-nine hundred eighty-four (6984), sixty-nine hundred eighty-five (6985), sixty-nine hundred eighty-seven (6987), sixty-nine hundred eighty-eight (6988), of the Code of Iowa, 1927, and section twenty-three (23), chapter thirty (30), of the Acts of the Forty-third General Assembly, relating to the listing, assessment and taxation of monies and credits, other property and to the exemption of property.

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

House File No. 7, by Greene of Pottawattamie, McCaulley of Calhoun, and Johnson of Marion, a bill for an act to amend the law as it appears in section sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), and sixty-nine hundred eighty-one (6981), of the Code of Iowa, 1927, relating to the listing and assessment of the property of all public utilities, and to provide for the listing and assessment of the property of every individual, co-partnership, corporation or association operating for profit, waterworks or gas works, electric light or power plant, railways operated by cable or electricity, and elevated street railways.

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

House File No. 8, by Shields of Clarke, Helgason of Emmet, Hush of Montgomery, Hutcheon of Greene, Short of Woodbury, Randolph of Davis, Reed of Mahaska, Thompson of Fayette, Bonnstetter of Kossuth, Donlon of Palo Alto, Roe of Allamakee, Felter of Warren, Brown of Polk, Kern of Polk, Hook of Taylor, Lepley of Grundy, Durant of Hancock, Craven of Jasper, and Randall of Lucas, a bill for an act to repeal chapter one (1), Acts of the Forty-third (43) General Assembly, relative to payment of expenses of members of the Assembly and the Lieutenant-Governor.

Read first and second times and referred to committee on compensation of public officers.

House File No. 9, by Van Buren of Jones, a bill for an act conferring jurisdiction and control upon the Board of Railroad Commissioners over the location, construction, maintenance and operation, service and rates of telephone companies.

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

House File No. 10, by Van Buren of Jones, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

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

House File No. 11, by Torgeson of Worth and Ellsworth of Hardin, a bill for an act to repeal chapter thirty-five a two (35-a2) of the Code, 1927, to apportion the State of Iowa into Senatorial Districts and to provide the time when State Senators shall be elected.

Read first and second times and referred to committee on judicial and political districts.

House File No. 12, by Elliott of Scott, a bill for an act to make chapter one hundred ninety-five (195) of the laws of the Forty-third General Assembly conferring certain powers and imposing certain duties upon cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter.

Read first and second times and referred to committee on interstate bridges.

House File No. 13, by Kern of Polk, a bill for an act to provide for the Method of Execution of Stock Certificates, and Regulating the Use of Facsimile Signatures thereon.

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

House File No. 14, by Whiting of Johnson and Stiger of Tama, a bill for an act to authorize the issuance and sale of county road bonds voted under the provisions of chapter two hundred forty-two (242) of the Code, 1927, and to provide for the payment of the principal and interest thereon.

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

House File No. 15, by Whiting of Johnson and Stiger of Tama, a bill for an act to amend section eleven (11) of chapter twenty (20) of the laws of the Forty-third General Assembly relating to the use of secondary road construction fund.

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

House File No. 16, by Whiting of Johnson, a bill for an act to amend chapters one hundred sixty-seven (167) and one hundred ninety-five (195) of the Code, 1927, relating to the powers of the State Board of Education and the Board of Control of State Institutions to make contracts with municipal corporations for fire protection.

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

House File No. 17, by Reimers of Lyon, a bill for an act to amend section ten thousand seven hundred ninety-four (10794), Code of Iowa, 1927, relating to jurisdiction of district judges.

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

House File No. 18, by Reimers of Lyon, a bill for an act to provide for lighting by electric lights, depots at railroad stations, to give authority to the Board of Railroad Commissioners, and to provide for a penalty for a violation thereof.

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

House File No. 19, by Reimers of Lyon, a bill for an act to amend sections eleven thousand seven hundred seventeen (11717), eleven thousand nine hundred seventy-one (11971), and twelve thousand seven hundred thirty-two (12732) of the Code, 1927, relating to claims for labor, and the rights of laborers thereunder.

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

House File No. 20, by Reimers of Lyon, a bill for an act to repeal section seventy-two hundred seventy-nine (7279), Code,

1927, relating to notice of expiration of right of redemption from tax sale, and to enact a substitute therefor.

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

House File No. 21, by Helgason of Emmet, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the Code of 1927, and section one (1) of the chapter one hundred sixteen (116) of the laws of the Forty-third General Assembly, relating to the destruction of weeds and the appointment of a weed commissioner.

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

House File No. 22, by Durant of Hancock, a bill for an act to amend section seventy-five hundred thirty-two (7532), Code, 1927, relating to publication of notice of hearing of completion of public drainage improvements.

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

House File No. 23, by TePaske of Sioux, Kohler of Plymouth, Nelson of Cherokee, Reimers of Lyon, Hesse of O'Brien, Ditto of Osceola, a bill for an act to amend the law as it appears in section ten thousand seven hundred sixty-eight (10768), of the Code of Iowa 1927, relating to the number of judges in and for the twenty-first Judicial District of Iowa.

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

House File No. 24, by Simmer of Wapello, a bill for an act to amend the law as it appears in section sixteen (16), chapter fifty-seven (57) of the Acts of the Forty-third (43) General Assembly, relating to fishing in the waters of the State and restrictions placed thereon.

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

House File No. 25, by Elliott of Scott, a bill for an act to amend the law as it appears in sections twenty-three hundred twenty-one (2321), twenty-three hundred twenty-two (2322), fifty-two hundred eighteen (5218), fifty-two hundred thirty-seven (5237), and

fifty-two hundred thirty-eight (5238), all relating to the office of Coroner, specifying added duties for the Coroner, fixing his compensation to be paid out of the County Treasury, requiring the undertaker to promptly notify the Coroner as to certain suspicious deaths, and authorizing the appointment of a Deputy Coroner.

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

House File No. 26, by Brown of Polk, a bill for an act to amend chapter 628 of the Code of Iowa, 1927, relating to Bail and Undertakings for Bail.

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

House File No. 27, by Brown of Polk, a bill for an act to amend section 4 of chapter 6 of the Acts of the Forty-third General Assembly of the State of Iowa, relating to the issuance of shares of stock of corporations without par value.

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

House File No. 28, by Van Buren of Jones and Torgeson of Worth, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies thereof.

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

House File No. 29, by McLain of Poweshiek, a bill for an act to amend section two thousand one hundred and eighty-one (2181), Code, 1927, relating to the definitions of the state department of health so as to include those engaged in the practice of podiatry as podiatric physicians.

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

House File No. 30, by McLain of Poweshiek, a bill for an act to amend sections two thousand one hundred thirty-six (2136) and two thousand one hundred thirty-seven (2137), Code, 1927, relating to applications for permits to wholesale druggists.

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

House File No. 31, by McLain of Poweshiek, a bill for an act to amend sections two thousand five hundred and forty-two (2542), two thousand five hundred and forty-five (2545) and two thousand five hundred and forty-six (2546), Code, 1927, relating to the practice of podiatry.

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

#### COMMUNICATION OF SECRETARY OF STATE REFERRED TO COMMITTEE

Speaker Johnson announced that the communication of the Secretary of State, found in the house journal January 12th, would be referred to the committee on roads and highways.

#### SUBSTITUTE AMENDMENT FILED

Elliott of Scott filed the following amendment:

MR. SPEAKER: I move as a substitute for the resolution offered by the gentleman from Woodbury, Mr. Short, the following:

*Whereas*, The Forty-second General Assembly in special session in March, 1928, submitted to the vote of the people at the general election in 1928 an Act authorizing the State of Iowa to become indebted in the amount of One Hundred Million Dollars (\$100,000,000.00), to provide for the issuance and sale of state road bonds for the purpose of paving certain specific primary roads and the surfacing with gravel, sand clay or other type of low grade surfacing all other primary roads; and

*Whereas*, The Act provided that the state road bonds would be paid from the receipts in the primary road fund (motor license fees and gasoline tax); and

*Whereas*, The people at the general election in November, 1928, voted such authority by more than two to one vote; and

*Whereas*, The Supreme Court of Iowa on March 5, 1929, held the Act was unconstitutional in that it did not conform to Section 5, Article VII of the Constitution; and

*Whereas*, The Forty-third General Assembly being in session at the time of the Supreme Court ruling and recognizing the will and the intent of the people of the state to provide the means to pave and otherwise surface the primary roads of the state, approved and adopted an Amendment

to the Constitution, which in substance provides for the paving of certain specific primary roads, the surfacing of all other primary roads and authorizes the General Assembly to contract an indebtedness not to exceed One Hundred Million Dollars (\$100,000,000.00) for the improvement of these highways and for the payment or retirement of county primary road bonds, and bonds issued to refund county primary road bonds and provides that such state road bonds may be paid both as to principal and interest from the receipts of motor license fees and/or gasoline or other motor fuel license fees in lieu of a property tax; and

*Whereas*, Article X of the Constitution and Chapter Six (6) of the Code of 1927 provide that certain procedure be complied with in amending the Constitution of the State of Iowa; therefore

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly:* That the House request the opinion of the Attorney General as to whether the steps thus far taken for the purpose of amending the Constitution of the State to permit a One Hundred Million Dollar (\$100,000,000.00) state road bond issue comply with the requirements of the law for the amendment of the Constitution; and

*Be It Further Resolved*, That because of the expedience in the action of the House in this matter that he advise the House as to his opinion not later than January 22, 1931.

On motion of Morton of Wright 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 21, 1931.

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

Prayer was offered by the Rev. S. A. Fulton, pastor of the First Presbyterian Church, Des Moines.

Journal of January 20th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: TePaske of Sioux for the day, on request of Durant of Hancock.

## PETITIONS AND MEMORIALS

Rutledge of Webster presented a petition from the Board of Directors, Fort Dodge Retailers' Bureau, opposing the levying of a tax on Outdoor Advertising.

Referred to committee on tax revision.

Van Wert of Franklin presented a petition from voters of Franklin county, opposing House File No. 1.

Referred to committee on tax revision.

The following resolutions, favoring a division of gasoline tax apportioning a part to cities and towns, were presented and referred to committee on roads and highways:

Gissel of Buchanan, from the city council of Independence.

Stanzel of Sac, from the town council of Wall Lake.

Byers and McCreery of Linn, from the town council of Walker.

Finnern of Crawford, from the town council of Schleswig.



Long of Cerro Gordo, from the city council of Mason City.

Finnern of Crawford presented a petition from the citizens of Crawford county recommending a revision of the fish and game laws.

Referred to committee on fish and game.

Simmer of Wapello presented a petition from the voters of Wapello county asking for the repeal of the trot-line law.

Referred to committee on fish and game.

### REPORT OF SPECIAL COMMITTEE

Ballew of Appanoose, from the committee on assignment of committee rooms, submitted the following report:

MR. SPEAKER: Your committee on assignment of committee rooms for the various standing committees of the House begs leave to report the following recommendations as to the assignment of committee rooms and time of meeting of the standing committees:

Room	Mon.	Tues.	Wed.	Thurs.	Fri.
Speaker's Room—					
Ways and means .....		2:30 P.M.		3:30 P.M.	
Motor vehicles and transportation .....		1:00 P.M.			3:30 P.M.
Cities and towns .....	3:30 P.M.		3:30 P.M.		2:30 P.M.
Aeronautics .....					1:30 P.M.
Tax revision .....	1:30 P.M.		1:30 P.M.		
Schools and textbooks .....		3:30 P.M.		2:30 P.M.	
Elections .....	2:30 P.M.				
County and township organizations .....			2:30 P.M.		
Suppression of intemperance...				1:30 P.M.	
Room 1—					
Appropriations .....		2:30 P.M.		3:30 P.M.	
Judiciary .....	1:30 P.M.		1:30 P.M.		1:30 P.M.
Roads and highways .....	2:30 P.M.		2:30 P.M.		2:30 P.M.
Insurance .....		3:30 P.M.		1:30 P.M.	
Agriculture .....	3:30 P.M.		3:30 P.M.		3:30 P.M.
Banks and banking .....		1:30 P.M.		2:30 P.M.	
Room 6—					
Drainage .....	1:30 P.M.			1:00 P.M.	
Board of control .....				1:30 P.M.	
Fish and game .....	3:30 P.M.				3:30 P.M.
State educational institutions..		3:30 P.M.			
Military .....				3:30 P.M.	
Public health .....				2:00 P.M.	
Public utilities .....					2:30 P.M.
Animal industry .....		1:00 P.M.			
Mines and mining .....			2:30 P.M.		
Compensation of public officers	2:30 P.M.				
Land titles .....			1:30 P.M.		
Departmental affairs .....		2:30 P.M.			
Printing .....					1:30 P.M.
Dairy and food .....			3:30 P.M.		
Room 9—					
Interstate bridges .....		1:00 P.M.			
Public libraries .....			1:00 P.M.		
Pharmacy .....			3:30 P.M.		
Private corporations .....			2:00 P.M.		
Public lands and buildings .....					2:30 P.M.
Judicial and political districts..					1:30 P.M.
Building and loan .....		2:30 P.M.			

Room	Mon.	Tues.	Wed.	Thurs.	Fri.
Room 10—					
Child welfare .....			1:00 P.M.		
Constitutional amendments .....			2:30 P.M.		
Conservation of resources .....				1:30 P.M.	
Commerce and trade .....					2:30 P.M.
Claims .....	2:30 P.M.				
Horticulture and forestry .....			1:30 P.M.		
Police regulations and suppression of crime .....			3:30 P.M.		
Telephone, telegraph and express .....					3:30 P.M.
Railroads .....		1:30 P.M.			
Labor .....		2:30 P.M.			
Room 5—					
Chief clerk .....					
Retrenchment and reform .....					
Rules .....					
Room 4—					
Journal clerks .....					
Room 3—					
Enrolling clerks .....					
File clerks .....					
Enrolled bills .....					
Rooms 2 and 11—					
Committee clerks .....					

Rooms 2, 3, 4, and 11 to be under control and direction of the Chief Clerk.

Respectfully submitted,

HOWARD BALLEW, *Chairman*,  
G. H. HESSE,  
CAROLYN C. PENDRAY,  
*Committee.*

Passed on file.

### CONSIDERATION OF HOUSE RESOLUTION

Short of Woodbury called up his resolution, found in the Journal of January 20th, requesting the opinion of the Attorney General as to the legal sufficiency of House Joint Resolution No. 6, and moved its adoption.

Elliott of Scott moved that the substitute amendment filed by him and found in the Journal of January 20th be substituted for the original resolution.

Elliott of Scott asked and obtained unanimous consent to amend his substitute amendment by striking the words and figures "January 22, 1931" and substituting in lieu thereof the words and figures "January 26, 1931", as the date set for the Attorney General to submit his opinion to the House.

Hollingsworth of Boone moved to amend the original resolution by striking the words "the legal effect and".

Allen of Pocahontas raised the point of order that an amend-

ment could not be made to the original resolution when the substitute amendment was pending before the House.

Speaker Johnson held the point of order well taken.

Van Buren of Jones moved the previous question.

Motion prevailed.

On the question, "Shall the substitute amendment be substituted for the original resolution?" a roll call was demanded.

The ayes were, 44.

Avery	Ellsworth	Johnson of	Millhone
Bair	Fabritz	Marion	Morton
Ballew	Gallagher	Kern	Orr
Byers	Gilmore	Koch	Pattison
Dayton	Greene	Lamb	Randolph
Ditto	Hansen of	Laughlin	Ratliff
Drake of	Scott	Lichty	Ryder
Keokuk	Hayes	Long	Snyder
Drake of	Hesse	McCreery	Tamisiea
Muscatine	Hollis	McLain	Thompson
Durant	Hunt	Mathews	Whiting
Elliott	Husted	Mayne	Witt

The nays were, 60.

Aiken	Greaser	Miller	Rylander
Allen	Hansen of	Nelson of	Shields
Augustine	Audubon	Cherokee	Short
Babcock	Hanson	Nelson of	Simmer
Beath	Winnebago	Story	Sours
Berry	Helgason	O'Donnell	Stanzel
Bonnstetter	Hollingsworth	Osborn	Stiger
Brown	Hook	Paisley	Strachan
Craven	Hopkins	Peaco	Thiessen
Davis	Hush	Pendray	Torgeson
Donlon	Hutcheon	Randall	Van Buren
Felter	Langland	Rawlings	Van Wert
Figgins	Lepley	Reed	Wamstad
Finnern	McCaulley	Reimers	Watts
Garrett	Malone	Roe	Wearin
Gissel	Mead	Rutledge	Mr. Speaker

Absent or not voting, 4.

Forsling	Kohler	McDermott	TePaske
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Substitution lost.

Hollingsworth of Boone moved to amend the last paragraph of the original resolution by striking the words "legal effect and".

Amendment adopted by unanimous consent.

Simmer of Wapello moved to amend the last paragraph of the

original resolution by inserting a comma “( , )” after the word “House” and adding the following words: “not later than January 28th,”.

Amendment adopted by unanimous consent.

Wearin of Mills moved the previous question.

Motion prevailed.

On the question, “ Shall the resolution be adopted?” a roll call was demanded.

The ayes were, 64.

Aiken	Gissel	Mead	Short
Allen	Greaser	Miller	Simmer
Augustine	Hanson of	Nelson of	Snyder
Babcock	Winnebago	Cherokee	Sours
Beath	Helgason	O'Donnell	Stanzel
Berry	Hollingsworth	Osborn	Stiger
Bonnstetter	Hook	Paisley	Strachan
Brown	Hopkins	Peaco	Thiessen
Craven	Hush	Pendray	Tompson
Davis	Husted	Randall	Torgeson
Donlon	Hutcheon	Randolph	Van Buren
Drake of	Kohler	Rawlings	Van Wert
Drake of	Muscatine	Reed	Wamstad
Felter	Lepley	Reimers	Watts
Figgins	McDermott	Roe	Wearin
Finnern	McLain	Rylander	Mr. Speaker
Garrett	Malone	Shields	

The nays were, 36.

Avery	Gilmore	Koch	Pattison
Ballew	Greene	Laughlin	Ratliff
Byers	Hansen of	Lichty	Rutledge
Dayton	Scott	Long	Ryder
Drake of	Hayes	McCreery	Tamisia
Keokuk	Hesse	Mayne	Whiting
Durant	Hollis	Millhone	Witt
Elliott	Hunt	Morton	
Ellsworth	Johnson of	Nelson of	
Fabritz	Marion	Story	
Gallagher	Kern	Orr	

Absent or not voting, 8.

Bair	Hansen of	McCaulley	TePaske
Ditto	Audubon	Mathews	
Forsling	Lamb		

Motion prevailed and the resolution was adopted.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Lamb of Dallas for the balance of the day, on request of Hopkins of Guthrie.

## HOUSE CONCURRENT RESOLUTION NO. 5

Ballew of Appanoose offered the following Concurrent Resolution:

*Be It Resolved by the House, the Senate concurring, That the state printing board be requested to furnish copies of the Code of 1927 and Acts of the Forty-third General Assembly as follows: One copy for each of the various committee rooms of the House and the Senate; three copies each for the Chief Clerk of the House and the Secretary of the Senate for the use of said officers and their assistants; such number of copies for the press galleries of the House and the Senate as necessary, to be determined by the Chief Clerk of the House and the Secretary of the Senate.*

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

Motion prevailed and the Concurrent Resolution was adopted.

## INTRODUCTION OF BILLS

House File No. 32, by Whiting of Johnson, a bill for an act to amend and supplement the law as it appears in chapter sixty-nine (69), Acts of the Forty-third General Assembly of Iowa, relating to the regulation of the practice of embalming, the licensing of its practitioners, and providing for the revoking or suspending of the license of one against whom a criminal charge has been filed.

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

House File No. 33, by Van Buren of Jones and Helgason of Emmet, a bill for an act to repeal the law as it appears in chapter two hundred fifteen-B one (215-B1), Code, 1927, as amended by chapter one hundred seven (107), Acts of the Forty-third General Assembly and also chapter one hundred fifteen (115), Acts of the Forty-third General Assembly relating to tax free lands; and to enact a substitute therefor.

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

House File No. 34, by Langland of Winneshiek, a bill for an act to legalize the proceedings relating to an election held in the Independent School District of Decorah, in the County of Winneshiek, State of Iowa, on the proposition of issuing \$130,000 School Building Bonds, and the subsequent proceedings pursuant thereto had by the Board of Directors of said School District and validating said School Building Bonds.

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

House File No. 35, by Langland of Winneshiek, a bill for an act to amend the law as it appears in section four thousand two hundred seventy-five (4275), Code, 1927, and to repeal chapter one hundred six (106) Acts Forty-third General Assembly relating to high school tuition.

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

House File No. 36, by Long of Cerro Gordo, a bill for an act to amend sections fifty-two hundred sixty-one (5261) and fifty-two hundred sixty-three (5263) of the Code, 1927, relating to the submission to the voters of a county of the question of borrowing money for the purpose of erecting and equipping public buildings as to extend said provisions to authorize the borrowing of money for the purpose of building additions or extensions to, or the remodeling or the reconstruction of, any such public buildings.

Read first and second times and referred to committee on public lands and buildings.

House File No. 37, by Allen of Pocahontas, a bill for an act to amend section six thousand thirty-three (6033), Code, 1927, as amended by chapter one hundred eighty-one (181) of the laws of the Forty-third General Assembly relating to interest and penalty on special assessments for stock improvements.

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

House File No. 38, by Allen of Pocahontas, a bill for an act to amend section sixty-nine hundred fifty-one (6951), Code, 1927, relating to the suspension, cancellation, or remission of taxes.

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

House File No. 39, by Kern of Polk, a bill for an act to amend the law as it appears in section nine thousand five hundred forty-five (9545) of the Code of 1927, making October twelfth or otherwise known as "Columbus Day" a legal holiday.

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

House File No. 40, by Brown of Polk, a bill for an act to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff.

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

House File No. 41, by Brown of Polk, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the Code of 1927, fixing the salary of the County Attorney in counties having a population of more than one hundred twenty-five thousand (125,000), and making such salary the full and only compensation.

Read first and second times and referred to committee on compensation of public officers.

House File No. 42, by Ditto of Osceola, a bill for an act to amend the law as it appears in section fifty-seven a5 (57-a5) of chapter twenty (20) of the Acts of the Forty-third General Assembly relating to the collection of poll taxes so as to impose a penalty for the delinquent payment thereof.

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

House File No. 43, by Avery of Clay, a bill for an act to legalize the sale of real estate by the Consolidated Independent School District of Lloyd Township, Dickinson County, Iowa.

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

House File No. 44, by Allen of Pocahontas, a bill for an act to amend section five hundred sixteen (516), Code of 1927, relating to the election of railroad commissioners.

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

House File No. 45, by Whiting of Johnson and Stiger of Tama, a bill for an act to amend sections forty-seven hundred fifty-six (4756), forty-seven hundred sixty-one (4761), forty-seven hundred sixty-five (4765), and forty-seven hundred sixty-nine (4769), of the Code of Iowa, 1927, relating to the improvement of county and primary roads and to the financing of said improvements by the issuance of primary and county road bonds; to provide for the pledging of secondary road construction fund to the payment of county road bonds; and to fix a limitation on the amount of indebtedness contracted for said purpose; and to repeal section forty-seven hundred sixty-seven (4767), and forty-seven hundred seventy-two (4772), of the Code of Iowa, 1927.

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

House File No. 46, by Brown and Kern of Polk, a bill for an act to amend paragraph one (1) of section two hundred eleven (211) in the Code of Iowa, 1927, relating to the levy of taxes for grading purposes.

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

House File No. 47, by Brown and Kern of Polk, a bill for an act to amend the law as it appears in sections nine (9) and ten (10) of chapter one hundred ninety-four (194) of the laws of the Forty-third General Assembly relating to interest on special assessments and to advertising for bids for street improvements.

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

House File No. 48, by Brown and Kern of Polk, a bill for an



act to amend section 5950 of the Code of Iowa, 1927, relating to removing snow, ice or accumulations from abutting property from sidewalk, and the assessment of the cost thereof.

Read first and second times and referred to committee on cities and towns.

House File No. 49, by Brown and Kern of Polk, a bill for an act to amend the law as it appears in section fifty-nine hundred sixty-nine (5969) of the Code of Iowa, 1927, relating to the repair and cleaning of sidewalks.

Read first and second times and referred to committee on cities and towns.

House File No. 50, by Brown and Kern of Polk, a bill for an act to amend the law as it appears in section fifty-nine hundred eighty-two (5982) of the Code, 1927, relating to connections under water works trustees.

Read first and second times and referred to committee on cities and towns.

House Joint Resolution No. 1, by Johnson of Marion, A Joint Resolution, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the Improvement of Highways and Making Provision for the Payment of the Cost Thereof.

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

House Joint Resolution No. 2, by Elliott of Scott, a Joint Resolution, proposing an amendment to the Constitution of the State of Iowa by repealing section twenty-two (22) of Article four (IV), and section twelve (12) of Article five (V) of the said constitution, relating to the election of certain state officers, and adopting a substitute for said sections.

Read first and second times and referred to committee on constitutional amendments.

#### HOUSE JOINT RESOLUTION NO. 1

A Joint Resolution, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the

Improvement of Highways and Making Provision for the Payment of the Cost Thereof.

*Whereas*, By House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution was approved April eleventh (11th) Nineteen Hundred Twenty-nine (1929) an amendment to the Constitution of the State of Iowa was proposed, and

*Whereas*, said resolution proposed to amend the Constitution of the State of Iowa by adding thereto an "Article XIII" relating to the improvement of highways and the issuance of bonds therefor; and

*Whereas*, the said proposed amendment was agreed to by a majority of the members elected to the House of Representatives of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Eleven Hundred Four (1104) to Eleven Hundred Eight (1108) both inclusive, with the yeas and nays taken thereon, and was agreed to by a majority of the members elected to the Senate of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Thirteen Hundred Twenty-five (1325) to Thirteen Hundred Twenty-nine (1329) both inclusive, with the yeas and nays taken thereon; and

*Whereas*, The said resolution and proposed amendment have been published as provided by law and have been referred to this, the Forty-fourth (44th) General Assembly for action thereon, therefore,

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

Section One: That the proposed amendment to the Constitution of the State of Iowa as contained in and proposed by the said House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution proposed that the following be added to the Constitution of the State of Iowa as Article XIII, to-wit:

### "ARTICLE XIII"

"Section 1. Notwithstanding the provisions of Article VII or any other provision of the Constitution of Iowa, the State may, by Act of the General Assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) for the improvement of highways and for the payment or retirement of county primary road bonds and bonds issued to refund county primary road bonds; and for such purposes may issue bonds and provide ways and means for the payment of the same, and may pledge the credit of the state therefor. Such act shall pledge to the payment of such bonds and interest thereon such rates or amounts of motor license fees and/or gasoline or other motor fuel license fees as may be determined by the General Assembly to be sufficient to meet both principal and interest as they mature and accrue; and shall provide for the levy, imposition, collection and pledge of such general property tax as may be required to supply the deficiency, if any, between the amount of principal and interest due on the bonds during any year or years and the funds pro-

duced by said pledged license fees during such year or years; and it shall be a sufficient statement of such tax that such act direct the Executive Council annually to compute such deficiency, if any, and fix the rate necessary to produce such amount. The provisions of such act pledging funds and levying taxes for the payment of principal and interest of bonds issued thereunder shall be irrepealable so long as any of such bonds are outstanding, unpaid and uncalled. Such bonds may be issued from time to time on such terms as the General Assembly shall by law provide; but each bond shall become due and payable not more than twenty years after its date.

"Sec. 2. After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease.

"Sec. 3. No funds derived from the sale of any of the bonds provided for in Section One (1) of this Article XIII shall be used in the improvement of any other highways until after the following highways shall have been improved in the following manner: (a) By grading, draining, bridging and paving:

Primary Road Number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on Primary Road Number 3 south of Keosauqua.

Primary Road Number 2, from a point on Primary Road Number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on Primary Road Number 71 south of Atlantic, and from a point on Primary Road Number 71 westerly to a point on Primary Road Number 32 near Lewis.

Primary Road Number 3, from a point on Primary Road Number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to Nebraska City.

Primary Road Number 4, from a point on the Missouri Line southeast of Hamburg, by way of Hamburg and Sidney, to a point on Primary Road Number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on Primary Road Number 20 west of Early.

Primary Road Number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to LeMars.

Primary Road Number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary Road Number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary Road Number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake,

Sibley, and Rock Rapids, to a point on the South Dakota Line north of Larchwood.

Primary Road Number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on Primary Road Number 75 west of Orange City.

Primary Road Number 11, from Cedar Rapids, by way of Independence and Oelwein, to West Union.

Primary Road Number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on Primary Road Number 18 west of McGregor.

Primary Road Number 14, between Corydon and Chariton. Also from its intersection with Primary Road Number 58 through Grundy Center to its intersection with Primary Road Number 57.

Primary Road Number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary Road Number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with Primary Road Number 9.

Primary Road Number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with Primary Road Number 16.

Primary Road Number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer, and Sheldon, to a point on Primary Road Number 75 near Perkins.

Primary Road Number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary Road Number 21, from Primghar to a point on Primary Road Number 18 east of Sanborn. Also, from Ida Grove to a point on Primary Road Number 20 east of Holstein.

Primary Road Number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary Road Number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary Road Number 32, from Davenport, by way of Iowa City, Maingo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary Road Number 34, from Burlington, by way of Mount Pleas-

ant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary Road Number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary Road Number 48, from Red Oak, through Essex, to Shenandoah.

Primary Road Number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota Line north of Burr Oak.

Primary Road Number 57, from its intersection on Primary Road Number 14, by way of Dike to Cedar Falls.

Primary Road Number 58, from Eldora to a point on Primary Road Number 134 west of Eldora. Also east of Eldora to a point on Primary Road Number 14.

Primary Road Number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on Primary Road Number 10 east of Waverly.

Primary Road Number 60, from a point on Primary Road Number 30 east of Boone, by way of Madrid, to Des Moines.

Primary Road Number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, DeWitt, and Maquoketa, to Dubuque.

Primary Road Number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri Line southwest of Bloomfield.

Primary Road Number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota Line north of Northwood.

Primary Road Number 69, from Leon, by way of Lamoni, to the Missouri Line south of Lamoni.

Primary Road Number 71, from the Missouri Line near Braddyville, by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota Line northeast of Spirit Lake.

Primary Road Number 74, from Tipton, by way of New Liberty, to Davenport.

Primary Road Number 75, from Missouri Valley, by way of Onawa, Sioux City, LeMars, Sioux Center, and Rock Rapids, to a point on the Minnesota Line north of Rock Rapids.

Primary Road Number 90, from Grundy Center, by way of Reinbeck, to a point on Primary Road Number 59 south of Hudson.

Primary Road Number 99, from Davenport, by way of Princeton and Camanche, to a point on Primary Road Number 30 west of Clinton.

Primary Road Number 134, from a point on Primary Road Number 58 west of Eldora, to a point on Primary Road Number 65 north of Hubbard.

Primary Road Number 117, from Anamosa to Maquoketa.

Primary Road Number 136, from Clinton, by way of Charlotte and Delmar, to a point on Primary Road Number 61 west of Delmar.

Primary Road Number 141, from Denison, by way of Mapleton, to Sioux City.

Primary Road Number 149, from a point on Primary Road Number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to Primary Road Number 32 west of Homestead.

Primary Road Number 150, from a point on Primary Road Number 32 near Homestead, by way of Amana and Fairfax, to a point on Primary Road Number 30 west of Cedar Rapids.

Primary Road Number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson, to a point on Primary Road Number 61 southwest of Montrose.

Primary Road Number 218, from a point on Primary Road Number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota Line north of St. Ansgar.

(b) By grading, draining, bridging and surfacing with gravel, sand clay, or other type of surfacing: all other primary roads.

Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

"Sec. 4. Any law adopted by the General Assembly authorizing the issuance of bonds under this Article XIII shall provide that the principal of all county primary road bonds and bonds issued to refund county primary road bonds, outstanding when said law becomes effective, shall be paid, as such bonds mature or become subject to call, from the proceeds of the state bonds. Upon the issuance of the first state bonds under such law the authority of the counties to issue county primary road bonds shall cease."

be and the same is hereby agreed to, enacted, and adopted by the Forty-fourth (44th) General Assembly.

#### HOUSE JOINT RESOLUTION NO. 2

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa by repealing section twenty-two (22) of Article four

(IV), and section twelve (12) of Article five (V) of the said constitution, relating to the election of certain state officers, and adopting a substitute for said sections.

*Be It Resolved by the House of Representatives, and by the Senate, of the Forty-fourth (44th) 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:

That section twenty-two (22) of Article four (IV) and section twelve (12) of Article five (V) of the Constitution of the State of Iowa be repealed, and the following be enacted and adopted in lieu thereof, as a part of Article four (IV), to wit:

"Section 23. The governor, immediately after qualifying as such, shall nominate, and by and with the advice and consent of a majority of the Senate and House of Representatives in joint convention, appoint a secretary of state, an auditor of state, a treasurer of state, a secretary of agriculture, and an attorney general, each of whom, after qualifying, shall serve until his successor is appointed and qualified, and all of whom, together with the governor, shall constitute an executive council, and have such rights, perform such duties, and be under such liability, either separately or as a member of said council, as the general assembly may prescribe.

Sec. 2. That the foregoing proposal to amend the Constitution of the State of Iowa is hereby referred to the Forty-fifth (45th) General Assembly and the secretary of state is directed to cause the said proposal to be published as required by law.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate.

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

House Concurrent Resolution No. 4, relative to procuring jackets for the pages of the House and Senate.

WALTER H. BEAM, *Secretary.*

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 34, a bill for an act to legalize the proceedings relating to an election held in the Independent School District of Decorah, in the County of Winneshiek, State of Iowa, on the proposition of issuing \$130,000 School Building Bonds, and the subsequent proceedings pursuant thereto had by the Board of Directors of

said School District and validating said School Building Bonds, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

On motion of Reimers of Lyon the House adjourned until 10:00 a. m. Thursday.



# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 22, 1931.

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

Prayer was offered by Rev. R. L. L. Barnstable, pastor of the Asbury M. E. Church, Des Moines.

Journal of January 21st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: TePaska of Sioux for the day, on request of Durant of Hancock.

## REPORT OF COMMITTEE ON MILEAGE

Aiken of Ida, from the committee on mileage, submitted the following report and moved its adoption:

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

Name	Miles	Amt.	Name	Miles	Amt.
Aiken, John H.....	144	\$14.40	Forsling, Limis B.....	210	21.00
Allen, Byron G.....	104	10.40	Gallagher, J. P.....	100	10.00
Augustine, Fred D.....	82	8.20	Garrett, Harry F.....	75	7.50
Avery, A. H.....	158	15.80	Gilmore, William T.....	180	18.00
Babcock, J. F.....	185	18.50	Gissel, William H.....	137	13.70
Bair, J. Park.....	155	15.50	Greaser, Lewis.....	136	13.60
Ballew, Howard.....	100	10.00	Greene, Harry M.....	101	10.10
Beath, F. H.....	110	11.00	Hansen, John T.....	183	18.30
Berry, Henry S.....	78	7.80	Hansen, Peter.....	80	8.00
Bonstetter, A. H.....	150	15.00	Hanson, H. N.....	165	16.50
Brown, Ed. R.....	0	0.00	Hayes, Jas. N.....	225	22.50
Byers, Frank C.....	142	14.20	Hesse, G. H.....	207	20.70
Craven, J. E.....	44	4.40	Helgason, E. O.....	204	20.40
Davis, Lawrence W.....	175	17.50	Hollingsworth, Frank ..	45	4.50
Dayton, C. O.....	125	12.50	Hollis, C. A.....	115	11.50
Ditto, O. J.....	235	23.50	Hook, Chas. S.....	128	12.80
Donlon, P. H.....	165	16.50	Hopkins, Geo. M.....	69	6.90
Drake, Roy.....	110	11.00	Hunt, Ralph R.....	175	17.50
Drake, Theodore.....	176	17.60	Hush, Homer.....	155	15.50
Durant, S. B.....	162	16.20	Husted, O. E.....	38	3.80
Elliott, Frank W.....	175	17.50	Hutcheon, W. E. S.....	68	6.80
Ellsworth, E. O.....	76	7.60	Johnson, Francis.....	180	18.00
Fabritz, Ernest H.....	90	9.00	Johnson, J. H.....	36	3.60
Felter, Victor.....	18	1.80	Kern, Geo. A.....	0	0.00
Figgins, George C.....	92	9.20	Koch, Wm. W.....	133	13.30
Finnern, H. C.....	129	12.90	Kohler, Henry.....	226	22.60

Name	Miles	Amt.	Name	Miles	Amt.
Lamb, C. W.....	33	3.30	Ratliff, Z. S.....	138	13.80
Langland, Charles M.....	243	24.30	Rawlings, Ed .....	219	21.90
Laughlin, E. P.....	160	16.00	Reed, I. M.....	62	6.20
Lepley, Ellet .....	100	10.00	Reimers, Otto J.....	253	25.30
Lichty, E. M.....	108	10.80	Roe, Ove T.....	265	26.50
Long, Wm. E.....	130	13.00	Rutledge, Reyburn L.....	89	8.90
McCaulley, Marion R.....	118	11.80	Ryder, John .....	225	22.50
McCreery, D. R.....	160	16.00	Rylander, John F.....	80	8.00
McDermott, John .....	125	12.50	Shields, LeRoy .....	72	7.20
McLain, William J.....	70	7.00	Short, Wallace M.....	210	21.00
Malone, C. E.....	98	9.80	Simmer, Leonard .....	90	9.00
Mathews, Howard A.....	153	15.30	Snyder, Frank G.....	73	7.30
Mayne, Geo. H.....	145	14.50	Sours, Roy J.....	165	16.50
Mead, F. D.....	198	19.80	Stanzel, Geo. C.....	131	13.10
Miller, Geo. E.....	120	12.00	Stiger, Carl B.....	80	8.00
Millhone, Paul L.....	136	13.60	Strachan, W. H.....	107	10.70
Morton, O. P.....	106	10.60	Tamisiea, Hugh J.....	169	16.90
Nelson, Fred W.....	36	3.60	TePaske, Anthony .....	223	22.30
Nelson, N. M.....	180	18.00	Thiessen, J. H.....	235	23.50
O'Donnell, Geo.....	100	10.00	Thompson, Thore .....	174	17.40
Orr, Creighton J.....	235	23.50	Torgeson, S. R.....	142	14.20
Osborn, Walter .....	68	6.80	Van Buren, G. J.....	188	18.80
Paisley, Wm. ....	170	17.00	Van Wert, G. E.....	106	10.60
Pattison, H. C.....	117	11.70	Wamstad, Brede .....	172	17.20
Peaco, Milton .....	235	23.50	Watts, Stanley .....	125	12.50
Pendray, Carolyn C.....	185	18.50	Wearin, Otha D.....	160	16.00
Randall, Jas. L.....	50	5.00	Whiting, Samuel D.....	120	12.00
Randolph, S. F.....	115	11.50	Witt, Fred B.....	135	13.50

JOHN H. AIKEN, *Chairman,*

PETER HANSEN,

RAY DRAKE,

*Committee.*

Motion prevailed and the report was adopted.

#### SUPPLEMENTARY REPORT OF COMMITTEE ON COMMITTEE CLERKS

Avery of Clay, chairman of the committee on committee clerks, submitted the following supplementary report:

MR. SPEAKER: We, your committee on committee clerks, beg leave to submit the following supplementary report in accordance with the resolution adopted by the House on January 14th:

#### RE-ASSIGNMENT OF COMMITTEE CLERKS

Approved January 13th

Aiken, Patience—Aiken.

Anderson, Wilma—Dayton.

Adam, Elizabeth—Contest Committee.  
Banta, Lucille M.—Ballew.  
Berg, Helen—Bair.  
Buck, Vera—Hush.  
Corwin, Marjorie—Drake of Muscatine.  
Carney, Nelline—Long-Sours.  
Carpenter, Mayme—Shields.  
Cessna, Vivian—Nelson of Story.  
Clearwater, Nell—Orr.  
Cox, Grace—Beath-Hansen of Audubon.  
Cox, Ruth—Van Buren.  
Dennery, Helen—Byers.  
Duncan, Hertha—Ellsworth.  
Doyle, Martha—Laughlin.  
Duvall, Minnie—Special Tax Committee.  
Elliott, Lola—Hollis.  
Elman, Ruth—Pendray-McDermott.  
Ferguson, Gertrude—McCreery.  
Free, Margaret—Stiger.  
Figgins, Amy—Figgins.  
Goddard, Claire—Gilmore.  
Gray, Velva—Avery.  
Hahn, Ione—Ratliff.  
Harsch, Mina—Greene.  
Haas, Helen—Johnson of Marion.  
Hayes, Luella—Augustine.  
Hamilton, Grace—Husted-Nelson of Cherokee.  
Hewlett, Alta—Allen.  
Horras, Marjorie—Drake of Keokuk.  
Hornbostel, Cecelia—Hayes-Rawlings.  
Hopkins, Donald—Hopkins.  
Huntley, Mary—Randall.  
Khouns, Helen—Hollingsworth.  
Larson, Myra—Hanson of Winnebago.  
McCreedy, Helen—Hesse.  
McCune, Harriett—Fabritz.  
McIntyre, Margaret—Babcock-Mead.  
Meyer, Vera—Hansen of Scott.  
Merrill, Lucia—Helgason.  
Miller, Dorothy—Rutledge.  
Miller, Jeane—Miller.  
Miller, Katherine—Wamstad.  
Morrison, Maude—Lamb.  
Mathews, Lorin—Mathews.  
Murray, Viola—Bonstetter-Donlon.  
Offman, Esther—Rylander.  
Osborne, Dorothy—Hutcheon.  
Palmer, Blanche—Van Wert.  
Perry, Ida—Koch-Witt.  
Peterson, Isola—McCaulley.

Putzier, Charlotte—Osborn.  
Prugh, Grace—Kern.  
Randolph, Florence—Roe.  
Reed, Helen—McLain-Reed.  
Riehm, Kate—Durant.  
Skoglund, Mary—Short.  
Saveroud, Mabel—Langland-Strachan.  
Searcy, Rose—Elliott.  
Smith, Laura—Ryder.  
Slate, Lisle—Contest Committee.  
Taggart, Gertrude—Forsling.  
Thompson, Corliss—Gissel.  
Ward, Hazel—Reimers.  
Warner, Ruby—Lichty.  
Warner, Hortense—Brown.  
Warren, Ruth—Finnern-Greaser.  
Wearin, Lola—Wearin-Kohler.  
Webster, June—Ditto.  
Wood, Pauline—Contest Committee.  
Wright, Dorothy—Pattison.  
Webster, Leone—Torgeson.

#### ASSIGNMENT OF COMMITTEE CLERKS

Approved January 15th

Allely, Jennie—General Clerk.  
Buttrick, Lillian L.—Stanzel.  
Crawford, Pauline—Craven-Felter.  
Garrett, Louie—Garrett.  
Harper, Ruth—TePaske.  
Hughes, Pauline—Watts-Paisley.  
Johnson, Maude—Morton-Snyder.  
Johnson, Mrs. Arthur—Whiting.  
Kaplan, Cecil—Lepley.  
King, Nina—Hook.  
Kurth, Bertha—Mayne.  
Kurtz, Marjorie—Simmer.  
Kilgore, Edna—Millhone.  
Lake, Maude—Peaco-Thiessen.  
O'Boyle, Catherine—Tamisiea.  
Schaban, Ann—O'Donnell.  
Walker, Merwin—Malone.

#### ADDITIONAL ASSIGNMENTS

Clark, Margaret—Randolph.  
O'Sullivan, Nancy—Gallagher.  
Korn, Sofia—Hunt.

Albrecht, Claribel—Davis.  
Coyne, Lucy M.—Berry.  
Replacing Marjorie Elliott.

A. H. AVERY, *Chairman*,  
LEWIS GREASER,  
GEORGE A. KERN,  
*Committee.*

Passed on file.

Ballew of Appanoose called up the report of the committee on assignment of committee rooms, found on pages 146 and 147 of the Journal of January 21st, and moved its adoption.

Motion prevailed and the report was adopted.

### INTRODUCTION OF BILLS

House File No. 51, by Sours of Floyd, a bill for an act to provide for the refund from the primary road fund of taxes levied by counties for primary road improvement under the provisions of chapter two hundred thirty-seven (237), Laws of the Thirty-eighth General Assembly.

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

House File No. 52, by Watts of Van Buren, a bill for an act to amend the law as it appears in section sixteen (16) of chapter fifty-seven (57) of the Acts of the Forty-third General Assembly so as to authorize fishing with trot-lines.

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

House File No. 53, by Mathews of Des Moines, a bill for an act to amend section seven thousand one hundred nine (7109), Code, 1927, relative to assessed and taxable valuation of property, and changing the limits heretofore prescribed in the rates of taxation to correspond with such changes in taxable value.

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

House File No. 54, by Pattison of Jefferson and Reed of Mahaska, a bill for an act to amend the provisions of section sixty-nine hundred forty-four (6944) paragraph eleven (11) as it ap-

pears in the Code of 1927 exempting from taxation the real estate owned by any educational institution of this state as part of its endowment fund when leased or otherwise used with a view to pecuniary profit.

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

House File No. 55, by Whiting of Johnson, a bill for an act to repeal sections ten thousand nine hundred eight (10908), ten thousand nine hundred nine (10909), ten thousand nine hundred fifteen (10915), ten thousand nine hundred sixteen (10916), ten thousand nine hundred eighteen (10918), and ten thousand nine hundred nineteen (10919); and to amend section ten thousand nine hundred ten (10910), Code of 1927, relating to admission to the practice of law.

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

House File No. 56, by Brown of Polk, a bill for an act to amend section fifty-nine hundred thirty-eight (5938) Code of 1927, so as to authorize cities and towns to establish and improve neighborhood parks and playgrounds.

Read first and second times and referred to committee on cities and towns.

House Joint Resolution No. 3, by Hanson of Winnebago, a joint resolution fixing the compensation of the officers and employees of the Forty-fourth General Assembly.

Read first and second times and passed on file.

### HOUSE JOINT RESOLUTION NO. 3

A joint resolution fixing the compensation of the officers and employees of the Forty-fourth General Assembly.

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

Section 1. That pursuant to the provisions of section nineteen (19) of the code, 1927, it is provided that the compensation of all officers and employees of the Forty-fourth General Assembly shall be as follows, to be paid in accordance with the rules of the Senate and House of Representatives:

Ten dollars (\$10.00) per day to the secretary of the Senate and to the chief clerk of the House.

Seven dollars (\$7.00) per day to the assistant secretary, the reading clerk, the enrolling clerks, the engrossing clerk, the general clerk, the journal clerks of the Senate and to the assistant chief clerk, the reading clerk, the enrolling clerk, the engrossing clerk, the journal clerk and the assistant clerk to the chief clerk of the House.

Five dollars (\$5.00) per day to the sergeant-at-arms of the Senate and House, the assistant sergeants-at-arms of the Senate and House, the chief doorkeeper of the Senate, the bill and file clerks of the House and Senate, the lieutenant-governor's clerk, the secretary's clerk, the speaker's clerk, the chief clerk's clerk, the assistant journal clerks and assistant enrolling clerk of the House.

Four dollars (\$4.00) per day to the assistant bill and file clerks of the House and Senate, the postmistress and assistant postmistress, the doorkeepers, the chief janitor, assistant janitors and committee clerks of the House and Senate, also the matron of the Senate cloak room and the assistant electrician for the voting machine of the House.

Two and fifty hundredths dollars (\$2.50) per day to the telephone messengers in the House and Senate, the lieutenant-governor's page, the speaker's page, the secretary's page and the chief clerk's page.

Two dollars (\$2.00) per day to the other pages in the House and Senate.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Plain Talk, and the Daily Record, newspapers published in the city of Des Moines, Iowa.

### CONSIDERATION OF JOINT RESOLUTION

Unanimous consent having been obtained for immediate consideration, House Joint Resolution No. 3, a joint resolution fixing the compensation of the officers and employees of the Forty-fourth General Assembly, was taken up for consideration.

Mr. Hanson moved that the rule prohibiting the second and third readings of a joint resolution on the same day be suspended.

Motion prevailed.

Mr. Hanson 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, 100.

Aiken	Finnern	Laughlin	Rawlings
Allen	Gallagher	Lichty	Reed
Augustine	Garrett	Long	Reimers
Avery	Gilmore	McCaulley	Roe
Babcock	Gissel	McCreery	Ryder
Bair	Greaser	McDermott	Rylander
Ballew	Greene	McLain	Shields
Beath	Hansen of	Malone	Short
Berry	Audubon	Mathews	Simmer
Bonnstetter	Hanson of	Mayne	Snyder
Brown	Winnebago	Mead	Sours
Ryers	Helgason	Millhone	Stanzel
Craven	Hesse	Miller	Stiger
Davis	Hollingsworth	Morton	Strachan
Dayton	Hollis	Nelson of	Tamisiea
Ditto	Hook	Cherokee	Thiessen
Donlon	Hopkins	Nelson of	Thompson
Drake of	Hush	Story	Torgeson
Keokuk	Husted	O'Donnell	Van Buren
Drake of	Hutcheon	Orr	Van Wert
Muscatine	Johnson of	Osborn	Wamstad
Durant	Marion	Pattison	Watts
Elliott	Kern	Peaco	Wearin
Ellsworth	Koch	Pendray	Whiting
Fabritz	Kohler	Randall	Witt
Felter	Lamb	Randolph	Mr. Speaker
Figgins	Langland	Ratliff	

The nays were, none.

Absent or not voting, 8.

Forsling	Hayes	Paisley	TePaske
Hansen of	Hunt	Rutledge	
Scott	Lepley		

So the joint resolution having received a constitutional majority was declared to have passed the house and the title was agreed to.

#### RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as committee clerk, effective at once.

MAE R. STYRE.

The resignation was accepted.

On motion of Randall of Lucas the House adjourned until 10:30 a. m. Friday.



# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 23, 1931.

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

Prayer was offered by the Rev. C. H. Van Meter, pastor of the Methodist Church, Mapleton, Iowa.

Journal of January 22d corrected and approved.

## PETITIONS AND MEMORIALS

O'Donnell of Carroll presented a petition from citizens of Carroll county urging a revision of the fish and game laws.

Referred to committee on fish and game.

The following resolutions, favoring a division of gasoline tax apportioning a part to cities and towns, were presented and referred to committee on roads and highways:

Van Buren of Jones, from the town council of Olin.

Kohler of Plymouth, from the city council of Le Mars.

Elliott of Scott, from the city council of Davenport.

Stiger of Tama presented a petition from the board of supervisors of Tama county, opposing any diversion of the primary road funds.

Referred to committee on roads and highways.

Avery of Clay called up his supplementary report of committee on committee clerks, found on page 163 of the Journal of January 22d, and moved its adoption.

Motion prevailed and the report was adopted.

## HOUSE FILE WITHDRAWN

Avery of Clay asked and obtained unanimous consent to have House File No. 43 withdrawn from the committee on judiciary and from further consideration of the House.

## HOUSE CONCURRENT RESOLUTION NO. 6

Van Buren of Jones offered the following concurrent resolution:

*Be It Resolved by the House, the Senate Concurring,* That two (2) joint committees consisting of six (6) members each, three (3) from the House Appropriations Committee and three (3) from the Senate Appropriations Committee, be appointed by and from the membership of the respective Appropriations Committees of the House and Senate, to investigate and ascertain the needs and askings of the institutions under the direction of the Board of Control and the Board of Education; and whose necessary expenses shall be paid from funds not otherwise appropriated.

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

Allen of Pocahontas moved that the resolution be laid over under Rule 34.

Motion prevailed and House Concurrent Resolution No. 6 was laid over under Rule 34.

## RESOLUTION

Greene of Pottawattamie, Johnson of Marion, and McCaulley of Calhoun offered the following resolution:

*Be It Resolved,* That the Speaker be and is hereby authorized and directed to appoint an Additional Standing Committee of nine (9) members, of which committee the Speaker shall be a member, for this session whose duty it shall be to make a careful study of all public expenditures, especially those of a local nature; to determine the degree of efficiency which is being attained by public administration; and to recommend and report measures that will result in eliminating waste and extravagance, in controlling and reducing the levying of taxes by all tax spending bodies, and in limiting expenditures of public funds to the actual needs of the community.

Greene of Pottawattamie asked unanimous consent for the immediate consideration of the resolution.

Objection was made.

Greene of Pottawattamie moved that Rule 34 be suspended, and that the resolution be considered at this time.

Unanimous consent having been granted, Mr. Greene withdrew his motion and the resolution was laid over under Rule 34.

### INTRODUCTION OF BILLS

House File No. 57, by Wearin of Mills, a bill for an act to provide for the levy and assessment of dues by the governing boards of cemeteries against all unused lots or parts of lots to be used for the perpetual care and upkeep of all lots or parts of lots located within a cemetery; to provide for the forfeiture of title to any unused lot or unused portion of a lot in the event of failure to pay the said assessment; to provide for the sale of all forfeited lots or portions of lots and for the use of the receipts from the sale of the same and for the redemption of said lots by the owner, heir or legal representative, and to provide for a lien on the lots or portions of lots for any unpaid assessment.

Read first and second times and referred to committee on public lands and buildings.

House File No. 58, by Whiting of Johnson, a bill for an act to amend chapter 197 of the Code, 1927, entitled "Psychopathic Hospital".

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

House File No. 59, by Bair of Buena Vista and Van Buren of Jones, a bill for an act to amend sections five hundred eighty-three (583), five hundred ninety (590), five hundred ninety-four (594), five hundred ninety-seven (597), six hundred twenty-two (622), six hundred twenty-four (624), six hundred twenty-five (625), six hundred twenty-eight (628), six hundred thirty-three (633), six hundred thirty-six (636), and six hundred thirty-seven (637), Code, 1927, relating to the law governing nominations by primary elections.

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

House File No. 60, by Hayes of Dubuque, a bill for an act to

repeal the law as it appears in chapters ninety-four (94), ninety-five (95), ninety-six (96), ninety-seven (97), and ninety-eight (98), of Title VI of the Code of 1927, and any other provision of law, and any other reference in the law referring to said provisions of law relating to intoxicating liquors, it being the purpose of this act to repeal what is known as the state prohibitory laws.

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

House File No. 61, by Elliott of Scott, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the State, and who attend institutions of higher learning.

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

House File No. 62, by Watts of Van Buren, a bill for an act to amend section two (2) of chapter fifty-eight (58), acts of the Forty-third (43) General Assembly, relating to the open season on fur-bearing animals.

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

House File No. 63, by Avery of Clay, a bill for an act to legalize the sale of real estate by the consolidated independent school district of Lloyd township, Dickinson county, Iowa.

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

House File No. 64, by Morton of Wright, a bill for an act to repeal chapter thirty-five A two (35-A2), Code of 1927, relating to the apportionment of the State of Iowa into senatorial districts and enact a substitute therefor to provide the time when state senators shall be elected.

Read first and second times and referred to committee on judicial and political districts.

House File No. 65, by Garrett of Wayne, a bill for an act to amend section ten thousand eight hundred nine (10809), section

ten thousand eight hundred ten (10810), section ten thousand eight hundred twelve (10812) and section ten thousand eight hundred thirteen (10813) of the Code of Iowa, 1927, relating to compensation of shorthand reporters of the district courts, and taxation of costs for shorthand reporting.

Read first and second times and referred to committee on compensation of public officers.

House File No. 66, by Van Buren of Jones, a bill for an act to repeal subdivisions two (2), three (3), five (5), and nine (9) of section thirty-seven hundred forty-one (3741) of the Code, 1927, and to enact a substitute therefor relative to the maximum salaries of certain employees at the penitentiary and men's reformatory.

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

House File No. 67, by Durant of Hancock, a bill for an act to readjust the terms of office of certain of the members of the board of supervisors of Hancock county, Iowa.

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

House File No. 68, by Whiting of Johnson, a bill for an act to authorize independent rural school districts to combine for the purpose of establishing and maintaining union high schools, to prescribe the procedure to effect such combination, to provide for the election of directors in such combined districts, to fix the powers and duties of public officers with reference to such combined districts, and to provide for the dissolution of such combined districts.

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

House File No. 69, by Reed of Mahaska, a bill for an act to provide for and authorize the making of releases, satisfactions, assignments and discharges of liens and encumbrances upon real and personal property upon the records of any county by fiduciary officers.

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

House File No. 70, by Brown of Polk, a bill for an act to amend section sixty-two hundred seventy-eight-b1 (6278-b1), Code of 1927, governing approval of plats in cities having by the latest state or federal census a population of twenty-five thousand (25,000) or over, and to prescribe conditions of such approval.

Read first and second times and referred to committee on cities and towns.

House File No. 71, by Osborn of Decatur, a bill for an act to legalize the act of the board of supervisors of Decatur county on January 23, 1931, in making a permanent transfer of nine thousand dollars (\$9,000.00) from the court expense fund to the paupers' fund of said county.

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

Van Buren of Jones asked and obtained unanimous consent to have printed in the Journal the names of the different sub-committees working under the appropriation committee.

#### SUB-COMMITTEES

(on appropriations)

No. 1. Lichty, Wearin, Paisley, Hansen of Scott, McCreery, Nelson of Cherokee, Stiger, Koch  
Assessment and Review, Board of, Sec. 4.  
Control, Board of, Secs. 10, 49.  
Parole, Board of, Sec. 32.

No. 2. Ellsworth, Berry, Pendray, Helgason, Whiting, Strachan, Long, Stanzel, Short  
Blind, Commissioner for, Sec. 7.  
Education, Board of, Secs. 13, 50.

No. 2. Hopkins, Witt, Mayne, Randall, Avery, Hansen of Audubon, Roe.  
Reed  
Audit, Board of, Sec. 5.  
Auditor, of State, Secs. 6, 68.  
Budget, Director of, Sec. 8.  
Custodian, Sec. 11.  
Executive Council, Sec. 14.  
Governor, Sec. 19.  
Justice, Department of, Sec. 26.  
Printing Board, Secs. 36, 37.

Superintendent of Public Instruction, Secs. 38, 39.

Secretary of State, Sec. 42.

Treasurer of State, Sec. 46.

Vocational Education, Board of, Sec. 48.

General Contingent Fund, Secs. 51, 66.

County and Municipal Examiners, Sec. 53.

Fish and Game, Sec. 54.

Treasurer of State, Sec. 55.

Banking, Sec. 56.

Educational Examiners, Sec. 59.

Motor Vehicle Department, Sec. 60.

No. 4. Lamb, Davis, Rawlings, Finner, Husted, Malone, Babcock, Hook  
Agriculture, Department of, Sec. 3.

Conservation, Board of, Sec. 9.

State Fair Board, Sec. 15.

Agricultural Societies, Sec. 16.

Geological Survey, Sec. 18.

No. 5. Orr, Figgins, Drake of Muscatine, Millhone, Mead, Hesse, Randolph, Lepley

District Court Judges, Sec. 12.

Fire Marshal, Sec. 17.

Health, Department of, Sec. 21.

Industrial Commission, Secs. 24, 69.

Insurance, Secs. 25, 52.

Bureau of Labor, Sec. 27.

Mine Examiners, Board of, and Inspectors, Secs. 30, 31.

Pharmacy Examiners, Sec. 33.

Railroad Commission, Secs. 41, 58.

Clerk of Supreme Court, Sec. 43.

Supreme Court, Sec. 44.

Reporter of Supreme Court (and Code Editor), Sec. 45.

Primary Road Fund, Sec. 70.

No. 6. Pattison, Morton, Garrett, Fabritz, Ryder, Osborn, McLain  
Kohler

Adjutant General, Sec. 2.

G. A. R., Sec. 20.

Historical Department, Sec. 22.

Historical Society, Sec. 23.

Library Commission, Sec. 28.

State Library, Sec. 29.

Pioneer Law Makers, Sec. 34.

Presidential Electors, Sec. 35.

Relief, Sec. 40.

Uniform Laws, Commission on, Sec. 47.

Engineering Examiners, Board of, Sec. 57.

General Provisions, Secs. 61 to 65 inc., 67, 71.

Biennial State Levy, Sec. 72.

### 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:

Senate Concurrent Resolution No. 4, relative to holding a joint convention to commemorate the birth of Abraham Lincoln.

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. 3, fixing the compensation of the officers and employees of the Forty-fourth General Assembly.

Also, that the Senate has amended and passed the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 5, relative to furnishing codes, session laws and other books for use of House and Senate.

WALTER H. BEAM, *Secretary*.

### SENATE AMENDMENT TO HOUSE JOINT RESOLUTION NO. 3

Amend House Joint Resolution No. 3 by changing the period at the end of line 20 to a comma, and adding the words "and the enrolled bills clerk of the Senate."

### SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION NO. 5

Amend House Concurrent Resolution No. 5 by inserting in line 3, following the figures "1927" the following ", Book of Annotations, House and Senate journals of the Forty-third General Assembly,".

Ballew of Appanoose moved that the House concur in Senate amendment to House Concurrent Resolution No. 5.

Motion prevailed and the House concurred in the Senate amendment to House Concurrent Resolution No. 5.

### SENATE CONCURRENT RESOLUTION NO. 4

*Be It Resolved by the Senate, the House concurring, That, Whereas, February 12, 1931, will be the anniversary of the birth of Abraham Lincoln, one of the country's most illustrious presidents, and*



*Whereas*, It is appropriate that the day be commemorated by suitable patriotic exercises, and

*Whereas*, The Honorable A. L. Rule, a former Senator of this State, has a worthwhile message on the life of Abraham Lincoln,

*Now, Therefore, Be It Resolved*, That a joint session of the Forty-fourth General Assembly be held in the Chamber of the House of Representatives on Lincoln's Birthday, February 12, 1931, at 11 o'clock a. m. and that Honorable A. L. Rule be invited to address the General Assembly at that time upon the subject of "Abraham Lincoln."

*Be It Further Resolved*, That the Governor and other executive and administrative officers of the state, and the Chief Justice and Associate Justices of the Supreme Court of Iowa be invited to participate in the said exercises, and that this invitation be communicated to said officers and justices by the Secretary of the Senate and Chief Clerk of the House of Representatives.

Long of Cerro Gordo asked and obtained unanimous consent for the immediate consideration of the Senate Concurrent Resolution No. 4 and moved its adoption.

Motion prevailed and Senate Concurrent Resolution No. 4 was adopted.

#### AMENDMENT FILED

Orr of Clayton filed the following amendment to the Senate amendment to House Joint Resolution No. 3:

Amend Senate Amendment to House Joint Resolution No. 3, by adding at the end thereof immediately preceding the period the words "and of the House".

On motion of McCaulley of Calhoun the House adjourned until 10:30 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 24, 1931.

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

Prayer was offered by the Rev. Chas. E. Neff, pastor of the Christian Church, Weldon, Iowa.

Journal of January 23d corrected and approved.

## PETITIONS AND MEMORIALS

Durant of Hancock presented a petition from Farm Bureau directors of Hancock county, requesting a repeal of the pheasant law.

Referred to committee on fish and game.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Nelson of Story for the day, on request of Van Wert of Franklin; Stiger of Tama for the day, on request of Whiting of Johnson; Fabritz of Wapello for the day, on request of Whiting of Johnson; Drake of Muscatine for the day, on request of Helgason of Emmet; Byers of Linn for the day, on request of Allen of Pocahontas; Augustine of Ringgold for the day, on request of Lepley of Grundy; Craven of Jasper for the day, on request of Reimers of Lyon; Hanson of Winnebago for the day, on request of Torgeson of Worth; Hollingsworth of Boone for the day, on request of McCreery of Linn.

## REPORT OF COMMITTEE

Hollingsworth of Boone, from the committee on public utilities, submitted the following report:

MR. SPEAKER: Your committee on public utilities, to whom was referred House File No. 18, a bill for an act to provide for lighting by electric lights, depots at railroad stations, to give authority to the Board of Railroad Commissioners, and provide for 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 referred to the committee on railroads.

F. HOLLINGSWORTH, *Chairman.*

Report adopted and House File No. 18 was referred to committee on railroads.

### CONSIDERATION OF SENATE AMENDMENTS

On request of Hopkins of Guthrie, House Joint Resolution No. 3, a joint resolution fixing the compensation of the officers and employees of the Forty-fourth General Assembly, with Senate amendment, was taken up and the amendment read and considered.

### SENATE AMENDMENT TO HOUSE JOINT RESOLUTION NO. 3

Amend House Joint Resolution No. 3 by changing the period at the end of line 20 to a comma, and adding the words "and the enrolled bills clerk of the Senate."

Orr of Clayton moved that the amendment filed by him to Senate amendment and found in the Journal of January 23 be adopted.

Amendment to Senate amendment adopted.

Mr. Hopkins moved that the House concur in the Senate amendment as amended.

On the question, "Shall the House concur?"

The ayes were, 88.

Allen	Gissel	McDermott	Reimers
Avery	Greaser	McLain	Roe
Babcock	Greene	Malone	Rutledge
Bair	Hansen of	Mathews	Ryder
Ballew	Audubon	Mayne	Rylander
Beath	Hayes	Mead	Short
Berry	Hesse	Millhone	Snyder
Bonnstetter	Hollis	Miller	Stanzel
Brown	Hook	Morton	Strachan
Davis	Hopkins	Nelson of	Tamisiea
Dayton	Hush	Cherokee	TePaske
Ditto	Husted	O'Donnell	Thiessen
Donlon	Hutcheon	Orr	Thompson
Drake of	Kern	Osborn	Torgeson
Muscatine	Koch	Paisley	Van Buren
Durant	Kohler	Pattison	Van Wert
Elliott	Lamb	Peaco	Wamstad
Ellsworth	Langland	Pendray	Watts
Felter	Lepley	Randall	Wearin
Figgins	Lichty	Randolph	Whiting
Gallagher	Long	Ratliff	Witt
Garrett	McCauley	Rawlings	Mr. Speaker
Gilmore	McCreery	Reed	

The nays were, none.

Absent or not voting, 20.

Aiken	Finnern	Hollingsworth	Shields
Augustine	Forsling	Hunt	Simmer
Byers	Hansen of	Johnson of	Sours
Craven	Scott	Marion	Stiger
Drake of	Hanson of	Laughlin	
Keokuk	Winnebago	Nelson of	
Fabritz	Helgason	Story	

The House concurred in the Senate amendment, as amended, to House Joint Resolution No. 3.

### COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

January 24th, 1931.

*Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:*

There have been brought before the Legislative and Executive branches of the State Government, and a considerable proportion of our citizenship, a series of charges against the administration of the University of Iowa. They are grave charges, alleging irregularities too serious to be tolerated, if they are true. We must know, and quickly, whether they are true.

Charges such as have been laid before the Legislature and myself cannot be ignored, if the state is to protect its good name. Recognizing that the Assembly already faces heavy responsibilities, I nevertheless feel that I should invite your early consideration of the matter herein officially laid before you. There must be a vigorous, impartial and courageous investigation of these charges, as fair to the accused as to the accusers, but first of all indisputably fair to the citizenry of Iowa.

In justice to the situation I recommend to both branches of this General Assembly that a Legislative Joint Committee be appointed without delay to thoroughly investigate the conditions of the management of the State University. The Board of Education, which is the governing board of the institution, and the authorities who are in immediate charge of the institution, should welcome such an investigation. If the charges are unfounded in fact those accused will be vindicated by the investigation, and if the charges are true we should be swiftly apprised so that steps may be taken to remedy any wrongful condition.

Respectfully submitted,

(Sgd) DAN W. TURNER, *Governor*.

Van Buren of Jones called up House Concurrent Resolution

No. 6, found in the Journal of January 23d, and moved the adoption of the following amendment:

Amend by inserting after the comma (,) in line three (3) the following words "each committee consisting of".

Amendment adopted.

On the question, "Shall House Concurrent Resolution No. 6 be adopted?" a roll call was demanded.

The ayes were, 78.

Allen	Greaser	McDermott	Rylander
Avery	Greene	McLain	Short
Babcock	Hansen of	Malone	Simmer
Bair	Audubon	Mathews	Snyder
Beath	Hansen of	Mayne	Sours
Brown	Scott	Mead	Strachan
Davis	Hayes	Millhone	Tamisiea
Dayton	Helgason	Morton	TePaske
Ditto	Hesse	Nelson of	Thiessen
Donlon	Hollis	Cherokee	Thompson
Drake of	Husted	O'Donnell	Torgeson
Muscatine	Hutcheon	Osborn	Van Buren
Durant	Kern	Paisley	Van Wert
Elliott	Koch	Pattison	Wamstad
Ellsworth	Kohler	Pendray	Watts
Felter	Lamb	Randolph	Wearin
Figgins	Langland	Rawlings	Whiting
Gallagher	Lichty	Reed	Witt
Garrett	Long	Roe	Mr. Speaker
Gilmore	McCaulley	Rutledge	
Gissel	McCreery	Ryder	

The nays were, 13.

Ballew	Hook	Lepley	Stanzel
Berry	Hopkins	Miller	
Bonnstetter	Hush	Peaco	
Finnern	Laughlin	Reimers	

Absent or not voting, 17.

Aiken	Fabritz	Johnson of	Ratliff
Augustine	Forsling	Marion	Shields
Eyers	Hanson of	Nelson of	Stiger
Craven	Winnebago	Story	
Drake of	Hollingsworth	Orr	
Keokuk	Hunt	Randall	

Motion prevailed and House Concurrent Resolution No. 6 was adopted.

Greene of Pottawattamie called up his House Resolution, found in the Journal of January 23d and moved the adoption of the following amendment:

Amend by striking the word "nine" in line three (3) and inserting in lieu thereof the word "twelve".

Amend, further by inserting after the comma (,) in line four (4) the following words: "and one from each Congressional District".

Amendment adopted.

Wearin of Mills offered the following amendment:

Amend by adding the following at the end of the resolution: "The committee is directed to report their findings and recommendations to the House not later than the third legislative day in March."

Amendment adopted.

Hush of Montgomery moved the previous question.

Motion prevailed.

On the question, "Shall the Resolution be adopted?" a roll call was demanded.

The ayes were, 91.

Aiken	Gilmore	McCreery	Reimers
Allen	Greaser	McDermott	Roe
Avery	Greene	McLain	Rutledge
Babcock	Hansen of	Malone	Ryder
Bair	Audubon	Mathews	Rylander
Ballew	Hansen of	Mayne	Shields
Beath	Scott	Mead	Simmer
Berry	Hayes	Millhone	Snyder
Bonnstetter	Helgason	Miller	Sours
Brown	Hesse	Morton	Strachan
Davis	Hollis	Nelson of	Tamisiea
Dayton	Hook	Cherokee	TePaske
Ditto	Hopkins	O'Donnell	Thiessen
Donlon	Hush	Orr	Thompson
Drake of	Husted	Osborn	Torgeson
Muscatine	Hutcheon	Paisley	Van Buren
Durant	Kern	Pattison	Van Wert
Elliott	Koch	Peaco	Wamstad
Ellsworth	Kohler	Pendray	Watts
Felter	Langland	Randall	Wearin
Figgins	Laughlin	Randolph	Whiting
Finnern	Lepley	Ratliff	Witt
Gallagher	Lichty	Rawlings	Mr. Speaker
Garrett	McCaulley	Reed	

The nays were, 2.

Short

Stanzel

Absent or not voting, 15.

Augustine	Forsling	Hunt	Nelson of
Byers	Gissel	Johnson of	Story
Craven	Hanson of	Marion	Stiger
Drake of Keokuk	Winnebago	Lamb	
Fabritz	Hollingsworth	Long	

Motion prevailed and the resolution was adopted.

### INTRODUCTION OF BILLS

House File No. 72, by Shields of Clarke and Hush of Montgomery, a bill for an act to amend sections nine hundred twenty-seven (927), nine hundred thirty-one (931), and nine hundred thirty-nine (939), Code, 1927, relating to the statute generally known as the Absent Voters Law.

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

House File No. 73, by Mayne of Pottawattamie, a bill for an act to amend section seventy-two hundred eleven (7211), Code of 1927, relating to payment of taxes.

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

House File No. 74, by Helgason of Emmet, a bill for an act to provide for the assessment of agricultural lands owned by the state, to amend section sixty-nine hundred forty-four (6944), Code, 1927, and to repeal chapter one hundred fifteen (115), Acts Forty-third (43d) General Assembly.

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

House File No. 75, by Durant of Hancock, a bill for an act to amend section twenty-seven (27) of chapter fifty-seven (57), Acts of the Forty-third (43d) General Assembly, relating to petitions for open season on imported game birds, and to grant the right to kill ringneck pheasants at any time under certain conditions.

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

House File No. 76, by Drake of Muscatine, a bill for an act to

amend section seventy-seven hundred seventy-one (7771), of the Code of 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water therefrom.

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

House File No. 77, by Malone of Cass, a bill for an act to authorize the board of supervisors of any county to dispose of by sale or otherwise, lands belonging to the county poor farm, and providing that any funds so realized may be used to purchase, build or maintain an adequate home or institution where persons dependent upon the county may be cared for, or to provide for the crediting of any fund so received to the county poor relief fund.

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

House File No. 78, by Ditto of Osceola, a bill for an act to require all corporations, partnerships, agencies, firms, associations or persons buying, selling or dealing in any security or credit defined by sections sixty-nine hundred eighty-four (6984) and sixty-nine hundred eighty-five (6985) of the Code of 1927, to report said sales to the state board of assessment and review, and to provide for the reporting by the state board of assessment and review of the information so received to the respective county auditors so that the same may be placed upon the tax list, and to provide a penalty for failure to report.

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

House File No. 79, by Malone of Cass, a bill for an act to amend section three (3), chapter eighty (80), Acts of the Forty-third (43) General Assembly, relating to county aid for farm aid associations.

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

House File No. 80, by Hansen of Scott, a bill for an act to appro-



priate twenty thousand dollars (\$20,000), or so much thereof as may be necessary for the purpose of paying the expenses of district court judges authorized by law, for the period from January 1, 1931, to June 30, 1931, inclusive.

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

House File No. 81, by Shields of Clark and Hush of Montgomery, a bill for an act to amend chapter forty-four (44), Code, 1927, relating to the statute generally known as the absent voters law.

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

House File No. 82, by Whiting of Johnson, a bill for an act to amend sections fifty-five hundred eighty-two (5582), fifty-five hundred eighty-three (5583), fifty-five hundred eighty-five (5585), and fifty-five hundred eighty-six (5586), Code of 1927, relating to township licenses.

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

House File No. 83, by Avery of Clay, a bill for an act to amend section fifty-seven hundred forty-three (5743), Code of 1927, relating to the power of cities and towns to regulate and license.

Read first and second times and referred to committee on cities and towns.

House File No. 84, by Brown of Polk, a bill for an act to amend section eleven thousand forty-nine (11049), Code of 1927, relating to place of bringing actions.

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

House File No. 85, by Aiken of Ida, a bill for an act to provide for the refund out of the primary road fund to any county of expenditures made by said county in the grading, improvement or surfacing of any county, secondary or township road which has, subsequent to April 19, 1919, been made a part of the primary

road system of the state, or which may hereafter be made a part of said system.

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

House File No. 86, by Malone of Cass, a bill for an act to amend section ten thousand eight hundred forty-three (10843), Code of 1927, relating to exemptions from jury service.

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

House File No. 87, by McCaulley of Calhoun, Greene of Pottawattamie, and Johnson of Marion, a bill for an act to regulate outdoor advertising and to tax outdoor advertising, and to tax outdoor advertisers, and to require and provide for the issuing of licenses and permits to persons, firms, and corporations for the construction, maintenance and use of billboards and other structures for outdoor advertising; to license, tax and regulate all manner of outdoor advertisements and advertisers, and to provide for the administration and collection of the tax by the State Board of Assessment and Review and the city or town councils; and to repeal paragraph 5, section 5743 of the Code, 1927, relating to billboards in cities and towns.

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

House File No. 88, by Brown of Polk, a bill for an act to amend subsection six (6) of section seventy-eight hundred six (7806), Code of 1927, relating to the acquisition of land by cemetery associations for cemetery purposes, and to provide for the approval thereof by the city council and the submission of same for recommendation of the city plan commission where such exists.

Read first and second times and referred to committee on cities and towns.

House File No. 89, by McCreery of Linn and Rutledge of Webster, a bill for an act relating to assessment of mortgaged property.

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

House File No. 90, by Elliott of Scott, a bill for an act to provide for the merger and/or consolidation of a corporation organized under the laws of this State for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent state.

Read first and second times and referred to committee on interstate bridges.

House File No. 91, by Elliott of Scott, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent State.

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

House File No. 92, by Elliott of Scott, a bill for an act to legalize and validate the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this State, in all cases wherein such a corporation has failed to file articles of incorporation or other instrument of similar import with the Secretary of State or otherwise to comply with the law relating to the organization of corporations, and/or to renew its corporate existence within the period limited by law, and has heretofore filed in the office of the Secretary of State its renewal articles of incorporation and a certificate of the adoption thereof and received from the Secretary of State a certificate of renewal.

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

House File No. 93, by Elliott of Scott, a bill for an act to provide for the issuance of new certificates to corporations by the Secretary of State in all cases wherein a certificate has been issued to a corporation or purported corporation renewing its corporate existence from an erroneous date and/or for a period of time in excess of that provided by law.

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

House File No. 94, by Elliott of Scott, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence.

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

House File No. 95, by Malone of Cass, a bill for an act to amend sections eleven thousand five hundred eight (11508), eleven thousand five hundred nine (11509), thirteen thousand nine hundred twenty-five (13925), and thirteen thousand nine hundred thirty (13930), Code of 1927, relating to verdicts in civil and criminal cases so as to provide that a verdict may be returned when ten (10) jurors agree thereon.

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

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to Senate amendment to House Joint Resolution No. 3, fixing the salaries of officers and employees of the General Assembly.

WALTER H. BEAM, *Secretary.*

On motion of Paisley of Lee 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 26, 1931.

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

Prayer was offered by the Rev. Henry McCraven, Des Moines.

Journal of January 24th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Brown of Polk for the day, on request of Kern of Polk.

## PETITIONS AND MEMORIALS

Nelson of Cherokee presented a resolution from the city council of Cherokee, favoring contracts for fire protection to state institutions.

Referred to committee on board of control.

The following resolutions, favoring a division of gasoline tax apportioning a part to cities and towns, were presented and referred to committee on roads and highways:

Hayes of Dubuque, from the city council of Dubuque.

Hayes of Dubuque, from the town council of Cascade.

Rawlings of Monona, from the town council of Ute.

Kern of Polk presented a petition from members of the Italo American Columbus Club, urging establishment of October 12th as a legal holiday.

Referred to committee on judiciary.

Orr of Clayton presented a petition from the board of super-

visors of Clayton county, opposing any diversion of the primary road funds.

Referred to committee on roads and highways.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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 that it has examined and finds correctly enrolled:

House Joint Resolution No. 3.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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 Joint Resolution No. 3.

#### REPORT OF COMMITTEE ON RULES

Rutledge of Webster, from the committee on rules, submitted the following report:

MR. SPEAKER: Your committee on rules begs leave to report as follows:

That the rules of the House of the Forty-third General Assembly be amended and when so amended, be adopted as the rules of the House of the Forty-fourth General Assembly.

No. 1. Amend rule 44 by striking the word "appropriations" in line four (4) and inserting in lieu thereof the word "proper".

No. 2. Amend rule 45 by striking from lines two (2) and three (3) thereof "prior to the convening of the house." and inserting in lieu thereof "not later than three o'clock p. m. on the preceding legislative day.".

No. 3. Amend rule 63 by inserting after the word "session" in line five (5) "prior to ten o'clock a. m. on any legislative day".

No. 4. Amend the rules by adding as "Rule 75", the following: "A Steering Committee shall be appointed by the Speaker of the House at such time during the progress of the session as he, in his discretion, may see fit. The Speaker of the House, before the appointment of such committee and at such time as in his opinion such appointment is necessary, shall propound to the House the following question: 'Shall a Steering Committee be appointed at this time?'."

"And, if after taking a vote by 'yeas and nays' a majority of said vote shall be in favor of the appointment of said committee, the Speaker of the House shall then at once appoint the said committee. No motion from the floor of the House by any member thereof shall be considered by the House for the appointment of said committee.

"The Speaker of the House may discharge the Steering Committee at any time after the Sifting Committee shall have jurisdiction."

No. 5. Amend the rules by adding as "Rule 76", the following:

"A Sifting Committee shall be appointed by the Speaker of the House at such time during the progress of the session as he, in his discretion, may see fit. The Speaker of the House, before the appointment of such committee and at such time as in his opinion such appointment is necessary, shall propound to the House the following question: 'Shall a Sifting Committee be appointed at this time?'."

"And, after taking a vote by 'yeas and nays' if a majority of said vote shall be in favor of the appointment of said committee, the Speaker of the House shall then at once appoint the said committee. No motion from the floor of the House by any member thereof shall be considered by the House for the appointment of said committee."

RAYBURN L. RUTLEDGE, *Chairman*,  
S. R. TORGESON,  
ANTHONY TePASKE,  
HOWARD A. MATHEWS,  
WM. T. GILMORE,  
J. P. GALLAGHER,

*Committee.*

Passed on file.

#### MINORITY REPORT OF COMMITTEE ON RULES

Allen of Pocahontas, from the committee on rules, submitted the following minority report:

MR. SPEAKER: As a member of your committee on rules, I beg leave to submit the following minority report:

That the rules of the House of the Forty-third General Assembly be amended in accordance with the majority report of said committee but with the following additional amendment:

No. 1. Amend the rules by adding as "Rule 77", the following:

"Upon the request of any two members of any committee, the committee vote on any bill, joint resolution, concurrent resolution, or resolution shall be made a part of the record in the Journal."

BYRON G. ALLEN, *Member of Committee on Rules.*

Passed on file.

#### COMMUNICATION FROM GOVERNOR REFERRED

The special message received from the Governor and found in the Journal of January 24th was by the Speaker referred to the committee on state educational institutions.

#### HOUSE CONCURRENT RESOLUTION NO. 7

Torgeson of Worth offered the following Concurrent Resolution:

*Be It Resolved by the House of Representatives, the Senate concurring, That, Whereas, on the evening of February 10th, 1931, the St. Olaf Choir of St. Olaf College, Northfield, Minnesota, will appear in concert at the Shrine Temple of Des Moines, Iowa; and*

*Whereas, The internationally known Choir director, Dr. F. Melius Christianson, and the Choir, if invited, will favor the General Assembly with a few selections of song; and*

*Whereas, The General Assembly of Iowa did enjoy the singing of the said Choir so well on a similar occasion four years ago;*

*Therefore, Be It Resolved, That Dr. F. Melius Christianson and his, the St. Olaf Choir, be invited to sing to the General Assembly on February 10th, 1931, at 11 o'clock a. m. and that the General Assembly adjourn at said hour to give an opportunity to the members to hear said Choir.*

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

Motion prevailed and House Concurrent Resolution No. 7 was adopted.



## RESOLUTION

Ratliff of Henry offered the following resolution:

*Whereas*, The Honorable Judge Winfield S. Withrow, who was a member of the House of Representatives in the Twenty-first General Assembly from Henry County, died on Thursday, February 7, 1930; therefore

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Ratliff of Henry, Hunt of Louisa, and Mathews of Des Moines.

## INTRODUCTION OF BILLS

House File No. 96, by Hayes of Dubuque, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-six (5696) of the Code of 1927, relating to the giving of examinations to applicants for positions and for promotions by the civil service commission in certain cities so as to authorize the giving of examinations for promotions in cities having a population under fifty thousand (50,000) once in two years instead of annually.

Read first and second times and referred to committee on cities and towns.

House File No. 97, by Helgason of Emmet, a bill for an act to prohibit, in certain cases, appropriation of state funds to defray the expenses incurred in contests relative to the election of members of the General Assembly.

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

House File No. 98, by Van Buren of Jones, a bill for an act to coordinate and harmonize various sections of the Code, 1927, with the state appropriation act provided by section three hundred thirty-three (333) of said Code, to avoid duplicate appropriations in said Code and Act, and to this end to repeal sections fourteen

hundred twenty-six (1426), seventeen hundred twelve (1712), and twenty-seven hundred eighty-one (2781), and to amend sections sixteen hundred fifty-five (1655), twenty-five hundred thirty-three (2533), thirty-nine hundred forty-one (3941), forty hundred twenty-eight (4028), and forty-five hundred fifty-nine (4559), all of said Code, and relating to appropriations.

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

#### BILL SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills, respectfully reports that it has, on this 26th day of January, 1931, sent to the Governor for his approval:

House Joint Resolution No. 3.

C. J. ORR, *Chairman*.

Report adopted.

#### EXPLANATION OF VOTE

Wearin of Mills filed the following explanation of vote on House Concurrent Resolution No. 6 as recorded in the Journal of January 24th, 1931:

I am of the opinion that in many cases the Gentleman from Pocahontas is correct in calling the groups sent out by the Appropriations Committee to investigate various Institutions, junketing expeditions. Sometimes they degenerate into that very thing.

There is one observation, however, that can always be made regardless of entertainment and that is to observe the condition of buildings. I voted for the resolution because I want a committee from the Forty-fourth General Assembly to go down to Glenwood and visit the State Institution for Feeble-minded located in that city. They will find it one of the most ably and economically operated in the State of Iowa, but, what is of the most importance at this time is that they observe at first hand two very evident situations; first, an excessively crowded condition, second, a non-fire proof building that is endangering the lives of a considerable number of the female inmates.

The overcrowded condition has been brought on by the continuous commitment of inmates to the Institution on the part of the Court. Quite frequently children so assigned are taken through a course of study up to a certain point beyond which they cannot go. In some cases the par-

ents would like to have the charge returned to them after such procedure. Under present conditions it is impossible except by Court action which requires time, money, and inconvenience without insuring efficiency. A provision should be written into the Code permitting the Superintendent of the Institution, with the advice and consent of the Board of Control to return certain children to their homes when the State has done all possible for them, and it is safe to so return them. Such an arrangement would relieve some of the congestion in an Institution for unfortunates. Even so, it will be necessary for the Forty-fourth General Assembly to provide additional quarters at Glenwood in order to adequately provide for inmates.

It is also my desire that the Legislature be fully aware of the existence of a large building in use as a dormitory that is not fireproof. I want it known, in the event that a disastrous fire should occur within the next two years causing the death of several hundred inmates, that the Representative from Mills was aware of the situation and called it to the attention of the Iowa Legislature. We as law makers should remember that we have a large number of unfortunates in this State. They must be taken care of in respectable fashion. When buildings are unsafe, they should be properly repaired, or replaced and when it is evident that additional quarters are necessary they should be provided.

For the above enumerated reasons I voted to send committees to our various Instititons to investigate and observe actual conditions.

OTHA D. WEARIN.

On motion of Malone of Cass 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 27, 1931.

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

Prayer was offered by the Rev. John A. Kettle, pastor of the Methodist Church, Correctionville, Iowa.

Journal of January 26th corrected and approved.

## PETITIONS AND MEMORIALS

Ellsworth of Hardin presented a resolution from the town council of Ackley, favoring a division of gasoline tax apportioning a part to cities and towns.

Referred to committee on roads and highways.

Koch of Bremer presented a resolution from the town council of Denver, favoring a division of gasoline tax apportioning a part to cities and towns.

Referred to committee on roads and highways.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Thompson of Fayette for the day, on request of Hanson of Winnebago; Orr of Clayton for the day on request of Hayes of Dubuque.

Bair of Buena Vista, chairman of the contest committee, in the case of O. J. Ditto vs. H. C. Hattendorf, submitted the following report:

MR. SPEAKER AND MEMBERS OF THE HOUSE: The undersigned committee heretofore appointed by your Honorable Body to investigate contest at the 1930 general election between H. C. Hattendorf and O. J. Ditto, of Osceola County, Iowa, for state representative hereby submit this, their report, of said contest.

Your committee held their first meeting on January 14, 1931, and discussed the procedure in this contest and it was ordered by the committee that the Auditor of Osceola County be subpoenaed to appear before the contest committee and bring with him all ballots, poll books, and abstracts of record of the election held in Osceola County on November 4th, 1930, and that he deliver the same to the chairman of the contest committee.

Following this meeting of the committee, meetings were held in the Savery Hotel at Des Moines, Iowa, in room 403 on January 21st, 22nd and 23rd, 1931. The Auditor of Osceola County was present with all records as formerly requested by the committee and both the contestant, Mr. Hattendorf, and the incumbent, Mr. Ditto, were there, represented by counsel, and your committee proceeded to canvas and count all the ballots submitted in this election contest, and when the canvas was completed on the afternoon of January 23rd, 1931, it was found that O. J. Ditto, the incumbent, had a total of 1,240 conceded votes and the contestant, H. C. Hattendorf, had a total of 1,230 conceded votes. We found that the votes cast for both the contestant and incumbent in the various precincts and townships in Osceola County to be as follows, to-wit:

Precinct	Ditto	Hattendorf
Allison .....	29	54
Baker .....	114	103
Fairview .....	49	73
Gilman .....	178	86
Goeway .....	58	58
Harrison .....	30	79
Holman .....	142	104
Horton .....	22	98
Ocheyedan .....	95	206
Viola .....	25	59
Wilson .....	41	33
Sibley Holman .....	457	277
Total .....	1,240	1,230

Your committee finds that there is no fraud, neglect, misconduct or noticeable irregularity with reference to the election held in said county in the action of the election officials or the county auditor of Osceola County.

From the conceded returns for both Mr. Ditto and Mr. Hattendorf, it was determined that Mr. Ditto had a majority of ten (10) votes. During the canvassing of all the votes, the committee found eight (8) ballots that were challenged for various reasons, but in view of the fact that Mr. Ditto had a clear majority of ten (10) votes in the conceded ballots and that regardless of what decision might be made in regard to these challenged ballots the result of the election would be the same, both sides of the contest committee waived any consideration of the challenged votes. Both parties to the contest and your committee unanimously reports that,

in its opinion, Mr. O. J. Ditto, having received the majority of the votes cast in Osceola County at the election held November 4th, 1930, is legally entitled to retain his seat as state representative in the Forty-fourth General Assembly and entitled to all rights and privileges of this body.

Respectfully submitted,

J. PARK BAIR, *Chairman*,  
WALLACE M. SHORT,  
O. J. REIMERS,  
C. B. STIGER,  
H. N. HANSON,  
*Committee.*

On the question, "Shall the report of the contest committee be adopted?"

The ayes were, 103.

Aiken	Garrett	Laughlin	Rawlings
Augustine	Gilmore	Lepley	Reed
Avery	Gissel	Lichty	Reimers
Babcock	Greaser	Long	Roe
Bair	Greene	McCaulley	Rutledge
Ballew	Hansen of	McCreery	Ryder
Beath	Audubon	McDermott	Rylander
Berry	Hansen of Scott	McLain	Shields
Bonnstetter	Hanson of	Malone	Short
Brown	Winnebago	Mathews	Simmer
Byers	Hayes	Mayne	Snyder
Craven	Helgason	Mead	Sours
Davis	Hesse	Millhone	Stanzel
Dayton	Hollingsworth	Miller	Stiger
Donlon	Hollis	Morton	Strachan
Drake of Keokuk	Hook	Nelson of	Tamisiea
Drake of	Hopkins	Cherokee	TePaske
Muscatine	Hush	Nelson of Story	Thiessen
Durant	Husted	O'Donnell	Torgeson
Elliott	Hutcheon	Osborn	Van Buren
Ellsworth	Johnson of	Paisley	Van Wert
Fabritz	Marion	Pattison	Wamstad
Felter	Kern	Peaco	Watts
Figgins	Koch	Pendray	Wearin
Finnern	Kohler	Randall	Whiting
Forsling	Lamb	Randolph	Witt
Gallagher	Langland	Ratliff	Mr. Speaker

The nays were, none.

Absent or not voting, 5.

Allen	Hunt	Orr	Thompson
Ditto			

The report of the contest committee was adopted, and O. J. Ditto was declared the duly elected Representative from the Ninety-eighth Representative District of the State of Iowa.

Torgeson of Worth, chairman of the contest committee, in the case of Henry S. Berry vs. Roy Maneor, submitted the following report:

MR. SPEAKER: Your committee appointed to investigate the Berry-Maneor election contest from Representative District No. 17, Monroe County, Iowa, begs to report as follows:

That pursuant to said appointment your committee met and organized, and examined into the petition of contest filed by contestant, Roy Maneor, and the cross-petition of contest filed by Henry S. Berry.

That immediately thereafter the committee directed that all of the ballots, records, and papers connected with said election be delivered to it, which was done by the Auditor of Monroe County.

Whereupon, the committee proceeded to open, examine, and count said ballots.

That after having opened, examined, and counted the ballots in six precincts, the following statement was dictated into the record by H. M. Havner, Counsel representing contestant:

"The committee having canvassed the count of the ballots for Troy, Union Precinct No. 1, Hilton, Georgetown, Jackson and Mantua townships, and these being the townships concerning which specific complaint had been made in the petition of the contestant, and it appearing that, as a result of said canvass, no material change was made in the vote as reported by the Board of Election, in the interest of economy, and in fairness to the incumbent, the contestant waives further canvass of the votes and consents to a report, favorable to the incumbent, made by the committee to the House of Representatives."

Thereupon Henry L. Adams, Counsel representing the incumbent, dismissed his cross-petition and counter-appeal.

Wherefore, your committee respectfully finds that Henry S. Berry, having been declared duly elected and having received the certificate of election, is entitled to retain his seat as Representative from Monroe County, Iowa, in the Forty-fourth General Assembly, together with all of the rights and privileges incident thereto.

Respectfully submitted,

S. R. TORGESON, *Chairman*,  
GEO. E. MILLER,  
JOHN H. AIKEN,  
BYRON G. ALLEN,  
*Committee.*

On the question, "Shall the report of the contest committee be adopted?"

The ayes were, 103.

Aiken	Garrett	Laughlin	Rawlings
Augustine	Gilmore	Lepley	Reed
Avery	Gissel	Lichty	Reimers
Babcock	Greaser	Long	Roe
Bair	Greene	McCauley	Rutledge
Ballew	Hansen of	McCreery	Ryder
Beath	Audubon	McDermott	Rylander
Bonnstetter	Hansen of Scott	McLain	Shields
Brown	Hanson of	Malone	Short
Byers	Winnebago	Mathews	Simmer
Craven	Hayes	Mayne	Snyder
Davis	Helgason	Mead	Sours
Dayton	Hesse	Millhone	Stanzel
Ditto	Hollingsworth	Miller	Stiger
Donlon	Hollis	Morton	Strachan
Drake of Keokuk	Hook	Nelson of	Tamisiea
Drake of	Hopkins	Cherokee	TePaske
Muscatine	Hush	Nelson of Story	Thiessen
Durant	Husted	O'Donnell	Torgeson
Elliott	Hutcheon	Osborn	Van Buren
Ellsworth	Johnson of	Paisley	Van Wert
Fabritz	Marion	Pattison	Wamstad
Felter	Kern	Peaco	Watts
Figgins	Koch	Pendray	Wearin
Finnern	Kohler	Randall	Whitting
Forsling	Lamb	Randolph	Witt
Gallagher	Langland	Ratliff	Mr. Speaker

The nays were, none.

Absent or not voting, 5.

Allen	Hunt	Orr	Thompson
Berry			

The report of the contest committee was adopted, and Henry S. Berry was declared the duly elected Representative from the Seventeenth Representative District of the State of Iowa.

## REPORTS OF COMMITTEES

Allen of Pocahontas, from the committee on educational institutions, submitted the following report:

MR. SPEAKER: Your committee on state educational institutions, to whom was referred Governor Dan W. Turner's communication of January 24th, 1921, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that House Concurrent Resolution No. 8 be adopted.

BYRON G. ALLEN, *Chairman.*

Report adopted.

Helgason of Emmet, 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. 62, a bill for an act to amend section two (2) of Chapter fifty-eight (58), Acts of the Forty-third (43) General Assembly, relating to the open season on fur-bearing 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 same do pass.

E. O. HELGASON, *Chairman*.

Report adopted.

Shields of Clarke, from the committee on roads and highways, submitted the following report:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House Joint Resolution No. 1, a joint resolution, agreeing to, enacting, and adopting a proposed amendment to the Constitution of the State of Iowa, relating to the improvement of highways and making a provision for the payment of 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 be amended as follows and when so amended the bill do pass:

Amend by inserting a period after the words and figures "Article XIII", so that when amended the said line as it appears on page two, line one, of the bill will read "Article XIII."

LEROY SHIELDS, *Chairman*.

Report adopted.

Rutledge of Webster called up the report of the committee on rules, found in the Journal of January 26th, and moved the adoption of the following amendment:

Amend number three (3) of the report by striking the words, "ten o'clock" and inserting in lieu thereof, "ten-thirty o'clock".

Wearin of Mills moved to amend the amendment by striking the words, "ten-thirty o'clock" and inserting in lieu thereof, "twelve o'clock".

Shields of Clarke offered the following amendment as a substitute for the pending amendments:

Amend by striking all of number three (3) of the report.

Kern of Polk moved the previous question.

Motion prevailed.

Substitution lost.

Amendment to the amendment lost.

Amendment adopted.

McCreery of Linn offered the following amendment to number four (4) of the committee report:

Amend by adding, after the comma (,) in line six (6), the following words: "or upon motion of the House".

Unanimous consent having been granted, Mr. McCreery withdrew his amendment.

Johnson of Marion offered the following amendment to number two (2) of the committee report:

Amend by striking in line three (3) the word "three" and inserting in lieu thereof the word, "four".

Amendment adopted.

Allen of Pocahontas called up the minority report of committee on rules, filed by him and found in the Journal of January 26th, and moved its adoption.

Helgason of Emmet moved the previous question. Motion prevailed.

Amendment lost.

McCaulley of Calhoun offered the following amendment:

Amend Rule 48 of the Rules of the Forty-third General Assembly as follows:

By changing the period at the end thereof to a comma and adding, "or the committee on tax revision."

Amendment adopted.

Rutledge of Webster moved the adoption of the report as amended.

Motion prevailed and the report as amended, was adopted.

#### HOUSE CONCURRENT RESOLUTION NO. 8

The committee on State Educational Institutions offered the following Concurrent Resolution:

Providing for the appointment of an investigating committee, whose duty it shall be to fully investigate the management and affairs of the State University of Iowa and its various officers and employees and pro-

viding that said committee shall report its findings and recommendations thereon to the General Assembly and to the Attorney General of the State of Iowa, and to provide an appropriation sufficient to pay the expense of said committee.

*Whereas*, During the past few years, many complaints and charges have been made which seriously reflect on the manner in which the business and affairs have been conducted and handled by those responsible for the management of the State University of Iowa, and

*Whereas*, Among charges that recently have been made and given wide publicity are the following:

1. That it has been openly admitted in the records appearing in the minutes of the Iowa Board of Education; and in proceedings prior and subsequent to the preparation of those minutes, that Walter A. Jessup, president of the University of Iowa, W. R. Boyd, chairman of the Finance Committee of the Iowa Board of Education, and W. J. McChesney, treasurer of the University of Iowa, have connived with the bank of which W. J. McChesney is president to illegally prefer and favor that bank, and to permit it to have large sums of money on deposit for long periods of time without paying interest thereon as required by the rules of the Board of Education, and as required by the law of Iowa.

2. That Walter A. Jessup as president of the University of Iowa, W. R. Boyd as chairman of the Finance Committee of the Iowa Board of Education, and W. J. McChesney, treasurer of the University of Iowa, have connived so as to permit the said treasurer to keep an average balance of State funds, donated by the Rockefeller Foundation and the General Education Board, in the hands of the said treasurer for approximately five years, without requiring the said treasurer to pay the usual 2½ (two and one-half) per cent interest thereon, as provided by the rules of the Board of Education, and as provided by the laws of Iowa. (See paragraph 8 section 3921 of Iowa Code, and minutes of the Board of Education.)

3. That the bank of which W. J. McChesney is president, or W. J. McChesney as Treasurer of the University of Iowa, has failed to account for the sum of \$28,762.00, being the interest on the said average balance referred to above.

4. That the Board of Education on two different occasions has acquiesced in and approved the action of the said officers of the board and the University in permitting the said bank, or W. J. McChesney as treasurer, to retain the sum of twenty-eight thousand seven hundred sixty-two dollars (\$28,762.00) interest on the said funds; that this interest was illegally withheld; that the alleged reasons offered by the Board of Education in explanation of its illegal waiver of this interest are in violent conflict, one with the other; and that the second explanation, which is different in toto from the first explanation, was not recorded in the minutes of the Iowa Board of Education until after the attention of the Board

had been called to the complete falsity, inadequacy and illegality of the first explanation.

5. That the present administration of the University of Iowa has permitted publicly owned building materials and other property, consigned to or purchased by the University of Iowa, for its own use only, to be used by certain executives and employees of the University in the construction of privately owned buildings, said executives and employees being the owners.

6. That the present administration of the University of Iowa has repeatedly permitted the use of university labor in the construction and repairing of privately owned buildings, said buildings being owned by executives and employees of the University; and that University labor has in other ways been used to the personal advantage of certain executives and employees of the University.

7. That the president of the University of Iowa, Walter A. Jessup, the chairman of the Iowa Board of Education's finance committee, W. R. Boyd, and Charles M. Dutcher, attorney for the university and likewise that University's active political lobbyist, and others have over a period of years built up and perfected a political machine in this state by means of which they have been able to affect appointments to the Iowa Board of Education. In this way they have been able, as servants of the university and of the State, to select and dictate to their own employers.

8. That all the boards and agencies and departments of the State of Iowa except the Board of Education under the law are subject to the supervision and check of the State Board of Audit; that this political machine or lobby presided over by representatives of the Iowa Board of Education and the State University has succeeded in preventing the enactment of legislation intended to make the accounts of the Board of Education subject to the State Auditor or the State Board of Audit; that millions of dollars disbursed by the various state educational institutions and belonging to the people of Iowa are subject only to the accounting of an auditor who is selected by those whose accounts he audits, and who then select a firm of auditors from outside the State of Iowa to merely check the accounts of the auditor who is accountable to them only.

9. That the auditor of the University of Iowa, W. H. Cobb, under the influence and at the direction of those who are his superiors at the University of Iowa, has failed to properly audit the accounts of the University and has permitted funds to be used for wrongful purposes.

10. That the Secretary of the University of Iowa, W. H. Bates, has participated in the distribution of University funds for purposes contrary to University agreements and to methods of accurate and creditable accountancy.

11. That the laws of Iowa provide that the Attorney General and his assistants shall attend to the legal business of the State and its various boards and agencies and departments, and that, contrary to these laws,

the administration of the University of Iowa has disregarded the office of the Attorney General and has employed over a period of years attorneys of its own selection, at a cost to the taxpayers of Iowa of many thousands of dollars. The Attorney General never has been requested by the Board of Education or the University of Iowa for authority to appoint special attorneys, nor has the Executive Council of Iowa ever approved or authorized such employment. The paying of these fees is in direct violation of section 152 of the **Iowa** Code.

12. That because of the lack of competent or alert business administration, executives of the University of Iowa charged with the duty of purchasing supplies have purchased quantities of such supplies at a cost higher in many instances than that at which supplies of similar grade, quality and specifications could be and were being purchased by private individuals on the open market, to the detriment and waste of the taxpayers' money.

13. That the executives of the University charged with the duty of purchasing its supplies have by unethical and unfair methods and practices prevented firms and individuals from selling supplies to the University on an open, honest market, and have shown marked favoritisms in the letting of certain contracts to certain seemingly preferred persons and corporations.

14. That W. R. Boyd, chairman of the Board of Education finance committee, is now holding and for many years has held his office contrary to the laws of Iowa, particularly Section 3933 of the code, which provides "The members of the finance committee shall devote their entire time to the work of said institutions;" that Mr. Boyd draws a salary as chief executive of the largest building and loan association in Iowa, and has generally advertised himself as being in the securities business.

15. That the law of Iowa, see code, section 3922, provides that "no member of the board or finance committee, nor any officers of any institution shall be directly or indirectly interested in such purchase or sale," this section referring to the purchase or sale of real estate by the board for the institutions under its control; and that this law has been violated in the purchase of certain properties by the University of Iowa from officers thereof.

16. That John M. Fisk, superintendent of grounds and buildings for the University of Iowa, has supervised the expenditure of many millions of dollars provided by the taxpayers; that he has exercised this supervision with astounding incompetency at frequent and glaring intervals, and by his methods and practices has cost the taxpayers of Iowa huge sums of money; that by these same methods and practices said Fisk has succeeded in driving out of competition for the structural projects of the Board of Education a great number of the large contractors whose participation in the bidding for such work would be of economic benefit to the taxpayers in the state, as well as to its state educational institutions.

17. That some of these said methods and practices of Fisk have been known to officers of the Board of Education, to Chairman W. R. Boyd of the finance committee, and to Walter A. Jessup, president of the University of Iowa, by reason of repeated charges against the said Fisk, and of affidavits substantiating several of these charges, submitted eight years ago.

18. That Walter A. Jessup, president of the University of Iowa, was largely and officially responsible for the disgrace that overtook not only the University but the whole state when, in May, 1929, the Universities of many of the neighboring states refused to longer maintain athletic relations with the University of Iowa, because of direct and flagrant breaches of good faith and common honesty by the University of Iowa, with the knowledge and consent and, at times, at the direction of President Jessup, that much of the disgrace that accrued to the University of Iowa and this state by reason of this drastic action against our University could have been avoided had President Jessup been willing to candidly admit to his accusers his share of the guilt for the breaches of good faith and honesty that caused University of Iowa's punishment.

19. That the President of the University of Iowa, Walter A. Jessup, and certain other officials there, all subservient to the orders and dictates of the president, were responsible for the disqualification of more than twenty students at the University, who were deprived of their amateur standing as athletes, and made to appear as disgraced by charges of professionalism, when as a matter of fact, these students were led by University officials, acting with the knowledge of the president, to innocently violate rules of amateurism; that these students were sacrificed and in several instances their prospective careers as athletic directors, coaches, etc., ruined in order that the part played by President Jessup in the violations might be concealed.

20. That the President of the University of Iowa, Walter A. Jessup, by his arbitrary, dogmatic, stubborn and czar-like attitude as chief executive, and his methods of administration, has driven from the University numerous of the foremost faculty members, especially those formerly connected with the University College of Medicine; that thereby these numerous eminent members of the medical and other faculties, whose reputations were nationwide and who by reason of their reputations had been one of the principal factors in inducing the Rockefeller Foundation and the General Education Board to donate the sum of \$2,250,000 to be used for a new University Hospital and Medical College, were lost to the University before the said hospital and Medical College could be completed; and

*Whereas*, It appears that such charges and the conduct of those responsible for the management of the State University of Iowa, and other institutions under the management and control of the State Board of Education should be thoroughly investigated.

*Therefore, Be It Resolved by the House, the Senate concurring:*

Section 1. That a joint committee of the members of the House of Representatives and Senate of the Forty-fourth General Assembly, consisting of five (5) members, two (2) of whom shall be appointed from the Committee on Educational Institutions in the Senate by the Chairman thereof, and three (3) of whom shall be appointed from the Committee on State Educational Institutions in the House of Representatives by the Chairman thereof, one of whom shall be from the minority party, whose duty it shall be to investigate the charges hereinbefore set forth and also other matters in connection therewith as they may arise and in connection with the administration of the State Board of Education and the Institutions under its control and make written report of its findings and a recommendation to the Governor and the General Assembly of the State of Iowa.

Sec. 2. That said joint committee is directed to call on the Attorney General for such services as may by it be deemed necessary and said committee is hereby authorized to employ such attorneys, auditors, expert investigators and employees as may be by it deemed necessary to a thorough, complete and independent investigation of such charges and such matters in connection therewith as may come to its attention, and the general administration of the Board of Education and the institutions under its control.

Sec. 3. That the State Board of Education, the finance committee thereof, all officers and employees of said Board and all officers and employees of the State University of Iowa, are hereby directed and ordered to deliver to said joint committee and to the employees thereof, all books, records and papers as may be deemed necessary by said committee in the making of such investigation.

Sec. 4. That said joint committee is hereby directed to conduct such investigation in an impartial manner without interference from any person, board, officer or employee, who is in any way connected with the management and conduct of affairs of said University.

Sec. 5. That said joint committee is hereby authorized and empowered to summon and subpoena witnesses from any place within the State of Iowa and to compel the attendance of witnesses at any place within the State of Iowa where said committee may deem it advisable to hold hearings; that it may take testimony under oath; that it may take the testimony of witnesses outside of the state; that any person refusing to answer to a subpoena or refusing to give testimony may be punished for contempt in the manner as provided by the Laws of Iowa.

Sec. 6. That said joint committee is hereby directed to refer from time to time its findings to the Attorney General with directions that such action be taken as may be deemed necessary and advisable in order to protect the interests of the State of Iowa.

Sec. 7. That said joint committee is hereby directed to make a written report and recommendations to this General Assembly of such matters, the investigation of which may be completed before the adjournment of this General Assembly and that if such investigation is not fully and thoroughly completed by said time that the said joint committee be and they are hereby directed to make a written report and recommendation to the Forty-fifth General Assembly.

Sec. 8. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated such sum or sums as may be necessary to pay the expenses of the committee provided for in Section 1 hereof in making the investigation and preparing the report or reports required herein.

Laid over under Rule 34.

#### INTRODUCTION OF BILLS

House File No. 99, by Rutledge of Webster, a bill for an act to amend section five thousand three hundred eighty-five (5385) of the Code, 1927, making it optional for boards of supervisors to levy a tax of not exceeding one (1) mill instead of one-half ( $\frac{1}{2}$ ) mill as now authorized.

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

House File No. 100, by Mayne of Pottawattamie, a bill for an act providing for the commencement and maintenance of actions in the State of Iowa against the operator or owner of motor vehicles which arise out of an accident or collision occurring in the State of Iowa, in which such motor vehicles are involved.

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

House File No. 101, by Millhone of Page, a bill for an act to repeal section thirteen thousand eight hundred and forty-two (13842) of the Code, 1927, relating to the trial of defendants jointly indicted, and to enact a substitute therefor:

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

House File No. 102, by Millhone of Page, a bill for an act to amend chapter fifty-seven (57), Acts of the Forty-third (43<sup>d</sup>



General Assembly, relating to the fees received for fishing and hunting licenses.

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

House File No. 103, by Whiting of Johnson, a bill for an act to amend section forty-four hundred fifty-six (4456) of the Code, 1927, and provide a method of abandonment of county uniformity of school textbooks.

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

House File No. 104, by Hayes of Dubuque, a bill for an act to amend section fifty-six hundred ninety-four (5694) of the Code, 1927, relating to the chiefs of police and fire department in cities under the manager plan.

Read first and second times and referred to committee on cities and towns.

House File No. 105, by Peaco of Clinton, a bill for an act to amend section eleven hundred seventy-one-b-one (1171-b1) of the Code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b three (1171-b3) of the Code, 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public work or improvements, and to provide a penalty for violation.

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

House File No. 106 by McCreery of Linn and Van Buren of Jones, a bill for an act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the department of agriculture.

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

House File No. 107, by McCreery of Linn, a bill for an act to amend section seven hundred thirty-two (732) of the Code, 1927, relating to appointment of election judges.

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

House File No. 108, by McCreery of Linn, a bill for an act to amend section five hundred forty-seven (547) of the Code, 1927, relating to time of filing petitions and affidavits for the purpose of nominating township officers.

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

House File No. 109, by Bair of Buena Vista, a bill for an act to repeal sections twelve thousand nine hundred thirty-six (12936) and twelve thousand nine hundred thirty-eight (12938) and to enact substitutes therefor, and to amend sections twelve thousand nine hundred thirty-nine (12939), twelve thousand nine hundred forty-one (12941), twelve thousand nine hundred forty-six (12946), twelve thousand nine hundred forty-seven (12947), twelve thousand nine hundred forty-nine (12949), twelve thousand nine hundred fifty-one (12951), twelve thousand nine hundred fifty-two (12952), twelve thousand nine hundred fifty-three (12953), and twelve thousand nine hundred fifty-five (12955), all of the Code, 1927, relating to the carrying of certain weapons on the person, or having said weapons in or about vehicles, and regulating permits pertaining thereto.

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

House File No. 110, by Hutcheon of Greene, a bill for an act to repeal section ten thousand nine hundred five (10905) of the Code, 1927, and to enact a substitute therefor, relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists.

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

House File No. 111, by Whiting of Johnson, a bill for an act to amend section forty-two hundred seventy-four (4274) of the

Code, 1927, relating to attending school in another corporation.

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

House File No. 112, by Kern of Polk, a bill for an act to amend sections eighty-nine hundred thirty-nine (8939) and eighty-nine hundred forty (8940) as amended by the Acts of the Forty-third (43rd) General Assembly, and section eighty-nine hundred forty-one (8941) of the Code, 1927, relating to insurance other than life, and to authorize the insuring of titles of real estate.

Read first and second times and 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 passed the following bill in which the concurrence of the Senate was asked:

Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, Iowa.

Also, That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 7, relating to the extending of an invitation to the St. Olaf Choir to sing to the General Assembly.

Also, That the Senate has adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 6, relating to the appointment of committees to investigate and ascertain the needs and askings of the institutions under the direction of the Board of Control and Board of Education.

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

Senate Joint Resolution No. 4, relating to compensation of additional employees of the General Assembly.

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 legalize the proceedings relating to an election of the Independent School District of Decorah.

WALTER H. BEAM, *Secretary.*

## SENATE MESSAGES CONSIDERED

Senate File No. 29, a bill for an act to legalize the proceedings relating to an election held in the Independent School District of Decorah, in the County of Winneshiek, State of Iowa, on the proposition of issuing \$130,000 School Building Bonds, and the subsequent proceedings pursuant thereto had by the Board of Directors of said School District and validating said School Building Bonds.

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

Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, Iowa.

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

Senate Joint Resolution No. 4, joint resolution relating to the selection of additional employees of the Forty-fourth General Assembly, fixing their compensation and defining their duties.

Read first and second times and passed on file.

## CONSIDERATION OF SENATE JOINT RESOLUTION

Unanimous consent having been granted for immediate consideration, Senate Joint Resolution No. 4, joint resolution relating to the selection of additional employees of the Forty-fourth General Assembly, fixing their compensation and defining their duties, was taken up for consideration.

Hanson of Winnebago moved to suspend the rule prohibiting the second and third readings of a bill on the same day.

Motion prevailed.

Mr. Hanson 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, 78.

Allen	Hansen of	Lepley	Roe
Augustine	Audubon	Lichty	Rutledge
Avery	Hanson of	McCaulley	Ryder
Bair	Winnebago	McDermott	Rylander
Beath	Hayes	McLain	Shields
Bonnstetter	Hesse	Malone	Short
Brown	Hollingsworth	Mathews	Snyder
Craven	Hollis	Mayne	Sours
Donlon	Hook	Mead	Stiger
Drake of Keokuk	Hopkins	Millhone	Strachan
Durant	Hunt	Morton	Tamisiea
Ellsworth	Hush	Nelson of	TePaske
Fabritz	Husted	Cherokee	Thiessen
Felter	Hutcheon	Nelson of Story	Torgeson
Figgins	Johnson of	Osborn	Van Buren
Garrett	Marion	Paisley	Van Wert
Gilmore	Kern	Peaco	Wamstad
Gissel	Koch	Randolph	Watts
Greaser	Langland	Ratliff	Whiting
Greene	Laughlin	Reed	Witt
		Reimers	Mr. Speaker

The nays were, 1.

Wearin

Absent or not voting, 29.

Aiken	Drake of	Kohler	Pattison
Babcock	Muscatine	Lamb	Pendray
Ballew	Elliott	Long	Randall
Berry	Finnern	McCreery	Rawlings
Byers	Forsling	Miller	Simmer
Davis	Gallagher	O'Donnell	Stanzel
Dayton	Hanson of Scott	Orr	Thompson
Ditto	Helgason		

So the joint resolution 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 adopted the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the improvement of highways and making provisions for the payment of the cost thereof.

WALTER H. BEAM, *Secretary*.

## SENATE MESSAGE CONSIDERED

Senate Joint Resolution No. 1, a Joint Resolution, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the Improvement of Highways and Making Provision for the payment of the Cost Thereof.

Johnson of Marion moved that Senate Joint Resolution No. 1 be substituted for House Joint Resolution No. 1 and be placed on the calendar.

Motion prevailed.

## REPORTS OF COMMITTEES

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 56, a bill for an act to amend section fifty-nine hundred thirty-eight (5938), code of 1927, so as to authorize cities and towns to establish and improve neighborhood parks and 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 do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 50, a bill for an act to amend the law as it appears in Section fifty-nine hundred eighty-two (5982) of the code, 1927, relating to connections under waterworks trustees, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 83, a bill for an act to amend section fifty-seven hundred and forty-three (5743), code of 1927, relating to the power of cities and towns to regulate and license, beg leave to report they have had

the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman.*

Report adopted.

#### SPEAKER ANNOUNCES COMMITTEE

Speaker Johnson announces the appointment of the following committee pursuant to House resolution, found in the *Journal* of January 23d, relative to retrenchment in local public expenditures: Johnson of Marion, Bair of Buena Vista, Craven of Jasper, Dayton of Washington, Elliott of Scott, Greene of Pottawattamie, Koch of Bremer, Sours of Floyd, Laughlin of Fremont, McCaulley of Calhoun, Stiger of Tama and Mr. Speaker.

On motion of Paisley of Lee 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 28, 1931.

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

Prayer was offered by the Rev. C. E. Burdine, pastor of the Presbyterian Church, Wapello, Iowa.

Journal of January 27th corrected and approved.

## PETITIONS AND MEMORIALS

Whiting of Johnson presented a petition from the board of supervisors of Johnson county, opposing any diversion of the primary road funds.

Referred to committee on roads and highways.

Allen of Pocahontas presented a petition from a citizen of Albert City, requesting an investigation into the affairs of the defunct Marathon Savings Bank.

Referred to committee on banks and banking.

Witt of Butler presented a petition from the town council of Shell Rock, favoring a division of gasoline tax apportioning a part to cities and towns.

Referred to committee on roads and highways.

## BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on January 26th, approved the following bill:

House Joint Resolution No. 3.

## INTRODUCTION OF BILLS

House File No. 113, by Greene of Pottawattamie, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2500) or more,



where the houses or business houses average less than two hundred (200) feet apart.

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

House File No. 114, by Drake of Keokuk, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164) of the code, 1927, so as to provide for the distribution of the tax realized on money and credits to district school funds.

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

House File No. 115, by Randall of Lucas, a bill for an act to amend section ten thousand four hundred twenty-nine (10429) of the code, 1927, relating to the issuance of marriage licenses by the clerk of the district court in the respective counties in the state of Iowa.

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

House File No. 116, by Figgins of Union, a bill for an act authorizing and directing the Curator of the Historical, Memorial and Art Department of Iowa to acquire and preserve materials illustrative of early Iowa processes and events, now the property of the widow of George Shull, and making an appropriation therefor.

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

House File No. 117, by Forsling of Woodbury and Kern of Polk, a bill for an act to amend section eleven (11), chapter two hundred fourteen (214), acts of the forty-third (43rd) general assembly, relating to guardianship of veterans.

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

House File No. 118, by Brown of Polk, a bill for an act requiring state peace officers making arrests of persons charged with violating the liquor prohibition laws to file information against such violators before the state magistrate having jurisdiction of such cases.

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

House File No. 119, by Johnson of Marion, a bill for an act to authorize the State Highway Commission to employ persons to enforce the law relating to traffic on primary roads, to designate such persons as peace officers, and to provide for the payment of the compensation and expense of such persons.

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

House File No. 120, by Johnson of Marion, a bill for an act to provide for the paving of connections from the business district of cities and towns to paved primary roads or extensions of such primary roads within cities and towns.

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

#### OPINION FROM THE ATTORNEY GENERAL

The opinion received from the Attorney General was read for the information of the House.

Simmer of Wapello asked and obtained unanimous consent to have the opinion from the Attorney General printed in full in the Journal.

January 28, 1931.

*To the Honorable Francis Johnson, Speaker of the House of Representatives, and to the Honorable Members of the House of Representatives of the Forty-fourth General Assembly:*

Gentlemen:

On the 21st day of January, 1931, the following Resolution was adopted by your Honorable Body, to-wit:

*“\* \* \* Be It Therefore Resolved, That the Attorney General be requested to render an opinion to this House, not later than January 28, 1931, advising it as to the validity of the said proposed constitutional amendment as it is contained in said House Joint Resolution No. 6.”*

A copy of said resolution was officially transmitted to the Attorney General on the same date and, in conformity with that resolution, I am submitting herewith my opinion on the subject matter of the Resolution.

## OPINION

At the outset it must be understood that it is not the function of the Judicial or Legal Departments of the state government to deal with the wisdom or policy of proposed legislation. In these respects, the responsibility rests solely with the Legislative branch of government. The same rule is true where, as in this case, the legislature is acting as a governmental agency in proposing an amendment to the Constitution. Therefore, in complying with your request for an opinion as to the validity of House Joint Resolution No. 6 of the Forty-third General Assembly, and the proposed Senate and House Joint Resolution No. 1 now pending in the Forty-fourth General Assembly, we deal only with the question of whether the proposed amendment, if regularly passed by this General Assembly and adopted by a vote of the people, would constitute a valid, legal amendment to the Constitution of the state.

While it may be a commonly accepted notion among the laity that the electorate of a state alone can say what their Constitution shall contain, yet contrary to that notion, the authorities are without dispute on the proposition that in the final analysis, under our form of government, it is the province of the courts to determine whether an offered amendment is valid, not only in the procedure employed in its adoption, but in its substantive provisions as well.

In passing upon the validity of a proposed constitutional amendment, we must necessarily first have in mind the nature of a constitution, its purposes, and what fundamental principles are involved in constitution making. The courts, and many writers on constitutional questions, have defined constitutions. We cite the following definitions of a constitution:

"A 'constitution' is a Magna Charta of the people's rights, the fundamental law of the land, intended, not for short periods of time, but for all time."

Henry v. State, 39 South. 856, 893, 88 Miss. 843.

"The 'Constitution' is supreme law of state, embodying principles on which government is founded, regulating division of sovereign powers, and directing to what persons each of these powers is to be confided and manner in which it is to be exercised."

Browne v. City of New York, 211 N. Y. S. 306, 311. 213 App. Div. 206.

"A 'Constitution' is in fact a fundamental law or basis of government. It is a rule as contradistinguished from a temporary or sudden order; permanent, uniform, and universal."

Story on the Constitution, Volume No. 1, Section 339;

State v. Roach, 130 S. W. 689 at 694.

"The very term 'Constitution' implies an instrument of a permanent and abiding nature, and the provisions contained therein for its revision

indicate the will of the people that the underlying principles upon which it rests, as well as the substantial entirety of the instrument, shall be of a like permanent and abiding nature."

Livermore v. Waite, 102 Cal. 118, 25 L. R. A. 312 at 316.

"This Constitution shall be the supreme law of the State, and any law inconsistent therewith, shall be void. \* \* \*" Article XII, Section 1, Constitution of Iowa.

In attempting to amend the Constitution we must, therefore, keep in mind these fundamental principles, and any amendment proposed which violates these principles of constitution making will be held invalid by the courts.

The proposed amendment, at its beginning, reads as follows:

"Notwithstanding the provisions of article VII or any other provision of the constitution of Iowa, the state may, by act of the general assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000) \* \* \*".

It will be observed that this language does not repeal any provision of the existing constitution. The proposed amendment, if adopted, would constitute a direct exception to, or suspension of, the provision of Article VII for a particular purpose and it would constitute an inferential exception to, or suspension of, every other provision of the now existing constitution insofar as any provision of the existing constitution might be affected by its operation.

What parts of the constitution other than the provisions of article VII are suspended by the adoption of this proposed amendment must be left to the conjecture of the electorate in passing upon the proposed amendment. If adopted by the people those parts which are inferentially suspended must still be left to the conjecture of the legislative, executive or judicial branches of government, or to the conjecture of any citizen who seeks to function under its provision. Those parts of the constitution which are thus swept aside by this blanket suspension can only be determined, if at all, when a test comes and a legislative, judicial or ministerial attempt is made at interpretation.

It must also be kept in mind in considering this phase of the proposed amendment that it does not seek to displace and suspend only those parts of the constitution that are inconsistent with its substantive purposes but it provides for its operation regardless of the interference of other substantive provisions and regardless of any provisions in procedure that might affect its enforcement. The sweeping aside of every constitutional restriction that might stand in the way of its operation affects even the procedure under which the legislature might seek to carry out the mandate of its provisions, and it leaves to the legislature alone, without the approval of the executive branch of government, the right to perform the purposes of the amendment. It sweeps aside every existing provision of the constitution which might, in any way, be construed by the courts as

interfering with its operation. It is, therefore, rendered incapable of interpretation by the court, thus dispensing for its purposes with the services of the judicial branch of government.

A Republican form of government cannot thus be done away with. The Constitution of the United States guarantees to the people in each state of the Union a Republican form of government.

Constitution of the United States, Article IV, Sec. 4;

Eckerson v. City of Des Moines, 137 Iowa 452, 461;

Cooley on Constitutional Limitations, 628.

Cooley on Constitutional Limitations, *supra*, speaking of this provision of the Federal Constitution, states:

“The purpose of this guaranty was to protect a Union founded upon republican principles against aristocratic and monarchical invasions,’ that is, to prevent the people of a State from abolishing a republican form of government.”

In Eckerson v. City of Des Moines, referred to above, the court, in speaking of the guaranty of the Federal Constitution, said:

“The purpose of the Federal Constitution was to provide a form of government, republican in character, for the States as a united whole. \* \* \* and whatever may be the form of words employed by the lexicographers—and they are more or less varied—to define what is meant by the expression ‘a republican form of government’, it is clear that it was understood by the fathers to mean a government by the people, through representatives appointed by them to the various departments—executive, legislative, and judicial.” \* \* \*

The proposed amendment clearly suspends, not only article VII of the Constitution, but all other articles of the Constitution that in any way impinges upon its precepts and thus suspends the authority of the judicial and executive branches of our government in violation of the guaranty of the Federal Constitution.

Article X of the Constitution, provides the method by which our state Constitution may be amended. Section 2 of that Article provides that:

“If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.”

It is apparent by a casual reading of the proposed amendment that it contains more than one subject and more than one substantive amendment.

*First:* it repeals temporarily the general debt provision of the Constitution;

*Second:* it provides for the contracting of an indebtedness for improving certain highways;

*Third:* it provides for the creation of a state indebtedness to retire the obligations of the several counties of the state that have been incurred for road making purposes;

*Fourth:* it fixes and establishes certain described highways of the state as its primary roads;

*Fifth:* it prescribes the manner in which roads shall be improved;

*Sixth:* it seeks to delegate power to some unnamed authority to determine what roads other than those now constituting the primary road system shall become a part of that system;

*Seventh:* it repeals unnamed provisions of the Constitution affecting the creation of an indebtedness;

*Eighth:* it repeals unnamed provisions of the Constitution affecting the improvements of highways;

*Ninth:* it prohibits the issuance of bonds by the several counties of the state for primary road purposes.

The very terms of the provision itself separates it into different parts and subjects. It provides that:

"After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease."

Upon the happening of this contingency the power to create indebtedness and to enact laws for the creation of an indebtedness terminates but the provision with reference to the expenditure of the funds for the construction and maintenance of the roads designated in the provision remain as a separate and distinct part of the Constitution, and for all time until amended by the people.

The subject of creating an indebtedness is clearly one subject, and the subject of improving particular roads either from funds derived through the indebtedness authorized or from other funds is clearly another subject. This is made plain by the provisions of our existing Constitution. The subject of laying out and improving highways is treated in our Constitution under article III, and all the restrictions on road making are contained therein, while the subject of contracting indebtedness is treated as a separate subject under article VII of the Constitution. If these were considered separate subjects in the making of our original, permanent Constitution can we now say by adopting an amendment throwing these subjects together that they are only one? We do not believe courts will so hold.

It cannot be seriously claimed by anyone that a provision in the Constitution prohibiting the issuance of bonds by a county for a specific purpose is germane to the subject of creating an indebtedness by the state. The one is a restriction upon the powers of a municipality of the

state government; the other is a grant of power from the people to the legislature of the state.

We will not prolong this opinion by pointing out the differences between the different matters which we set out in the nine points enumerated above. We believe that a mere naming of the subjects is sufficient argument that the proposed amendment contains more than one question.

The purpose of the provisions of Section 2 of Article X of the Constitution is tersely stated in the case of *Jones v. McClaghry*, 169 Iowa, at 297, as follows:

*"Its purpose is to exact the submission of each amendment upon its merits alone and thereby secure the free and independent expression of the will of the people thereon. Incongruous matter and that having no connection with the main subject is excluded and the evil of loading a meritorious proposition with another of doubtful propriety obviated. The elector in approving or rejecting cannot be put in a position where he may be compelled, in order to aid in carrying a proposition, to vote also for another which, if separately submitted, he would reject."*

The Supreme Court of Idaho, in considering a similar provision to the Constitution of that state with respect to amendment, says:

*"This provision of the Constitution is a wise one, and is intended to prevent several inconsistent and conflicting propositions from being submitted to the voters in the same amendment, and forcing the voter to approve or reject such amendment as a whole. In other words, it prevents burdening a meritorious proposition with a vicious one, and alike prevents a vicious proposition from having the support of a meritorious one, and gives to the voter the right to have each separate proposition submitted to him in order that he may express his will for or against each separately without being compelled to accept a provision to which he is opposed in order to have adopted a provision which meets his favor."*

Again, the Idaho court in applying the general principles, said:

*"Looking, then, at the amendment submitted and under consideration, we find that the joint resolution proposed that two sections of the Constitution be repealed and that five other sections of the Constitution be amended, and the joint resolution in its terms submitted to the electors, as we read the submission, five different propositions: First, to abolish the probate court and extend the jurisdiction of the district court to all matters of probate; second, to provide for the election and appointment of judges; third, to provide for the salaries of judges; fourth, to provide for the terms of said courts; and, fifth, a system of districts."*

*"It thus appears that the Legislature, in providing for the submission of the proposed changes in the Constitution, recognized and considered that the questions covered thereby involved several distinct and independent propositions, and so stated in the resolution submitting such questions. In this conclusion the Legislature was certainly correct, as*

the particular matter covered by the proposed changes involved distinct and independent propositions; *yet, notwithstanding that fact, the Legislature made no provision and gave the voter no opportunity to vote upon each of these propositions separately. The entire matter was submitted to the electors in a lump, and they were compelled to accept or reject all of the propositions—all of the proposed changes. They had no choice.*"

The subject under discussion by the Idaho court was a provision relating solely to the judicial branch of government, abolishing the probate court, extending the jurisdiction of the district court, providing for the elections of judges, fixing their salaries, and providing for terms of court, and a system of districts. It might be said that they pertained to one subject—the judicial branch of government, but the court held otherwise and held that each was a separate and distinct proposition to be submitted to the voters separately.

In passing upon the proposed constitutional amendment here under consideration the electorate, in voting upon the measure, might desire to vote for the creation of an indebtedness for the purpose of road building without desiring to have it expended upon the particular roads named in the provision, while others of the electorate might desire to vote to create an indebtedness for the purpose of improving the roads designated in the amendment and would be opposed to the expenditure of money from the bond fund upon roads not designated in the amendment, but which by its provisions might be brought in by some unnamed authority to the primary road system.

Part of the electorate might desire to vote an indebtedness upon the state to build highways but they might not want to vote an indebtedness to discharge the obligations of the counties of the state. Part of the electorate again, might desire to vote for any provision in the measure with the exception of that part denying to the counties the right to incur indebtedness for the improving of the primary roads. Some of the electorate might desire to vote an exception to the debt provision of Article VII of the Constitution, yet they might not want to vote for the repeal or suspension of some other section of the constitution unnamed.

Under the proposed amendment they must vote for all these things or vote against them all. They do not have the choice of determining which, if any, of the proposals shall become a part of the Constitution. Or, their desire to create an indebtedness to build roads might induce them to vote for every other provision, whether they believe it should be adopted or not. In other words, it precludes the electorate from expressing their free choice in passing upon the different subjects in the proposed amendment. Because of this duplicity of subjects involved in one proposal the instrument, if adopted, would, in the judgment of this department, be declared void.

After reciting the primary roads that are to be improved under the provisions of this amendment, stating through what cities and towns each road shall pass, the proposed amendment contains the following provision:



"Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein."

While this paragraph would, on its face, indicate that changes of locations might be made in any primary road between cities and towns, yet it is entirely silent, and the entire act is silent, upon the question of what authority has been designated by the provision should it become a part of the constitution to bring about such a change in location. The paragraph does not provide that roads may be changed by act of the legislature, by act of the body having charge of the primary road system of the state, or by any other authority. When a provision of the constitution provides for the performance of a duty it must determine who shall perform that duty. If it does not do so the provision is void because of ambiguity. If there is no power delegated to anyone to change the location of one of the primary roads then the act holds out to the public a void inducement for the purpose of soliciting its approval. When one section of a statute or constitutional amendment is void, and others valid, yet if it appears that the void section is a compensation or inducement for the other provisions and the connection between them is such as to warrant the belief that the valid part would not have been passed alone were it not that it was accompanied by the invalid part, then the whole enactment is void.

State v. Executive Council, 207 Iowa 923, 935.

This clause is, in the opinion of this department, void and inoperative for want of definiteness, because it is not capable of fulfillment and is an inducing clause. Being void it would nullify the act.

We have pointed out matters which we believe are legal impediments to the validity of the proposed amendment. You as Members of the General Assembly are the Judges of both the law and the facts insofar as your deliberations are concerned, and the responsibility of legislation rests alone upon your branch of government.

Respectfully submitted,

JOHN FLETCHER, *Attorney General.*

#### MADE SPECIAL ORDER

Simmer of Wapello asked and obtained unanimous consent to have Senate Joint Resolution No. 1 made a special order for Monday, February 2d, at 10:00 a. m.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Rawlings of Monona, 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 Joint Resolution No. 4.

ED. RAWLINGS,  
*Acting, Chairman House Committee.*

E. R. HICKLIN,  
*Chairman Senate Committee.*

Report adopted.

Short of Woodbury asked and obtained unanimous consent to have read for the information of the House, a statement filed by him relative to the qualifications for a seat in the press gallery.

Short of Woodbury asked unanimous consent to have his statement printed in the Journal.

Objection was made.

Short of Woodbury moved that the statement submitted by him be printed in the Journal.

Allen of Pocahontas moved that action on the motion of the gentleman from Woodbury be deferred for one legislative day.

On the question, "Shall action be deferred?" a roll call was demanded.

The ayes were, 45.

Aiken	Finnern	Johnson of	Rawlings
Allen	Forsling	Marion	Reimers
Beath	Gallagher	Kohler	Shields
Berry	Gilmore	Lamb	Simmer
Bonnstetter	Gissel	Lichty	Strachan
Byers	Hanson of	Long	TePaske
Craven	Winnebago	McCauley	Thompson
Davis	Hollis	Nelson of Story	Torgeson
Dayton	Hopkins	O'Donnell	Van Wert
Donlon	Hush	Osborn	Wamstad
Durant	Husted	Pattison	Wearin
Figgins		Randolph	Mr. Speaker

The nays were, 58.

Augustine	Muscatine	Helgason	Laughlin
Avery	Elliott	Hesse	Lepley
Babcock	Ellsworth	Hollingsworth	McCreery
Bair	Fabritz	Hook	McLain
Ballew	Felter	Hunt	Malone
Brown	Garrett	Hutcheon	Mathews
Ditto	Greaser	Kern	Mayne
Drake of Keokuk	Greene	Koch	Mead
Drake of	Hansen of Scott	Langland	Millhone

Miller	Peaco	Ryder	Tamisiea
Morton	Pendray	Rylander	Thiessen
Nelson of	Ratliff	Snyder	Van Buren
Cherokee	Reed	Sours	Watts
Orr	Roe	Stanzel	Whiting
Paisley	Rutledge	Stiger	Witt

Absent or not voting, 5.

Hansen of	Hayes	Randall	Short
Audubon	McDermott		

Motion to defer action lost.

Hutcheon of Greene moved the previous question.

Motion prevailed.

On the question, "Shall the statement be printed in the Journal?" a roll call was demanded.

The ayes were, 27.

Aiken	Gissel	McCaulley	Simmer
Augustine	Hanson of	Miller	Snyder
Berry	Winnebago	Peaco	Stanzel
Bonnstetter	Helgason	Pendray	Thompson
Donlon	Hook	Reimers	Torgeson
Figgins	Kohler	Roe	Wamstad
Forsling	Lepley	Short	Watts

The nays were, 71.

Avery	Greaser	Langland	Randolph
Babcock	Greene	Laughlin	Ratliff
Bair	Hansen of	Lichty	Reed
Ballew	Audubon	Long	Rutledge
Beath	Hansen of Scott	McCreery	Ryder
Brown	Hayes	McDermott	Rylander
Byers	Hesse	McLain	Shields
Craven	Hollingsworth	Malone	Sours
Dayton	Hollis	Mathews	Stiger
Ditto	Hopkins	Mayne	Strachan
Drake of Keokuk	Hunt	Mead	Tamisiea
Drake of	Hush	Millhone	Thiessen
Muscatine	Husted	Nelson of	Van Buren
Durant	Hutcheon	Cherokee	Van Wert
Elliott	Johnson of	Nelson of Story	Wearin
Ellsworth	Marion	Orr	Whiting
Fabritz	Kern	Osborn	Witt
Gallagher	Koch	Paisley	Mr. Speaker
Garrett	Lamb	Pattison	

Absent or not voting, 10.

Allen	Finnern	O'Donnell	Rawlings
Davis	Gilmore	Randall	TePaske
Felter	Morton		

Motion lost.

## 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 Joint Resolution No. 4.

On motion of Roe of Allamakee 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 29, 1931.

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

Prayer was offered by the Rev. L. A. Stangle, pastor of the United Brethren Church, Chariton, Iowa.

Journal of January 28th corrected and approved.

## PETITIONS AND MEMORIALS

McCreery of Linn presented a petition from taxpayers of Linn county, relating to salaries of public officers, both county and state.

Referred to committee on reduction of public expenditures.

McCreery of Linn presented a petition from taxpayers in Marion county, relating to mileage of public officers.

Referred to committee on reduction of public expenditures.

Whiting of Johnson presented a resolution from the town council of Lone Tree, favoring a diversion of the primary road fund.

Referred to committee on roads and highways.

Ryder of Dubuque presented a resolution from the town council of Cascade, favoring a diversion of the primary road fund.

Referred to committee on roads and highways.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hayes of Dubuque for balance of week, on request of Ditto of Osceola; Orr of Clayton for the day, on request of McCaulley of Calhoun.

Allen of Pocahontas, chairman of the committee on state educational institutions, called up House Concurrent Resolution No. 8, found in the Journal of January 27th, and moved its adoption.

Byers of Linn, a member of the committee on state educational institutions, offered the following amendment to House Concurrent Resolution No. 8 and moved its adoption:

Amend the concurrent resolution offered by the committee on State Educational Institutions, which is found on pages 203, 204, 205, 206, 207, 208, and 209 of the Journal of January 27, 1931, as follows:

1. Amend Section 1 as it appears on page 208 of the House Journal, by striking all of said section and inserting in lieu thereof, the following:

"Section 1. That a joint committee of the members of the House of Representatives and Senate of the Forty-fourth General Assembly, consisting of six (6) members, one (1) of whom shall be the chairman of the committee on Educational Institutions of the Senate and two (2) of whom shall be appointed from the membership of said Senate committee by its chairman, also, one (1) of whom shall be the chairman of the committee on State Educational Institutions of the House and two (2) of whom shall be appointed from the membership of said House committee by its chairman. One of the latter shall be a member of the minority party. It shall be the duty of said joint committee to investigate charges hereinbefore set forth and also other matters in connection therewith as they may arise and in connection with the administration of the State Board of Education and the institutions under its control and make written report of its findings and a recommendation to the Governor and the General Assembly of the State of Iowa."

2. Strike out all of Section six (6) as found on page 208 of the House Journal and renumber the remaining sections of the resolution.

3. Amend Section seven (7), as found on page 209 of the House Journal, by striking the comma following the word "matters" inserting in lieu thereof a period. Also, amend by striking the remainder of section five (5).

Amendment adopted.

On the question, "Shall the Concurrent Resolution be adopted?" a roll call was demanded.

The ayes were, 99.

Aiken	Beath	Davis	Drake of
Allen	Berry	Dayton	Muscatine
Augustine	Bonnstetter	Ditto	Durant
Avery	Brown	Donlon	Ellsworth
Babcock	Byers	Drake of Keokuk	Fabritz
Ballew	Craven		Felter

Figgins	Husted	Mead	Shields
Finnern	Hutcheon	Millhone	Short
Forsling	Johnson of	Miller	Simmer
Gallagher	Marion	Morton	Snyder
Garrett	Kern	Nelson of	Sours
Gilmore	Koch	Cherokee	Stiger
Gissel	Kohler	Nelson of Story	Strachan
Greaser	Lamb	O'Donnell	Tamisiea
Hansen of	Langland	Osborn	TePaske
Audubon	Laughlin	Pattison	Thiessen
Hansen of Scott	Lepley	Peaco	Thompson
Hansen of	Lichty	Pendray	Torgeson
Winnebago	Long	Randolph	Van Buren
Helgason	McCaulley	Ratliff	Van Wert
Hesse	McCreery	Rawlings	Wamstad
Hollingsworth	McDermott	Reed	Watts
Hollis	McLain	Reimers	Wearin
Hook	Malone	Rutledge	Whiting
Hopkins	Mathews	Ryder	Witt
Hunt	Mayne	Rylander	Mr. Speaker
Hush			

The nays were, none.

Absent or not voting, 9.

Bair	Hayes	Paisley	Roe
Elliott	Orr	Randall	Stanzel
Greene			

Motion prevailed and House Concurrent Resolution No. 8 was adopted.

### INTRODUCTION OF BILLS

House File No. 121, by Hunt of Louisa, a bill for an act to provide legal help in court actions to which the state highway commission is a party, to authorize payment from the primary road fund of attorneys' compensation and court costs in connection with legal work of the state highway commission, and to relieve the general revenue of the state therefrom.

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

House File No. 122, by Rutledge of Webster, a bill for an act to require the school boards of school districts in which there are schoolhouses of non-fireproof construction in certain cities and towns, to install in said schoolhouses sprinkler systems and fire alarms.

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

House File No. 123, by Van Buren of Jones, a bill for an act to amend section ninety-two hundred fifty-eight-b one (9258-b1), code of 1927, relating to branch banking, and to provide for the receipts of deposits and paying of checks at a place other than the principal place of business of the bank.

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

House File No. 124, by committee on fish and game, a bill for an act relating to Fish, Game, Fur-Bearing Animals and protected birds; Creating a Fish and Game Commission, prescribing its powers and duties, and transferring funds for the use of such Commission.

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

House File No. 125, by Orr of Clayton, a bill for an act to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the Primary Roads.

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

House File No. 126, by Gallagher of Iowa, a bill for an act to amend section five thousand one hundred and five-a forty-one (5105-a41), code of 1927, relating to taxation of motor vehicle carriers.

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

House File No. 127, by Forsling of Woodbury, a bill for an act to amend the law as it appears in section sixty-five hundred fifty-six (6556) of the code, 1927, so as to permit a referendum to the voters in cities under the commission form of government of ordinances fixing the compensation of city employees.

Read first and second times and referred to committee on cities and towns.

House File No. 128, by Kern and Brown of Polk, a bill for an act to provide for liens in favor of hospitals furnishing care, treatment and maintenance for persons injured in accidents, and in



favor of physicians and nurses attending upon, treating or caring for such injured persons, said liens to be against any claims, demand, verdict or order, in favor of the injured person or in case of death, his estate, heirs or legal representatives, against other persons, or corporations for damages on account of negligence causing the injuries or death, and upon the proceeds of the settlements of any such claims or demands, verdicts or orders.

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

House File No. 129, by Long of Cerro Gordo, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305) and twenty-three hundred six (2306) of the code, 1927; to repeal sections twenty-two hundred eighty-one (2281) and twenty-two hundred eighty-eight (2288) of the code, 1927, and to enact substitutes therefor, relative to venereal diseases, and the duties of the state and local boards of health, and physicians pertaining to the same.

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

House File No. 130, by Wamstad of Mitchell, a bill for an act to amend the law as it appears in chapter two hundred fifty-one-A one (251-A1) and section forty-seven hundred fifty-five-b thirty-eight (4755-b38) of the code, 1927, by changing the word "gasoline", wherever it appears, to "motor vehicle fuel", and to provide and adopt standard sets of specifications for use in the state of Iowa by all distributors of motor vehicle fuel, and requiring that no motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regulating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act.

Read first and second times and referred to committee on commerce and trade.

House File No. 131, by Long of Cerro Gordo, a bill for an act to repeal section twenty-two hundred thirty-six (2236) of the code, 1927, and to enact a substitute therefor, relating to the general duties of health officers of the local board of health.

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

House File No. 132, by Rutledge of Webster, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29) of the code, 1927, relating to the maintenance of extensions of primary roads through cities and towns and the payment of the cost thereof.

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

House File No. 133, by Forsling of Woodbury, a bill for an act to amend section fifty-eight hundred twenty-nine-a twelve (5829-a12) of the code, 1927, relating to the approval of plats so as to require the recommendation of the city plan commission with reference to proposals to vacate any street, alley or public ground.

Read first and second times and referred to committee on cities and towns.

House File No. 134, by Forsling of Woodbury, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-four (5694) of the code, 1927, placing police matrons under civil service in certain cities.

Read first and second times and referred to committee on cities and towns.

House File No. 135, by Kern of Polk and Forsling of Woodbury, a bill for an act providing for a method of execution of stock certificates, and regulating the use of facsimile signatures thereon.

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

House File No. 136, by Hopkins of Guthrie, a bill for an act to amend section forty-two hundred fifty-two (4252) of the code, 1927, relating to courses of study in common schools.

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

House File No. 137, by Wearin of Mills, a bill for an act to amend section two (2), chapter fifty-eight (58), acts of the forty-

third general assembly, relating to the open season in zones for the killing, trapping, or ensnaring of certain fur-bearing animals; to fix the limits of the open season.

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

House File No. 138, by Rutledge of Webster, a bill for an act to amend section nine (9) of chapter thirty-seven (37) of the acts of the regular session of the forty-third (43rd) General Assembly, relating to permanent registrations of voters and the preparing of registration cards therefor.

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

House File No. 139, by Ballew of Appanoose, a bill for an act to amend the law as it appears in section eleven hundred seventy-one-b1 (1171-b1) of the code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b3 (1171-b3) of the code, 1927, and to further provide for the giving of preference to domestic products and to Iowa labor in all public works or improvements and in the purchase of all materials for use in connection with public institutions.

Read first and second times and referred to committee on commerce and trade.

#### 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:

Senate Concurrent Resolution No. 5, relative to a joint meeting with the Pioneer Lawmakers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 22, a bill for an act legalizing the Pleasant Hill Telephone Company, Mason City, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 28, a bill for an act relating to the State Apiarist.

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 making appropriation to defray the expense of the inaugural ceremonies.

#### SENATE CONCURRENT RESOLUTION NO. 5

*Whereas*, The Senate is advised of a meeting of the Pioneer Lawmakers Association of Iowa to be held in the Historical Building, Des Moines, on February 18, 1931, and of their custom of calling formally on the General Assembly, therefore:

*Be It Resolved by the Senate, the House concurring*, That the General Assembly meet in joint session in the House Chamber on Wednesday, February 18, 1931, at 2 p. m. and that the Pioneer Lawmakers be invited to present a formal address at that time.

Forsling of Woodbury asked and obtained unanimous consent for the immediate consideration of Senate Concurrent Resolution No. 5 and moved its adoption.

Motion prevailed, and Senate Concurrent Resolution No. 5 was adopted.

#### SENATE MESSAGES CONSIDERED

Senate File No. 22, a bill for an act to legalize the corporate acts and proceedings of the Pleasant Hill Telephone Company of Mason City, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Pleasant Hill Telephone Company.

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

Senate File No. 28, a bill for an act to amend Section Forty Hundred Thirty-six (4036) of the Code, 1927, relating to the State Apiarist.

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

Senate File No. 53, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

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

### EXPLANATION OF VOTE

Short of Woodbury filed the following explanation of vote:

MR. SPEAKER AND MEMBERS OF THE HOUSE: I voted yesterday to print a statement in the Journal of the House for the following reason:

During the last four to six years the people of Iowa have suffered irreparable injury from mis-statements, half-truths, gross misrepresentation and flagrant falsehoods that have been dealt out to them by certain interests that profit by the expenditure of public funds, and have been utterly confused as to the facts about state business. Yesterday I voted that a statement of one of these falsifications be printed in the Journal of the House. I voted as I did because this matter is of basic and fundamental concern to the welfare of the people of the State of Iowa.

The substance of my statement was as follows:

That on January 21, 1931, an individual who has been assigned a seat in the Press Gallery as a representative of the "Iowa Press Association", sent out into the state the following:

"A test vote on the \$100,000,000.00 constitutional amendment bill is expected soon—may have been taken before this reaches our readers. The necessary joint resolution has been introduced in both House and Senate. Rumor has it that an attempt would be made to kill it off by having the attorney general issue an adverse opinion declaring it unconstitutional. This would be interesting in view of that official's refusal three years ago to give an opinion on the \$100,000,000.00 bill until it had been voted by the people and a test case brought. This refusal cost Iowa \$100,000.00."

The facts may be found in the Journal of the House, of March 8, 1928, pages 41, 42 and 43, which record the resolution presented by Reimers of Lyon County, Forsling of Woodbury County and Lovrien of Humboldt County, requesting an opinion from the attorney general as to the constitutionality of the \$100,000,000.00 road bond act, which was then before the House, and which was passed by the House and later declared unconstitutional by the Iowa Supreme Court. The Iowa House of Representatives, on March 8, 1928, voted down that Resolution by a vote of 59 to 44, and refused to request the opinion of the Attorney General. It was therefore the members of the House who composed at that time the majority, who refused to request the opinion of the Attorney General, and whose "refusal cost Iowa \$100,000.00."

I have been told that the representative of the Iowa Press Association, who sent out the paragraph quoted above, claims that the Attorney General did refuse a request of the Governor of the State for such an opinion.

I wish to call attention to the fact there is no record of any such request, nor of any such refusal; and that in fact there was no such request nor any such refusal with relation to the \$100,000,000.00 road bond act, which was in the early part of 1929, declared unconstitutional by the Supreme Court of the State of Iowa.

I now request that the above protest and explanation be printed in the Journal of the House, in virtue of my right as a member of the Iowa General Assembly, as given in section ten (10) of Article three (3) of the Constitution of the State of Iowa.

WALLACE M. SHORT.

### AMENDMENTS FILED

Wamstad of Mitchell filed the following amendment to House File No. 6:

Amend House File No. 6 as follows:

By inserting after the word "by" in line two (2) of Section 2, the following: "striking from line three (3) sub-section thirteen (13) the following words: 'within one year previous to the listing' and by striking from line four (4) the words: 'within such time' and by".

Also amend Section 3 by inserting after the word "by" in line two (2) the following: "striking the word six in sub-section three (3) and substituting in lieu thereof the word 'nine' and by".

Also amend Section 6 by striking lines one (1) and two (2) and inserting in lieu thereof the following: "Sec. 6. That section seven thousand three (7003) of the Code, 1927, as amended by section twenty-three (23) Chapter thirty (30) Acts of the Forty-third G. A. be amended by striking all following the word 'stock' in line two (2) and all of lines three (3) to seven (7), inclusive, and by striking".

Kern of Polk filed the following amendment to House File No. 2:

Amend House File No. 2 as follows:

Amend by inserting after the word "act" in line three (3) of section twelve (12) the following:

"any direct property tax paid by the taxpayer during the year upon real property situated and contained within the state of Iowa, and".

On motion of Hook of Taylor 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 30, 1931.

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

Prayer was offered by the Rev. Harry Secor, pastor of the Baptist Church, Chariton, Iowa.

Journal of January 29th corrected and approved.

## PETITIONS AND MEMORIALS

Rawlings of Monona presented a petition from funeral directors of Monona county, supporting proposed amendments to Chapter 69, Acts 43d General Assembly.

Referred to committee on public health.

McLain of Poweshiek presented a petition from the town council of Deep River, favoring a division of gasoline tax apportioning a part to cities and towns.

Referred to committee on roads and highways.

Thompson of Fayette presented a petition from the city council of Oelwein, Iowa, favoring a division of gasoline tax apportioning a part to cities and towns.

Referred to committee on roads and highways.

Aiken of Ida presented a petition from Ida County Association of American Legion Posts, opposing elimination of compulsory military training at state educational institutions.

Referred to committee on state educational institutions.

Bair of Buena Vista presented a petition from a citizen of Albert City, requesting an investigation into the affairs of the defunct Marathon Savings Bank.

Referred to committee on banks and banking.

Watts of Van Buren presented a petition from the board of supervisors of Van Buren county, opposing any diversion of the primary road fund.

Referred to committee on roads and highways.

### LEAVE OF ABSENCE

Leave of absence was granted as follows: Miller of Shelby for today and tomorrow, on request of Ballew of Appanoose.

### COMMITTEES UNDER HOUSE CONCURRENT RESOLUTION NO. 6

In pursuance of House Concurrent Resolution No. 6 the following committees were appointed:

Board of Control Institutions: Lichty, Hansen of Scott, McCreery.

Board of Education Institutions: Ellsworth, Berry, Helgason.

### REPORTS OF COMMITTEES

Rylander of Marshall, 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. 16, a bill for an act relating to the powers of the state board of education and the board of control of state institutions to make contracts with municipal corporations for fire protection, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. F. RYLANDER, *Chairman.*

Report adopted.

Mathews of Des Moines, from the committee on the suppression of intemperance, submitted the following report:

MR. SPEAKER: Your committee on the suppression of intemperance, to whom was referred House File No. 60, a bill for an act to repeal the law as it appears in chapters ninety-four (94), ninety-five (95), ninety-six (96), ninety-seven (97), and ninety-eight (98) of title VI of the code of 1927, and any other provisions of law, and any other reference in the law



referring to said provisions of law relating to intoxicating liquors, it being the purpose of this act to repeal what is known as the state prohibitory laws, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

HOWARD A. MATHEWS, *Chairman.*

Passed on file.

Greene of Pottawattamie, from the committee on military, submitted the following report:

MR. SPEAKER: Your committee on military, to whom was referred House File No. 99, a bill for an act to amend section fifty-three hundred eighty-five (5385), of the code 1927, making it optional for boards of supervisors to levy a tax of not exceeding one mill, instead of one-half mill as now authorized, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

HARRY M. GREENE, *Chairman.*

Report adopted.

## RESOLUTION

Finnern of Crawford offered the following resolution:

*Whereas*, The Honorable W. A. Davie, a former member of the House of Representatives from Crawford county during the Twentieth, Twenty-first, Thirtieth and Thirty-first General Assemblies, died in Dunlap, April 17, 1929; therefore

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this state and nation.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Finnern of Crawford, Tamisiea of Harrison and Miller of Shelby.

## INTRODUCTION OF BILLS

House File No. 140, by Wearin of Mills, a bill for an act to provide for the temporary registration of barbers licensed under the laws of states other than Iowa, and to authorize them to prac-

tice temporarily until the next regular examination held by the barber examining board.

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

House File No. 141, by Felter of Warren, a bill for an act to repeal Chapter two (2), Acts of the Forty-third (43rd) General Assembly, relative to salaries of state officials.

Read first and second times and referred to committee on compensation of public officers.

House File No. 142, by Johnson of Marion, a bill for an act to amend section forty-seven hundred fifty-five-b thirty-six (4755-b36) of the Code of 1927, relating to the transfer of powers and duties of the board of supervisors with respect to primary roads, to the state highway commission.

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

House File No. 143, by Koch of Bremer, a bill for an act to amend section fifty-seven hundred forty-three (5743) of the code, 1927, relating to the powers of cities and towns to regulate and license certain businesses.

Read first and second times and referred to committee on cities and towns.

House File No. 144, by Felter of Warren, a bill for an act to repeal Chapter two hundred fifty-two (252), Acts of the Forty-third (43rd) General Assembly, relative to the salaries of district judges.

Read first and second times and referred to committee on compensation of public officers.

House File No. 145, by Tamisiea of Harrison, a bill for an act to legalize the proceedings relating to an election held in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, and declaring said bonds enforceable obligations of said city.

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

House File No. 146, by Hesse of O'Brien, a bill for an act to provide for the making of delinquent water meter rentals and charges due cities and towns owning and operating their own water plants a lien against the real estate where said meters were located or water furnished, and to provide for the collection of said rentals and charges in the same manner as other taxes.

Read first and second times and referred to committee on cities and towns.

House File No. 147, by Long of Cerro Gordo, a bill for an act to amend section twenty-two hundred forty-seven (2247) and to repeal twenty-two hundred sixty-six (2266) of the code, 1927, and to enact a substitute therefor, relating to isolation of persons having communicable diseases and determination of such isolation of quarantine; and to repeal section twenty-two hundred sixty-seven (2267) of the code, 1927, relating to the report of termination of quarantine, and to amend sections twenty-two hundred sixty-eight (2268), twenty-two hundred seventy-four (2274) and twenty-two hundred seventy-five (2275) of the code, 1927, relating to fumigation.

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

House File No. 148, by Husted of Madison, a bill for an act to abolish the office of county recorder, and to transfer the duties of that office to the office of the county auditor on and after January 1, 1933.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 149, by committee on pharmacy, a bill for an act to amend section twenty-four hundred forty-four (2444), code of 1927, relating to the display of licenses by practitioners of certain professions.

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

House File No. 150, by committee on pharmacy, a bill for an act

to amend section thirty-one hundred seventy-four (3174) code of 1927, relating to the sale of certain poisons.

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

House File No. 151, by Simmer of Wapello, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the Code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof.

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

House File No. 152, by Bonstetter of Kossuth, a bill for an act to amend section one thousand one hundred sixty-six (1166) of the code, 1927, relating to the employment by public officers of persons related by consanguinity or affinity.

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

House File No. 153, by Van Buren of Jones, a bill for an act relating to the relocation of rural school houses not situated upon public highways, or the condemnation of public highways to said school houses, and providing funds therefor.

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

House File No. 154, by Stiger of Tama, Mayne of Pottawattamie and Brown of Polk, a bill for an act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment.

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

House File No. 155, by McCaulley of Calhoun and Johnson of Marion, a bill for an act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions.

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

## PROOFS OF PUBLICATION

The official proof of publication of House File No. 145, a bill for an act to legalize the proceedings relating to an election held in the City of Missouri Valley, Iowa, on the proposition of constructing a City Hall and Fire Station and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said City, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

The official proof of publication of House File No. 63, a bill for an act legalizing the sale of real estate by the Consolidated Independent School District of Lloyd Township, Dickinson County, Iowa, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

The official proof of publication of House File No. 71, a bill for an act to legalize the act of the board of supervisors of Decatur County, on January 23, 1931, in making a permanent transfer of nine thousand dollars (\$9,000.00) from the court expense fund to the paupers' fund of said county, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

## AMENDMENTS FILED

Rutledge of Webster and McCreery of Linn filed the following amendment to House File No. 89:

Amend House File No. 89 by adding thereto as section three (3) the following:

Sec. 3. No piece of property shall have its assessable valuation reduced under this act to exceed twenty-five per cent (25%).

Torgeson of Worth filed the following amendment to House File No. 39:

Amend House File No. 39 by striking from said bill the entire title and inserting in lieu thereof the following: "An act to provide and designate the twelfth day of October of each year as Columbus Day and to provide for memorials in the public schools of the state."

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

"Section 1. The twelfth day of October is hereby designated as Columbus Day and when it does not fall upon a school day, the school day nearest such date is designated as Columbus Day. On such day one-half hour may be devoted in the schools to instruction and appropriate exercises relative to and in commemoration of the life and history of Christopher Columbus and the principles and ideals he fostered."

On motion of Greaser of Benton 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 31, 1931.

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

Prayer was offered by the Rev. E. W. Curtis, pastor of the United Brethren Church, Des Moines.

Journal of January 30th corrected and approved.

## PETITIONS AND MEMORIALS

Ryder of Dubuque presented a petition from the city council of Dubuque, favoring a diversion of the primary road fund.

Referred to committee on roads and highways.

Pendray of Jackson presented a petition from the Isaac Walton League of Jackson county, regarding the trapping season.

Referred to committee on fish and game.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Byers of Linn for the day, on request of McCreery of Linn; Koch of Bremer for the day, on request of Witt of Butler; Van Buren of Jones for the day, on request of Langland of Winneshiek; Figgins of Union for the day, on request of Millhone of Page; Rutledge of Webster for the day, on request of Ditto of Osceola; Berry of Monroe for the day, on request of Wamstad of Mitchell; Strachan of Humboldt for the day, on request of Stanzel of Sac; Nelson of Story for the day, on request of Kern of Polk; Brown of Polk for the day, on request of Kern of Polk; Randolph of Davis for the day, on request of Morton of Wright; Mayne of Pottawattamie for the day, on request of Greene of Pottawattamie; Bonnstetter of Kossuth for the day, on request of Donlon of Palo Alto; Craven of Jasper for the day, on request of Reimers of Lyon; Ballew of Appanoose for the day, on request of Wearin of Mills; Stiger of Tama for the day, on request of Wearin of Mills.

## HOUSE FILE WITHDRAWN

Kern of Polk asked and obtained unanimous consent to have House File No. 13 withdrawn from the committee on judiciary and from further consideration of the House.

## REPORTS OF COMMITTEES

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 120, a bill for an act to provide for the paving of connections from the business district of cities and towns to paved primary roads or extensions of such primary roads within 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 indefinitely postponed.

ED. R. BROWN, *Chairman.*

Passed on file.

Helgason of Emmet, 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. 14, a bill for an act to authorize the issuance and sale of county road bonds voted under the provisions of chapter two hundred forty-two (242) of the code, 1927, and to provide for the payment of the principal and interest thereon, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman.*

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 23, a bill for an act to amend the law as it appears in section ten thousand seven hundred sixty-eight (10768) of the code, 1927, relating to the number of Judges, in and for the 21st Judicial District 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.

L. B. FORSLING, *Chairman.*



Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 71, a bill for an act to legalize the act of the board of supervisors of Decatur County on January 23, 1931, in making a permanent transfer of nine thousand dollars (\$9,000.00) from the court expense fund to the paupers' fund of said county, beg leave to report they have had 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 judiciary, to whom was referred House File No. 117, a bill for an act to amend section eleven (11), chapter two hundred fourteen (214), acts of the Forty-third (43rd) General Assembly, relating to guardianship of veterans, beg leave to report they have had 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 judiciary, to whom was referred House File No. 63, a bill for an act to legalize the sale of real estate by the Consolidated Independent School District of Lloyd Township, Dickinson 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 157, a bill to repeal sections eleven thousand and thirty-one (11031) to eleven thousand and thirty-three (11033), inclusive, code, 1927, relating to actions against persons in the military or naval service of the government of the United States.

The judiciary committee recommends to the House that said bill do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 160, a bill to repeal section five thousand five hundred fifty-seven (5557), code, 1927, relating to the refusal of a township officer to qualify.

The judiciary committee recommends to the House that said bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 164, a bill to amend section one hundred and sixty-two (162) of the code, 1927, relative to publication of the Acts of the General Assembly.

The judiciary committee recommends to the House that said bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns submit herewith Committee Bill, House File No. 163, a bill for an act to repeal section fifty-nine hundred fifty (5950) of the code, 1927, relating to the removal of snow and ice from sidewalks, and to enact a substitute therefor, to provide for the removal of snow, ice, dirt, rubbish, and accumulations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Wearin of Mills, 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. 57, a bill for an act to provide for the levy and assessment of dues by the governing boards of cemeteries against all unused lots or parts of lots to be used for the perpetual care and upkeep of all lots or parts of lots located within a cemetery; to provide for the forfeiture of title to any unused lot or unused portion of a lot in the

event of failure to pay the said assessment; to provide for the sale of all forfeited lots or portions of lots and for the use of the receipts from the sale of the same and for the redemption of said lots by the owner, heir or legal representative, and to provide for a lien on the lots or portions of lots for any unpaid assessment, beg leave to report they have had the same 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 line five (5) after the word "cemetery", the following: "considered adequate to provide proper care but".

Amend section six (6) by striking from lines eleven (11) and twelve (12), the following: "the satisfaction of".

OTHA D. WEARIN, *Chairman*.

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 156, by Berry of Monroe, a bill for an act to amend chapter one hundred seventy-six (176), acts of the forty-third (43rd) general assembly, and sections fifty-nine hundred seventy-eight (5978), sixty hundred two (6002), sixty hundred three (6003), sixty hundred twenty-four (6024), sixty hundred twenty-six (6026) and sixty hundred thirty-two (6032), code of 1927, relating to the authorization of cities and towns to improve streets by the use of shale.

Read first and second times and referred to committee on cities and towns.

House File No. 157, by committee on judiciary, a bill for an act to repeal sections eleven thousand thirty-one (11031) to eleven thousand thirty-three (11033), inclusive, Code, 1927, relating to actions against persons in the military or naval service of the government of the United States.

Read first and second times and passed on file.

House File No. 158, by Torgeson of Worth, a bill for an act to provide and designate the ninth day of October of each year as Leif Erikson Day, and to provide for memorials in the public schools of the State.

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

House File No. 159, by committee on pharmacy, a bill for an act to amend sections twenty-five hundred seventy-eight (2578) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof.

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

House File No. 160, by committee on judiciary, a bill for an act to repeal section fifty-five hundred fifty-seven (5557), Code, 1927, relating to the refusal of a township officer to qualify.

Read first and second times and passed on file.

House File No. 161, by Malone of Cass, a bill for an act to amend section fifty hundred sixty-seven (5067) of the code, 1927, relating to the width and maximum load of motor vehicles; to provide for the maximum length of trucks and trailers.

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

House File No. 162, by committee on motor vehicles and transportation, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand and sixty-five (5065) of the code, 1927, relating to the total maximum weight of motor vehicles and loads thereon.

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

House File No. 163, by committee on cities and towns, a bill for an act to repeal section fifty-nine hundred fifty (5950) of

the Code, 1927, relating to the removal of snow and ice from sidewalks, and to enact a substitute therefor, to provide for the removal of snow, ice, dirt, rubbish, and accumulations.

Read first and second times and passed on file.

House File No. 164, by committee on judiciary, a bill for an act to amend section one hundred sixty-two (162), Code, 1927, relative to the publication of the acts of the general assembly.

Read first and second times and passed on file.

House File No. 165, by Kohler of Plymouth, a bill for an act to amend section fifty-two hundred fifty-three (5253) of the code of Iowa, 1927, relating to the examination, audit and report of all county officers required under the law to report fees collected by him to the board of supervisors; to provide for the annual audit by the board of supervisors of books, records, and accounts of all county officers.

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

House File No. 166, by Hansen of Audubon, a bill for an act to amend section ten thousand four hundred fifty-one (10451), Code, 1927, relating to conveyances by commissioners on behalf of insane spouses, and providing for the filing of certified copies of decrees in certain instances.

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

House File No. 167, by Ryder of Dubuque, a bill for an act to amend section fifty-six hundred ninety-four (5694) of the Code, 1927, relating to the chiefs of police and fire department in cities under the manager plan.

Read first and second times and referred to committee on cities and towns.

House File No. 168, by Babcock of Chickasaw and Wearin of Mills, a bill for an act to relieve the county general fund from the payment of certain expenses, and to this end to authorize bills by members of the board of supervisors for certain committee work to be paid from the secondary road funds; also to authorize the expense of the office of the county superintendent of schools to

be paid from school levy required by section forty-three hundred ninety-five (4395), Code, 1927; also to authorize the expense attending the making of the annual assessment of property and the preparation of the tax list to be ratably apportioned among and charged to the various funds as shown by the tax list

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

House File No. 169, by Snyder of Hamilton, a bill for an act requiring all horse drawn vehicles and all other vehicles not now required to have lights, when on the highways of this state, to provide a light on said vehicles which can be seen for a radius of two hundred (200) feet.

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

House File No. 170, by Greaser of Benton, a bill for an act to amend section thirty-one hundred fourteen (3114), code, 1927; to provide for the classifying and labeling of poultry shells, and to amend chapter eighty-four (84), acts Forty-third (43rd) General Assembly, relating to the labeling of commercial feeds and stock tonics.

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

House File No. 171, by Nelson of Story, a bill for an act to apportion the state into senatorial districts, to provide the time when state senators shall be elected, and to repeal chapter thirty-five-A two (35-A2) of the Code, 1927.

Read first and second times and referred to committee on judicial and political districts.

#### HOUSE CONCURRENT RESOLUTION NO. 9

Van Wert of Franklin offered the following concurrent resolution:

Memorializing congress to enact that certain bill now pending known as H. R. 15934, relating to the manufacture and sale of oleomargarine and restricting the use of palm oil in the manufacture thereof.

*"Whereas, There is now pending before the Congress of the United*

States a certain bill known as H. R. 15934, the purpose and intent of which is to prohibit the use of palm oil in the manufacture of oleomargarine and its products; and whereas the enactment of such bill by Congress will be of great benefit to the dairying interests of the state of Iowa.

*"Now, Therefore, Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring herein, That we do hereby respectfully petition and urge Congress to pass and enact said H. R. 15934.*

*"And Be It Further Resolved, That the chief clerk be instructed to forward a copy hereof to each of the Senators and Representatives of the state of Iowa in said Congress of the United States."*

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

Motion prevailed and House Concurrent Resolution No. 9 was adopted.

#### CONSIDERATION OF BILL

Unanimous consent having been granted, House File No. 63, a bill for an act to legalize the sale of real estate by the consolidated independent school district of Lloyd township, Dickinson county, Iowa, with report of committee recommending passage was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 78.

Aiken	Forsling	Husted	Nelson of
Augustine	Garrett	Hutcheon	Cherokee
Avery	Gilmore	Kern	Osborn
Babcock	Gissel	Kohler	Paisley
Bair	Greaser	Langland	Pattison
Beath	Greene	Laughlin	Peaco
Davis	Hansen of	Lepley	Pendray
Dayton	Audubon	Lichty	Randolph
Ditto	Hansen of Scott	Long	Ratliff
Donlon	Hanson of	McCaulley	Reed
Drake of	Winnebago	McCreery	Reimers
Muscatine	Helgason	McDermott	
Durant	Hesse	McLain	Roe
Elliott	Hollis	Malone	Ryder
Ellsworth	Hook	Mathews	Shields
Felter	Hopkins	Millhone	Short
Finnern	Hush	Morton	Simmer

Snyder	TePaske	Van Wert	Whiting
Sours	Thiessen	Wamstad	Witt
Stanzel	Thompson	Watts	Mr. Speaker
Tamisiea	Torgeson	Wearin	

The nays were, none.

Absent or not voting, 30.

Allen	Fabritz	Koch	Randall
Ballew	Figgins	Lamb	Rawlings
Berry	Gallagher	Mayne	Rutledge
Bonnstetter	Hayes	Mead	Rylander
Brown	Hollingsworth	Miller	Stiger
Byers	Hunt	Nelson of Story	Strachan
Craven	Johnson of	O'Donnell	Van Buren
Drake of Keokuk	Marion	Orr	

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

Hollis of Black Hawk asked and obtained unanimous consent to have printed in the Journal the report of the Legislative Investigating Committee of the proposed Spirit Lake State Park.

#### REPORT OF THE LEGISLATIVE INVESTIGATING COMMITTEE OF THE PROPOSED SPIRIT LAKE STATE PARK

*To the Forty-fourth General Assembly of the State of Iowa:*

The Legislative Investigating Committee of the Proposed Spirit Lake State Park, appointed under the Provision of Senate Joint Resolution No. 9 (Chap. 402, Acts 43rd G. A.), herewith submit their report as required by the terms of said Joint Resolution.

Signed,

CHAS. L. RIGBY, *Chairman*,  
B. M. STODDARD,  
C. G. COLE,  
C. A. HOLLIS,  
O. J. REIMERS,  
W. H. BURTON.

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#### SENATE JOINT RESOLUTION NO. 9, CHAP. 402, ACTS 43rd G. A.

*Whereas*, there has been a proposal made to the joint committee on conservation of the house and of the senate that a state park be purchased, located, and established upon the west shore of Spirit Lake, upon what is known as the Polk-Maish land, comprising several hundred acres of land, and

*Whereas*, it appears to the joint committee on conservation, that it might be advisable for the state to acquire said lands for the purpose of establishing a state park thereon, and that there might be real advantages to the state in establishing such a park, and



*Whereas*, it is the opinion of the joint committee on conservation that the proposition should be thoroughly investigated and a full report made to the legislature relative to the matter, therefore

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

SECTION 1. That a joint committee of the members of the house of representatives and the senate of the forty-third general assembly consisting of six (6) members, be appointed, three (3) of whom shall be appointed by the lieutenant governor from the members of the senate, and three (3) of whom shall be appointed by the speaker of the house of representatives from the members of the house of representatives, one of whom shall be from the minority party, whose duty it shall be to investigate the proposal to establish a state park upon the west bank of Spirit Lake in Dickinson county, Iowa, and to make a written report and recommendation to the forty-fourth general assembly of the state of Iowa, relative to the advisability of establishing such a park on said location.

SEC. 2. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of five hundred dollars (\$500.00), or so much thereof as may be necessary to pay the expenses of the committee provided for in section one (1) hereof, in making the investigation and preparing the report required therein.

Senate Joint Resolution No. 9. Approved May 7, A. D. 1929.

#### MEETINGS OF COMMITTEE

Under the provisions of Senate Joint Resolution No. 9, the Committee was directed to investigate the advisability of establishing a State Park on the tract of land known as the Polk-Maish property situated on the west shore of Spirit Lake, in Dickinson county, Iowa.

The Committee met several times during the year 1930, spending several days at Spirit Lake, one day looking at tracts bordering on Clear Lake and the results of some dredging work at Emmetsburg, and one day with the Board of Conservation at Des Moines.

We have found it necessary, in order to intelligently study the question of a State Park at this place to give some study, in a general way, to the lake region of Iowa, to the State Parks already established, their appreciation by the public, and if possible try and anticipate the needs of the future in regard to Lake Shore properties.

We have studied the reasons that have been put forward in favor of the establishment of a park of this size and the desirability of its establishment at this particular place.

Of necessity we have investigated and formed opinions as to the value of this tract of land and its comparison with other tracts of land similarly situated. The question of some method of financing parks both as to their acquisition and as to their maintenance has been discussed. The future park problem must have some well defined plan of financing if it is to develop as it should.

It has been necessary for the Committee to get information on all of these different phases of the park idea and if in the following pages we can convey this information to the members of the 44th G. A. we will feel that the work of this Committee has been worth while.

## THE LAKE REGION OF IOWA

When the stream of settlement came flooding into Iowa during the years from 1848 to 1855, the first settlers clung to the land along the streams. They seemed to think that the more desirable land was close to timber and water. This stream of civilization coming from the east, first settled the eastern and southern part of the state. The later arrivals, however, pushed on to the western and northern part of the state, finding there a more level country and a deeper soil. They found also in the north and the northwest part of the state this level country dotted with lakes. Hundreds of these were merely depressions that held water during a rainy season and for most of the year were simply swampy places. As this section of the country became settled and land value began to rise, these places were drained out and later became some of the most productive farms of the state. Yet scattered over this area were to be found many beautiful lakes, some of considerable size and depth and the state wisely adopted the policy of saving these lakes for future generations to enjoy. The state now controls about sixty-three of these, nearly all of which are situated in the northern and northwestern part of the state.

To name some of the larger of these would include Clear Lake in Cerro Gordo county, Storm Lake in Buena Vista county, and Spirit Lake and West Okoboji in Dickinson county. Of these, probably Spirit Lake has the largest area, with about nine square miles of surface, while West Okoboji has probably the greatest depth, in places reaching a depth of approximately 125 feet. Spirit Lake has a depth of about 25 feet while Clear Lake has a depth of about 15 or 18 feet.

To anyone coming from the south and southwest these lakes of northern Iowa are the first bodies of water of any consequence to be found. Oklahoma, Kansas and Nebraska have no lake regions and the low bottom land lakes or bayous of eastern Arkansas and Missouri are not to be compared with these beautiful upland lakes of our own state. Small wonder then that people from those states find in our own Iowa lakes the nearest opportunity for a vacation and outing, combining the pleasures of camping, fishing, boating and bathing.

The trees surrounding these lakes are the trees common to our Iowa woodlands. Of these the Burr Oak, Ash, Basswood and Elm are the ones most frequently found.

## DREDGING

One of the problems confronting the state in its study of the future of our lakes is the gradual filling up of the lake beds. For hundreds and probably thousands of years and until the coming of the white man, the sandy character of the lake bed remained unchanged. But with the coming of civilization and with the cultivation of the lands surrounding these lakes, they began gradually to fill up with mud due to wind blown dirt, the washing of the top soil from surrounding fields, and the decayed vegetable matter.

This not only has raised the bed of the lakes and lessened the enjoyment of bathing in their waters but also has furnished the seed bed

for growths detrimental to the lakes; and the enjoyment of them by the public. Algae, reeds and rushes and other forms of water growths have sprung up in this rich silt and today, due to uncontrolled growth, are beginning to threaten the use of these lakes as a pleasure resort and as a fish preserve. Many of those who have studied the problems are convinced that dredging is the most feasible means of restoring these lakes to their former usefulness. The cost of removing this silt and depositing it on nearby shorelines is estimated at from 8c to 15c per cubic yard.

This cost would not be entirely lost as the land thus built up, if in a place where land is valuable, might prove to be worth as much as the cost of dredging. In the north part of the town of Emmetsburg, along the shore of Medium Lake, can be seen an instance where several acres of valuable town property was thus built up out of what was formerly a marshy arm of the lake by dredging.

It might be possible for the state to acquire some shoreline of low value and by building it up above the water line and enlarging its area by dredging be able to acquire additional park area for no more than the higher priced land could be secured and have the lake bed cleaned at the same time.

From the Iowa Lake Bed Survey made by the Iowa State Highway Commission in 1917, we quote the following:

"A depth of fifteen feet of water is required to insure safe winter quarters for fish. With a depth of less than this, fish may winter safely for several years in succession, but a sudden cold snap followed by snow, will seal the lake tightly and result in their death by suffocation. With a hard bottom a contingency of this kind may be provided for by the excavation of holes of limited area. Where any considerable amount of semi-liquid mud occurs, such a plan will not prove practicable, as the first wind storm will stir up the mud and it will settle again in the deepest water."

#### THE IOWA STATE PARKS

The state of Iowa has at the present time 37 parks in the generally accepted meaning of public parks. These areas total approximately 7,500 acres and range in individual size from 5 to 1,280 acres. Five of these parks are over 500 acres in extent and the average area is about 200 acres.

The parks as now established are most of them located in the north one-half and the east one-half of the state, and usually include hilly, wooded areas. They are established for scenic, scientific, historical and recreational reasons; some being established for one reason, some for another, and some having a combination of reasons for their establishment.

The most outstanding historical park is the Fort Atkinson State Park of 5 acres in Winneshiek county, which is the site of an old federal fort established in 1842. Some of the block houses are still standing and a portion of the old stone barracks.

Recreational features are connected with a good many of these parks. These include picnic facilities, golf courses, baseball fields and chances for boating and bathing wherever water is to be had.

Of the state parks established on the shores of lakes there would be named the one at Clear Lake in Cerro Gordo county with 27 acres, Eagle Lake in Hancock county with 27 acres, Okamanpedan State Park in Emmet county with 19 acres, and five or six others. It is noticeable that nearly all of these state parks on lake shores are comparatively small in area. An artificial lake has been created at Eldora Pine Creek State Park with an area of about 65 acres. This artificial lake is probably responsible for much of the attraction this park has for the public. The attendance has been greater here than at any other park in the state for the past two years.

While the recreational features are not forgotten in the establishment of state parks, yet the people of Iowa are becoming more and more interested in the historical, scenic and scientific places still to be found.

As time goes on that which is regarded as commonplace now, later becomes historical. The old mill that our forefathers used is now a thing of rarity. The old fort erected still earlier is now a thing of curious interest. The Indian mounds of still earlier date arouse the imagination and lead to much speculation and research. The still earlier periods and ages of geological history are depicted by the terrain and rocks. These historical things should more and more be included in the state parks, and saved for future generations to see.

#### APPRECIATION BY THE PUBLIC

Anyone who visits our state parks during the summer months will realize that the people of Iowa enjoy a vacation and find in these parks a fine place to take an outing. It is estimated that there were approximately 1,700,000 visitors at the various state parks in 1929. Comparing this with the estimated attendance of 232,000 in 1923, will give some idea of the increased interest that is being taken in these parks.

Yet this interest is not alone evidenced by the attendance, but also by the many inquiries received, by the publicity given by the press, and by the interest manifested by the various communities in having state parks established in their vicinity.

The public schools of the state are making their pupils acquainted with the conservation work in all its various phases. In fact the younger generation is more capable of visiting a state park and making an intelligent appraisal, due to this education than many of their parents. Data concerning state parks is appearing in the geographies. Classes in botany make trips to the parks for a study of the specimens to be found, and classes in geology find much of interest there.

In the open season, class picnics, reunions, Boy Scout and Girl Reserve meetings are held and the members of these gatherings enjoy the pleasures of hiking, boating, swimming or golfing as these facilities are provided. But few of these parks are situated on the shore of a lake, and their shore areas are small in size. Yet a visit to them during the hot weather will often find them crowded with people.

It is becoming the usual thing for a great number of people to spend part or all of their vacation at a lake, either at some park or at one of the many Iowa lakes. Some visit them for the boating, swimming, fishing

and hunting, and some for just relaxation and relief from their usual routine.

Whatever the reasons for their being at the lake, all are interested in their maintenance and the proper safeguarding of all activities and the reasonable enjoyment thereof.

There is a growing demand that the lake levels be maintained as high as practical, pollution removed, fish life encouraged, their natural attractions preserved or restored, and as much public access as possible be provided to state waters.

#### NEED OF LAKE SHORE PROPERTY

In saving these lakes for the people of Iowa and the future needs of the state, the men who guided our state through its earlier days acted wisely; but they did not see the need, and they failed to provide some of the land along the shores of these lakes to be saved also for the future. If the state wishes to study the problems confronting it in the control of the lakes, whether the propagation of fish, regulating the speed of boats, or fighting the injurious growths that have sprung up, it must regain title to some land along the shore or pay someone for this shore privilege. If a citizen of the state wishes to enjoy the waters of these lakes for boating, bathing, or fishing he must first obtain some of the land along the shore or pay someone else for this privilege. Because of this condition we find many of the well-to-do people, especially those living near enough to a lake to enjoy its pleasures frequently, buying a lake front lot and putting up a small cottage for their use in the summer. We find many of them who put up small cottages for rent and make quite a profitable business renting out a cottage by the day, week, or month. However, this places a serious handicap on the great majority of the people of Iowa, who because of their distance from these lakes, are then deprived of the enjoyment that should be theirs. All the people of Iowa should be entitled to free lake shore privileges. These areas should be so scattered over the lake regions of the state as to make them reasonably accessible to any part of the state. With the splendid, hard surfaced road system that is being built, any citizen of Iowa can drive clear across the state, from east to west or from north to south in from 4 to 6 hours in any kind of weather.

People in eastern and southern parts of the state, denied natural lakes, will drive long distances over these roads to enjoy the pleasures of a lake, provided the privilege is there awaiting them.

We need some large sized lake shore properties if we are to accommodate the thousands of visitors that are coming to our parks for an outing.

In outdoor recreation no area is hardly complete unless it is on some body of water or has a running stream through it or near by it. Boating, fishing, swimming and other aquatic sports are becoming attractive to an increasingly larger number of people, and nothing is more attractive to people seeking recreation than some body of water. Due to this desirability practically all of the Iowa lakes are surrounded or rapidly becoming so with summer resorts including cottages, hot dog stands, roller coasters or dance halls. As a consequence it is becoming increas-

ingly difficult to acquire state owned land on lake shores although the demand is becoming increasingly great. It is, therefore, highly desirable that more lake shore property should be acquired by the state before it becomes any more utilized by commercial interests or divested of its natural beauty.

#### DESCRIPTION OF SPIRIT LAKE TRACT

Members of the Committee spent three or four days in July, 1930, looking over the tract of land on the west shore of Spirit Lake that is the subject of this investigation. We find the tract to be approximately 700 acres. Figuring up the different tracts as they appear on the records makes this area about 701.78 acres. The south line is approximately 2½ miles north and northwest from the center of Spirit Lake town, the county seat of Dickinson county. The north side of the tract is within one-half mile of the Minnesota line. The shore line on Spirit Lake is a little over two miles in length and takes up the greater part of the west shore of the lake. The greater part of the north third or half is land lying around and between the state owned lakes, North and South Hottes, Marble Lake and Robinson Lakes. At the time we visited them they were showing the effects of a dry year, and were little more than shallow, marshy, and nearly dry lake beds. Yet we were informed that this is partly due to the deepening of the outlet into Spirit Lake. If that is true it would be an easy matter to fill this outlet and raise the water level if it was thought advisable to do so. The south part of the tract

is mostly open, cultivated or pasture land. The map shows small lakes over this tract yet these appeared to be nearly dry with pasture grass and cultivated crops growing over the most of the area shown as lakes. The timber growing over the tracts bordering on the lakes, were the trees common to our Iowa woodlands with perhaps the Burr Oak predominating. This timber growth extended for perhaps the entire length of the Spirit Lake shore line, yet nowhere was the timber growth so great as to kill out the native sod. For most of the length of lake shore the ground raised to heights of from eight to twelve feet above water level, the highest point reaching approximately only about twenty or twenty-five feet, and only in one or two places did it fall below five feet. From these elevations the ground either rose very gently or continued nearly level for some distance. While the character of all the land would be considered rolling yet there was none of it that would be classed as very hilly.

The lake bed extending out from the shore line is all gently sloping. We would judge that a person wading out would go for 75 or 100 feet before getting to a five or six-foot depth, yet the depth over most of the lake is given as about 20 to 25 feet. Small motor boats go all over the lake and are reasonably safe from grounding beyond 100 feet from shore. We do not know where in Iowa could be found a tract of land along one of the larger lakes that would be so desirable for a public park. Any place in the timbered part would make ideal camping ground. The lake shore would be reasonably safe for bathing for children as well as adults. The open ground in the south part would be valuable for field sports, landing fields, or it could be utilized to bring back to Iowa a natural park

of earlier days with flowers, grasses, birds, and animals now nearly extinct but brought back to show the people of this and future generations a sheltered bit of the original prairie.

Several buildings are on the place and used at the present time in connection with the farming of the tract. These buildings probably could all be used in connection with a park. The lakes within its border could be used for the propagation of fish or as a refuge for wild fowl. More than anything else perhaps, this place would appeal to the average citizen of the state as a recreational spot, a place where they could go for a camp-out, to go boating, bathing, or fishing.

With the coming of the automobile and good roads, the people of Iowa will more and more avail themselves of an outing on some lake shore if places are provided.

During the last legislature, near the close of the session, a sub-committee of the joint committee on conservation, made a trip to Spirit Lake looking over this tract of land. Upon their return a report was submitted to the joint conservation committee describing the tract, and we wish to include in this report that part of their report which is descriptive of this tract.

"We find this tract of approximately 700 acres of land bordering the west side of Spirit Lake has a shore line commencing at the north end of Templar's Park and extending north for an estimated distance of  $2\frac{1}{4}$  miles, and the tract extending back for varying distances to the extreme width of a little over one mile from the shore of Spirit Lake. The tract also borders on Little Spirit Lake to the northeast, Robinson Lake on the west, Marble Lake on the west and southwest, and nearly surrounds North and South Hottes Lake, and entirely surrounds Sunken Lake. We were informed that Sunken Lake is included as a part of this tract, while the other lakes as here mentioned are owned by the state.

"The character of these lakes is as follows: Marble Lake, Robinson Lake and North and South Hottes Lakes are more or less marshy and shallow and would offer only a limited opportunity for bathing, boating, or fishing; but as a refuge for wild fowl and a place for the propagation of fish the place would probably be valuable. The area of North Hottes Lake is estimated at approximately 35 acres, South Hottes Lake at approximately 80 acres, while the area of Marble, Robinson and Little Spirit Lakes would cover between 200 and 300 acres each. Sunken Lake is a clearcut, beautiful, deep lake, and is estimated at a maximum depth of 25 feet; has an area of approximately 10 acres, and would offer opportunity for fishing and boating. Little Spirit Lake offers excellent opportunity for all of these sports to those who would not care to venture out on Spirit Lake. The character of Spirit Lake is similar to that of the larger lakes of Iowa, and we are informed that it has a moderately shallow bottom near the shore for the entire length of this tract.

"The highway running the entire length of the tract and paralleling the shore line of Spirit Lake and at a distance of 100 to 400 feet from the shore is a part of the county road system of Dickinson county. The entire tract is used as a farm at the present time, although it has five different sets of buildings.

"Outside of its value as a summer resort on the lake front the value of this tract would be little more than the value of the ordinary farm and pasture land, but your committee is unable at this time to give any definite idea as to the value of the property as a summer resort. We do believe, however, that if this tract were purchased by the state and made into a park where the public would be free to camp, fish, boat and go in bathing it would be very much appreciated by the people of Iowa. The value of this place from a historical standpoint should also not be overlooked. On this place some members of the Marble family lost their lives in the Spirit Lake massacre in 1857, and a marker has been placed by the D. A. R. at the location where the cabin stood."

#### RECOMMENDATIONS

In the foregoing material we have tried to set out the needs of the state regarding lake shore properties. We have tried to give you some idea as to the appreciation the public has had for the parks already established. We are not going to recommend that this legislature appropriate the particular sum of money that is being asked for this particular tract, nor do we think such a recommendation should be made by us.

We do believe, however, that if the State Board of Conservation was allowed a certain additional sum of money each year with a definite understanding that it was to be used for the purpose of acquiring shore property, either for this tract of land or for other tracts that would serve the purpose, and this sum to be spent with the approval of the Executive Council, this procedure would give the Board of Conservation bargaining power that any legislature or legislative committee could not have.

We believe the state should acquire more lake shore property. We also believe that some of this should be acquired with the thought in mind of dredging the adjoining portion of the lake, building up areas from this dredged material that would make valuable park additions.

These two plans should each be followed out under this procedure and either plan would result in more lake shore property.

While we feel that this tract is perhaps better suited for a state park of large size with lake shore privileges than any we have seen, and that it would be a valuable acquisition if secured, yet we believe that the Board of Conservation of Iowa is the proper body to do this, if in their opinion it could be secured at its proper value.

On motion of Durant of Hancock the House adjourned until 9:30 a. m. Monday.



# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 2, 1931.

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

Prayer was offered by the Rev. I. G. Randels, pastor of the Christian Church, Truro, Iowa.

Journal of January 31st corrected and approved.

## RESOLUTION AND PETITIONS

Pattison of Jefferson presented a petition from the Farm Bureau of Jefferson county, favoring an income tax.

Referred to committee on tax revision.

Ellsworth of Hardin presented a petition from the city council of Iowa Falls, favoring a diversion of the primary road fund.

Referred to committee on roads and highways.

## HOUSE FILES WITHDRAWN

Brown of Polk asked and obtained unanimous consent to have House Files Nos. 48 and 49 withdrawn from the committee on cities and towns and from further consideration of the House.

## ADDITIONAL COPIES OF BILLS ORDERED PRINTED

Helgason of Emmet asked and obtained unanimous consent to have seven hundred fifty additional copies of House File No. 124 printed.

Malone of Cass asked and obtained unanimous consent to have five hundred additional copies of House File No. 79 printed.

## REPORT OF COMMITTEE

Hush of Montgomery, 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. 74, a bill for an act to provide for the assessment of agricultural lands owned by the state, to amend section sixty-nine hundred forty-four (6944), Code, 1927, and to repeal Chapter one hundred fifteen (115), Acts Forty-third (43rd) 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.

HOMER HUSH, *Chairman*.

Report adopted.

## HOUSE CONCURRENT RESOLUTION NO. 10

Ellsworth of Hardin offered the following Concurrent Resolution:

*Whereas*, The State of Iowa has through the Acts of its General Assembly from time to time complied with the conditions of the "Federal Road Aid Act" and has in conformity thereto designated portions of the Primary Road System as Federal Highways and

*Whereas*, The State of Iowa has similarly and from time to time provided for the improvement of both primary roads and secondary roads for the use of rural postal service and has provided for the designation of such roads as "Rural Post Roads" and

*Whereas*, The improvement of such roads and highways has aided law breaking and encouraged crime to an extent that a serious emergency exists and State and local law enforcement organizations are unable to cope with the situation and

*Whereas*, It is the policy and the duty of the federal government to co-operate in the control and prevention of violence and crime in an emergency, and it already has efficiently organized facilities for doing so, therefore

*Be It Resolved by the House, the Senate concurring*, That in this serious emergency created by organized crime, the States should have the aid and co-operation of the federal government and the federal law enforcement agencies already existing, and we ask congressional legislation that will bring early relief in this extremity, and

*Be It Further Resolved*, That this resolution be transmitted to the United States Senators and the Members of Congress from Iowa.

Laid over under Rule 34.

## INTRODUCTION OF BILLS

House File No. 172, by Rylander of Marshall, a bill for an act to amend section forty-seven hundred forty-six (4746) of the code, 1927, relating to assessment districts, survey and report, notice and hearing.

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

House File No. 173, by Hansen of Scott, a bill for an act to authorize the executive council of Iowa to sell land, the title of which is in the name of the state, providing for the appraisement thereof, and authorizing the governor and secretary of state to execute conveyances for the same.

Read first and second times and referred to committee on public lands and buildings.

House File No. 174, by Forsling of Woodbury, a bill for an act to amend the law as it appears in sections twenty-five hundred forty-nine (2549) and twenty-five hundred fifty-three (2553) of the Code, 1927, and to repeal the law as it appears in section twenty-five hundred fifty-four (2554) of the Code, 1927, and to enact a substitute therefor, all relating to the regulation and practice of osteopathy and surgery.

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

## CONSIDERATION OF BILLS

House File No. 62, a bill for an act to amend section two (2) of chapter fifty-eight (58), acts of the Forty-third (43) General Assembly, relating to the open season on fur-bearing animals, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury offered the following amendments and moved their adoption:

Amend by striking in line eight (8) of section one (1) the words "the succeeding".

Also, amend by striking in lines nine (9) and ten (10) of section one (1) the words "the succeeding".

Amendments adopted.

Bair of Buena Vista offered the following amendment and moved its adoption:

Amend by striking in line nine (9) of section one (1) the words and figures "November 10" and inserting in lieu thereof the words and figures "November 20".

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, hereby request a call of the House for the consideration of Senate Joint Resolution No. 1, at 10:00 o'clock a. m., February 2, 1931.

J. H. JOHNSON  
E. P. LAUGHLIN  
FRED B. WITT  
D. R. MCCREERY  
H. C. PATTISON

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present.

#### SPECIAL ORDER

The time having arrived for special order, Senate Joint Resolution No. 1, a Joint Resolution, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the Improvement of Highways and Making Provision for the payment of the Cost thereof, was taken up for consideration.

Elliott of Scott offered the following amendment and moved its adoption:

Amend by inserting a period (.) after the words and figures "Article XIII", as it appears just preceding section one so that when amended the words and figures will read "Article XIII."

Amendment adopted.

Elliott of Scott moved that the House recess until 1:30 p. m. today.

Motion prevailed.

The House reconvened, Speaker Johnson in the chair.

The House resumed consideration of Senate Joint Resolution No. 1.

Rutledge of Webster moved that the vote on Senate Joint Resolution No. 1 be taken at 4:00 p. m. today.

Motion prevailed.

Elliott of Scott offered the following amendment and moved its adoption:

Amend by striking in line twenty-four (24) of section three (3) the second letter "d" in the word "Odebolt".

Amendment adopted.

Johnson of Marion 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.

#### SENATE JOINT RESOLUTION NO. 1

A Joint Resolution, Agreeing to, Enacting, and Adopting a Proposed Amendment to the Constitution of the State of Iowa, relating to the Improvement of Highways and Making Provision for the Payment of the Cost Thereof.

*Whereas*, By House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution was approved April eleventh (11th) Nineteen Hundred Twenty-nine (1929) an amendment to the Constitution of the State of Iowa was proposed, and

*Whereas*, Said resolution proposed to amend the Constitution of the State of Iowa by adding thereto an "Article XIII" relating to the improvement of highways and the issuance of bonds therefor; and

*Whereas*, The said proposed amendment was agreed to by a majority of the members elected to the House of Representatives of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Eleven Hundred Four (1104) to Eleven Hundred Eight (1108) both inclusive, with the yeas and nays taken thereon, and was agreed to by a majority of the members elected to the Senate of said Forty-third (43d) General Assembly, and entered upon its official, printed journal at Pages Thirteen Hundred Twenty-five (1325) to Thirteen Hundred Twenty-nine (1329) both inclusive, with the yeas and nays taken thereon; and

*Whereas*, The said resolution and proposed amendment have been published as provided by law and have been referred to this, the Forty-fourth (44th) General Assembly for action thereon, therefore

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

Section 1. That the proposed amendment to the Constitution of the State of Iowa as contained in and proposed by the said House Joint Resolution Number Six (6) of the Forty-third (43d) General Assembly, which resolution proposed that the following be added to the Constitution of the State of Iowa as Article XIII, to-wit:

“ARTICLE XIII.”

“Section 1. Notwithstanding the provisions of Article VII or any other provision of the Constitution of Iowa, the State may, by act of the General Assembly, contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) for the improvement of highways and for the payment or retirement of county primary road bonds and bonds issued to refund county primary road bonds; and for such purposes may issue bonds and provide ways and means for the payment of the same, and may pledge the credit of the state therefor. Such act shall pledge to the payment of such bonds and interest thereon such rates or amounts of motor license fees and/or gasoline or other motor fuel license fees as may be determined by the General Assembly to be sufficient to meet both principal and interest as they mature and accrue; and shall provide for the levy, imposition, collection and pledge of such general property tax as may be required to supply the deficiency, if any, between the amount of principal and interest due on the bonds during any year or years and the funds produced by said pledged license fees during such year or years; and it shall be a sufficient statement of such tax that such act direct the Executive Council annually to compute such deficiency, if any, and fix the rate necessary to produce such amount. The provisions of such act pledging funds and levying taxes for the payment of principal and interest of bonds issued thereunder shall be irrevocable so long as any of such bonds are outstanding, unpaid and uncalled. Such bonds may be issued from time to time on such terms as the General Assembly shall by law provide; but each bond shall become due and payable not more than twenty years after its date.

“Sec. 2. After bonds in the total principal sum of one hundred million dollars (\$100,000,000.00) shall have been issued hereunder, all power to create an indebtedness hereunder shall cease.

“Sec. 3. No funds derived from the sale of any of the bonds provided for in Section one (1) of this Article XIII shall be used in the improvement of any other highways until after the following highways shall have been improved in the following manner: (a) By grading, draining, bridging and paving:

Primary Road Number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on Primary Road Number 3 south of Keosauqua.

Primary Road Number 2, from a point on Primary Road Number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on Primary Road Number 71 south of Atlantic, and from a point on Primary Road Number 71 westerly to a point on Primary Road Number 32 near Lewis.

Primary Road Number 3, from a point on Primary Road Number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to Nebraska City.

Primary Road Number 4, from a point on the Missouri Line southeast of Hamburg, by way of Hamburg and Sidney, to a point on Primary Road Number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on Primary Road Number 20 west of Early.

Primary Road Number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to LeMars.

Primary Road Number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary Road Number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary Road Number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota Line north of Larchwood.

Primary Road Number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on Primary Road Number 75 west of Orange City.

Primary Road Number 11, from Cedar Rapids, by way of Independence and Oelwein, to West Union.

Primary Road Number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on Primary Road Number 18 west of McGregor.

Primary Road Number 14, between Corydon and Chariton. Also from its intersection with Primary Road Number 58 through Grundy Center to its intersection with Primary Road Number 57.

Primary Road Number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary Road Number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with Primary Road Number 9.

Primary Road Number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with Primary Road Number 16.

Primary Road Number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer, and Sheldon, to a point on Primary Road Number 75 near Perkins.

Primary Road Number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary Road Number 21, from Primghar to a point on Primary Road Number 18 east of Sanborn. Also, from Ida Grove to a point on Primary Road Number 20 east of Holstein.

Primary Road Number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary Road Number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary Road Number 32, from Davenport, by way of Iowa City, Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary Road Number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary Road Number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary Road Number 48, from Red Oak, through Essex, to Shenandoah.

Primary Road Number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota Line north of Burr Oak.

Primary Road Number 57, from its intersection on Primary Road Number 14, by way of Dike to Cedar Falls.

Primary Road Number 58, from Eldora to a point on Primary Road Number 134 west of Eldora. Also east of Eldora to a point on Primary Road Number 14.

Primary Road Number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on Primary Road Number 10 east of Waverly.

Primary Road Number 60, from a point on Primary Road Number 30 east of Boone, by way of Madrid, to Des Moines.



Primary Road Number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, DeWitt, and Maquoketa, to Dubuque.

Primary Road Number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri Line southwest of Bloomfield.

Primary Road Number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota Line north of Northwood.

Primary Road Number 69, from Leon, by way of Lamoni, to the Missouri Line south of Lamoni.

Primary Road Number 71, from the Missouri Line near Braddyville, by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota Line northeast of Spirit Lake.

Primary Road Number 74, from Tipton, by way of New Liberty, to Davenport.

Primary Road Number 75, from Missouri Valley, by way of Onawa, Sioux City, LeMars, Sioux Center, and Rock Rapids, to a point on the Minnesota Line north of Rock Rapids.

Primary Road Number 90, from Grundy Center, by way of Reinbeck, to a point on Primary Road Number 59 south of Hudson.

Primary Road Number 99, from Davenport, by way of Princeton and Camanche, to a point on Primary Road Number 30 west of Clinton.

Primary Road Number 134, from a point on Primary Road Number 58 west of Eldora, to a point on Primary Road Number 65 north of Hubbard.

Primary Road Number 117, from Anamosa to Maquoketa.

Primary Road Number 136, from Clinton, by way of Charlotte and Delmar, to a point on Primary Road Number 61 west of Delmar.

Primary Road Number 141, from Dension, by way of Mapleton, to Sioux City.

Primary Road Number 149, from a point on Primary Road Number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to Primary Road Number 32 west of Homestead.

Primary Road Number 150, from a point on Primary Road Number 32 near Homestead, by way of Amana and Fairfax, to a point on Primary Road Number 30 west of Cedar Rapids.

Primary Road Number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson, to a point on Primary Road Number 61 southwest of Montrose.

Primary Road Number 218, from a point on Primary Road Number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota Line north of St. Ansgar.

(b) By grading, draining, bridging and surfacing with gravel, sand clay, or other type of surfacing: all other primary roads.

Nothing herein shall prohibit the changing of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

"Sec. 4. Any law adopted by the General Assembly authorizing the issuance of bonds under this Article XIII shall provide that the principal of all county primary road bonds and bonds issued to refund county primary road bonds, outstanding when said law becomes effective, shall be paid, as such bonds mature or become subject to call, from the proceeds of the state bonds. Upon the issuance of the first state bonds under such law the authority of the counties to issue county primary road bonds shall cease."

be and the same is hereby agreed to, enacted, and adopted by the Forty-fourth (44th) General Assembly.

On the question, "Shall the joint resolution pass?" Rule 18 was invoked.

The ayes were, 67.

Avery	Greaser	Langland	Paisley
Babcock	Greene	Laughlin	Pattison
Ballew	Hansen of	Lepley	Peaco
Brown	Audubon	Lichty	Randolph
Byers	Hansen of	Long	Ratliff
Dayton	Scott	McCreery	Reed
Ditto	Hayes	McDermott	Rutledge
Drake of	Helgason	McLain	Ryder
Keokuk	Hesse	Malone	Rylander
Drake of	Hollis	Mathews	Sours
Muscatine	Hopkins	Mayne	Stiger
Durant	Hunt	Mead	Tamisiea
Elliott	Husted	Millhone	Van Buren
Ellsworth	Hutcheon	Miller	Wearin
Fabritz	Johnson of	Morton	Whiting
Finnern	Marion	Nelson of	Witt
Gallagher	Kern	Story	
Garrett	Koch	Orr	
Gilmore	Lamb	Osborn	

The nays were, 41.

Aiken	Berry	Felter	Hanson of
Allen	Bonnstetter	Figgins	Winnebago
Augustine	Craven	Forsling	Hollingsworth
Bair	Davis	Gissel	Hook
Beath	Donlon		

Hush	Randall	Simmer	Thompson
Kohler	Rawlings	Snyder	Torgeson
McCaulley	Reimers	Stanzel	Van Wert
Nelson of	Roe	Strachan	Wamstad
Cherokee	Shields	TePaske	Watts
O'Donnell	Short	Thiessen	Mr. Speaker
Pendray			

Absent or not voting, none.

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

Johnson of Marion moved that the vote by which Senate Joint Resolution No. 1 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Reimers of Lyon asked and obtained unanimous consent to have printed in the Journal the poem that was offered by Nelson of Story:

#### POEM BY NELSON OF STORY

This morning the argument started to *Simmer*  
 At the suggestion presented by the Doctor from *Scott*  
 With fuel carried in from the county of *Marion*  
 It soon became certain the kettle was hot.

We feared for a time the supply would run *Short*  
 As opinions were wrecked by constant onslaught.  
 Each speaker determined that he should exhort  
 The views that prevailed as the uppermost thought.

By mid-afternoon 'twas done to a *Brown*  
 The strain was increasin', in fact became *Wearin*  
 Oh spare us the treat of being crushed down  
 To the point where no one will be seriously carin'.

I lay no claim to being a *Reimer*  
 Or judge any man his opinion or calibre,  
 But I must weigh facts as they come to my *Garrett*  
 Vote my conviction and let her go *Gallagher*.

Then over the Assembly there came a *Hush*  
 As the testimony covered the County of *Page*  
 We soon will see by watching the crush  
 Whether red or *Greene* will control the Age.

Hayes of Dubuque moved that the call of the House be now raised. Motion prevailed.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

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

Senate Concurrent Resolution No. 7, relative to adjournment on Friday, February 27, to reconvene on Monday, March 9, at 2:00 p. m.

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

Senate Concurrent Resolution No. 6, relative to memorializing the President of the United States, and the Tariff Commission of the United States, to increase the tariff on corn.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 63, a bill for an act to legalize the sale of real estate by the Consolidated Independent School District of Lloyd Township, Dickinson County, Iowa.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 63

Amend section two (2) by striking out lines three (3), four (4), five (5), and six (6) and inserting in lieu thereof the following:

"after its publication in the Milford Mail, a newspaper published at Milford, Iowa, and the Terril Record, a newspaper published at Terril, Iowa,".

#### EXPLANATION OF VOTE

In voting for Senate Joint Resolution No. 1, I am not expressing my personal approval of the validity of the proposed constitutional amendment. I feel that this question is of such importance that it should be referred to the electors.

W. E. S. HUTCHEON.

On motion of Snyder of Hamilton 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 3, 1931.

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

Prayer was offered by the Rev. E. Carnell Wilson, pastor of the Congregational Church, Forest City, Iowa.

Journal of February 2d corrected and approved.

## PETITIONS AND RESOLUTIONS

Ellsworth of Hardin presented a resolution from the town council of Alden, favoring a diversion of the primary road fund.

Referred to committee on roads and highways.

Long of Cerro Gordo presented a resolution from the town council of Clear Lake, favoring a diversion of the primary road fund.

Referred to committee on roads and highways.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Orr of Clayton for the day, on request of Hayes of Dubuque.

## REPORTS OF COMMITTEES

Millhone of Page, from the committee on pharmacy, submitted the following report:

MR. SPEAKER: Your committee on pharmacy, to whom was referred House File No. 159, a bill to amend sections twenty-five hundred seventy-eight (2578) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL L. MILLHONE, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on pharmacy, to whom was referred House File No. 150, a bill to amend section thirty-one hundred seventy-four (3174), code of 1927, relating to the sale of certain poisons, beg leave to report they have had the same under consideration and have instructed me to report same back to the House with the recommendation that the same do pass.

PAUL L. MILLHONE, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on pharmacy, to whom was referred House File No. 149, a bill to amend Section twenty-four hundred forty-four (2444) code of 1927, relating to the display of licenses by practitioners of certain professions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

PAUL L. MILLHONE, *Chairman*.

Report adopted.

Johnson of Marion asked and obtained unanimous consent to have House File No. 120 rereferred to the committee on cities and towns.

Torgeson of Worth moved to reconsider the vote by which House File No. 120 was rereferred.

Motion prevailed.

#### HOUSE FILE WITHDRAWN

Bonnstetter of Kossuth asked and obtained unanimous consent to have House File No. 152 withdrawn from the committee on judiciary and from further consideration of the House.

#### CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 10

Ellsworth of Hardin called up House Concurrent Resolution No. 10, found in the Journal of February 2d, and moved its adoption.

Motion prevailed and House Concurrent Resolution No. 10 was adopted.

## RESOLUTION

Wearin of Mills offered the following resolution:

*Whereas*, The Honorable Charles W. Black who was a member of the House of Representatives in the Twenty-eighth and Twenty-ninth General Assembly from Mills County, died in the year of 1930; therefore

*Be It Resolved by the House of Representatives of the Forty-fourth* had same under consideration and have instructed me to report the *General Assembly*, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Wearin of Mills, Augustine of Ringgold and Greene of Pottawattamie.

## HOUSE FILE INDEFINITELY POSTPONED

Mathews of Des Moines, chairman of the committee on suppression of intemperance moved that the report of the committee recommending that House File No. 60 be indefinitely postponed, be adopted.

Hopkins of Guthrie moved the previous question.

Motion prevailed.

On the question, "Shall the report of the committee be adopted?" a roll call was demanded.

The ayes were, 90.

Allen	Fabritz	Hush	Mead
Augustine	Felter	Husted	Millhone
Avery	Figgins	Hutcheon	Miller
Babcock	Gallagher	Johnson of	Morton
Bair	Garrett	Marion	Nelson of
Ballew	Gilmore	Kern	Cherokee
Beath	Gissel	Koch	Nelson of Story
Bonnstetter	Greaser	Lamb	Osborn
Brown	Hansen of	Langland	Paisley
Craven	Audubon	Lepley	Pattison
Davis	Hanson of	Lichty	Pendray
Dayton	Winnebago	Long	Randall
Ditto	Helgason	McCaulley	Randolph
Donlon	Hesse	McCreery	Ratliff
Drake of Keokuk	Hollingsworth	McDermott	Reed
Drake of	Hollis	McLain	Reimers
Muscatine	Hook	Malone	Roe
Durant	Hopkins	Mathews	Rylander
Ellsworth	Hunt	Mayne	Shields

Simmer	Strachan	Torgeson	Wearin
Snyder	Tamisiea	Van Buren	Whiting
Sours	TePaske	Van Wert	Witt
Stanzel	Thiessen	Wamstad	Mr. Speaker
Stiger	Thompson	Watts	

The nays were, 6.

Finnern	Hayes	Ryder	Short
Hansen of Scott	Peaco		

Absent or not voting, 12.

Aiken	Elliott	Kohler	Orr
Berry	Forsling	Laughlin	Rawlings
Byers	Greene	O'Donnell	Rutledge

The report of the committee was adopted, and House File No. 60 was indefinitely postponed.

#### SENATE CONCURRENT RESOLUTION NO. 7 CONSIDERED

The following Senate concurrent resolution was taken up for consideration:

*Resolved by the Senate, the House concurring:* That when adjournment is had on Friday, February 27, it be to reconvene on Monday afternoon, March 9, at 2:00 p. m.

Reimers of Lyon offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution No. 7, by striking the words and figure "Monday afternoon, March 9" and inserting in lieu thereof the words and figure "Thursday afternoon, March 5".

Hopkins of Guthrie moved the previous question.

Motion prevailed.

On the question, "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 48.

Aiken	Craven	Garrett	Hanson of
Augustine	Donlon	Gissel	Winnebago
Bair	Drake of Keokuk	Greaser	Hayes
Ballew	Durant	Greene	Helgason
Beath	Felter	Hansen of	Hook
Bonnstetter	Figgins	Audubon	Hopkins
Byers	Finnern		Hush



Lepley	Osborn	Rylander	Tamisiea
McCreery	Pattison	Shields	TePaske
Malone	Pendray	Short	Van Wert
Millhone	Randall	Snyder	Watts
Miller	Reimers	Sours	Mr. Speaker
Nelson of Story	Roe	Strachan	

The nays were, 51.

Avery	Hesse	Long	Ratliff
Babcock	Hollingsworth	McCaulley	Rawlings
Berry	Hollis	McLain	Reed
Brown	Husted	Mathews	Ryder
Davis	Hutcheon	Mayne	Stanzel
Ditto	Johnson of	Mead	Stiger
Drake of	Marion	Morton	Thiessen
Muscatine	Kern	Nelson of	Thompson
Ellsworth	Koch	Cherokee	Torgeson
Fabritz	Kohler	O'Donnell	Wamstad
Forsling	Lamb	Paisley	Wearin
Gallagher	Langland	Peaco	Whiting
Gilmore	Laughlin	Randolph	Witt
Hansen of Scott	Lichty		

Absent or not voting, 9.

Allen	Hunt	Orr	Simmer
Dayton	McDermott	Rutledge	Van Buren
Elliott			

Amendment was lost.

Senate Concurrent Resolution No. 7 was adopted.

#### SENATE CONCURRENT RESOLUTION NO. 6 CONSIDERED

The following concurrent resolution was called up by Hanson of Winnebago, for consideration.

#### SENATE CONCURRENT RESOLUTION NO. 6

Memorializing the President of the United States, and the Tariff Commission of the United States, to increase the tariff on corn to the limit of the elastic provisions of the tariff law.

*Whereas*, The price of corn in the United States is not remunerative to the American farmer at the present time, and

*Whereas*, The present unsatisfactory price is seriously threatened by importations of corn into this country from foreign lands to further depress the price of this product to the American producer, and

*Whereas*, The American farmer is entitled to, and should receive, the full benefits of our protective system, particularly in this time of price depression; Now therefore

*Be It Resolved by the Senate, the House concurring:* That the General Assembly of Iowa respectfully requests and earnestly urges that the Tariff Commission immediately recommend to the President of the United States that he, exercising the authority and power granted to him under the provisions of the flexible tariff bill, increase by fifty per cent the duty on corn imported into this country, to the end that the corn growers in the United States may be given just protection against unfair competition in the American markets by the corn growers of foreign countries, which now seriously threatens to depress still further the price of this important product of the American farms;

*Be It Further Resolved,* That the Secretary of the State of Iowa, be instructed to send a copy of this resolution to the President of the United States, the Secretary of Agriculture, and the chairman of the Tariff Commission of the United States, and to each member in Congress from the State of Iowa.

The concurrent resolution was adopted.

#### CONSIDERATION OF SENATE AMENDMENT

On request of Avery of Clay, House File No. 63, a bill for an act to legalize the sale of real estate by the consolidated independent school district of Lloyd township, Dickinson county, Iowa, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 63

Amend section two (2) by striking out lines three (3), four (4), five (5), and six (6) and inserting in lieu thereof the following:

"after its publication in the Milford Mail, a newspaper published at Milford, Iowa, and the Terril Record, a newspaper published at Terril, Iowa,".

Mr. Avery moved that the House concur in the Senate amendment.

On the question, "Shall the House concur?"

The ayes were, 96.

Allen	Byers	Durant	Garrett
Augustine	Craven	Elliott	Gilmore
Avery	Davis	Ellsworth	Gissel
Babcock	Dayton	Fabritz	Greaser
Bair	Ditto	Felter	Greene
Beath	Donlon	Figgins	Hansen of
Berry	Drake of Keokuk	Finnern	Audubon
Bonnstetter	Drake of	Forsling	Hansen of Scott
Brown	Muscatine	Gallagher	

Hanson of	Laughlin	Nelson of Story	Stanzel
Winnebago	Lepley	Osborn	Stiger
Hayes	Lichty	Paisley	Strachan
Helgason	Long	Pattison	TePaske
Hesse	McCaulley	Peaco	Thiessen
Hollis	McCreery	Pendray	Thompson
Hook	McDermott	Randolph	Torgeson
Hopkins	McLain	Ratliff	Van Buren
Husted	Malone	Rawlings	Van Wert
Hutcheon	Mathews	Reed	Wamstad
Johnson of	Mayne	Reimers	Watts
Marion	Mead	Roe	Wearin
Kern	Millhone	Ryder	Whiting
Koch	Miller	Rylander	Witt
Kohler	Morton	Shields	Mr. Speaker
Lamb	Nelson of	Short	
Langland	Cherokee	Sours	

The nays were, none.

Absent or not voting, 12.

Aiken	Hunt	Orr	Simmer
Ballew	Hush	Randall	Snyder
Hollingsworth	O'Donnell	Rutledge	Tamisiea

The House concurred in Senate amendment to House File No. 63.

### INTRODUCTION OF BILLS

House File No. 175, by Kern and Brown of Polk, a bill for an act to empower the board of trustees of county public hospitals to submit to the voters of a county a proposition to sell or lease sites and buildings used for such hospitals, and to this end to amend section fifty-three hundred fifty-nine (5359), code, 1927, relating to such hospitals.

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

House File No. 176, by Kern and Brown of Polk, a bill for an act to authorize the issuance of bonds for the purpose of replacing county public hospital buildings destroyed by fire, tornado, or other act of God, to provide the procedure for such authorization, and to authorize a levy of taxes for the retirement of said bonds and the interest thereon, and to this end to amend section fifty-three hundred forty-eight (5348), and fifty-three hundred fifty-three (5353), code, 1927, relating to such hospitals.

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

House File No. 177, by Brown of Polk, a bill for an act to amend section thirty-eight hundred seventeen (3817) of the code, 1927, relating to conditions prerequisite to a pardon.

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

House File No. 178, by Forsling of Woodbury, a bill for an act to amend chapter one hundred twenty-four-B two (124-B2) code, 1927, relating to the practice of barbering so as to provide additional qualifications and regulations for applicants for barber's license.

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

House File No. 179, by Ryder of Dubuque, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the code, 1927, relating to the compensation of County Attorneys.

Read first and second times and referred to committee on compensation of public officers.

House File No. 180, by Torgeson of Worth, a bill for an act providing for general supervision by the board of railroad commissioners over warning devices and for the placing of additional safeguards, and the installation, furnishing, and placing of approach warning signs at the crossing at grade of a highway with a railroad; the providing for failure to stop a vehicle before traversing a grade crossing when warning is given; and providing a penalty for violation.

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

House File No. 181, by Forsling of Woodbury, a bill for an act to repeal section eleven thousand three hundred fifty-nine (11359) code, 1927, and to enact a substitute therefor, relating to the taking of depositions.

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

House File No. 182, by Bair of Buena Vista, a bill for an act to create a Sanitary Water Board; to prescribe the duties of said

board; to authorize and direct said board to enter upon investigations relative to the cause of the pollution of the waters of the state and to buy materials for the purpose of eradicating the causes of said pollution, and to make an appropriation for said purposes.

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

House File No. 183, by Hollingsworth of Boone, a bill for an act to repeal section six hundred fifty-five-a seventeen (655-a17), code, 1927, and to enact a substitute therefor, relating to the number of names required on nominations by petition.

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

House File No. 184, by Ditto of Osceola and Mead of Howard, a bill for an act to amend section twenty-nine hundred two (2902), code of 1927, relating to state aid for county and district fair associations so as to correct the form of the section.

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

House File No. 185, by Byers of Linn, a bill for an act to regulate wages and hours of work of laborers, workmen, and mechanics employed on public works, to specify certain duties relative thereto for the Commissioner of Labor, to provide for hearings and investigations, and to provide the procedure for enforcing the regulations and provisions of the act, and to provide punishments for violations.

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

### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 62, a bill for an act to amend section two (2) of chapter fifty-eight (58), acts of the Forty-third (43) General Assembly, relating to the open season on fur-bearing animals.

Bair of Buena Vista asked and obtained unanimous consent to withdraw the amendment offered by him and found in the Journal of February 2d.

Bair of Buena Vista offered the following amendments and moved their adoption:

Amend by striking in line seven (7) of section one (1) the word and figure "November 1st" and inserting in lieu thereof the word and figure "November 10th".

Also, amend by striking in line eight (8) of section one (1) the word and figure "January 15th" and inserting in lieu thereof the word and figure "January 20th".

Amendments adopted.

Wearin of Mills offered the following amendment and moved its adoption:

Amend by striking in line six (6) of section one (1) the word "beaver" and, also, the word "otter".

Amendment adopted.

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

On the question "Shall the bill pass?"

The ayes were, 93.

Allen	Garrett	Lichty	Reed
Augustine	Gissel	Long	Reimers
Avery	Greaser	McCaulley	Roe
Babcock	Hansen of	McCreery	Ryder
Bair	Audubon	McDermott	Rylander
Ballew	Hansen of Scott	McLain	Shields
Beath	Hanson of	Malone	Snyder
Bonnstetter	Winnebago	Mathews	Sours
Brown	Helgason	Mayne	Stanzel
Byers	Hesse	Mead	Stiger
Craven	Hollingsworth	Millhone	Strachan
Davis	Hollis	Miller	Tamisiea
Dayton	Hook	Morton	TePaske
Donlon	Hopkins	Nelson of	Thiessen
Drake of Keokuk	Hush	Cherokee	Thompson
Drake of	Husted	Nelson of Story	Torgeson
Muscatine	Hutcheon	O'Donnell	Van Buren
Durant	Johnson of	Osborn	Van Wert
Elliott	Marion	Paisley	Wamstad
Ellsworth	Kern	Pattison	Watts
Fabritz	Kohler	Peaco	Wearin
Felter	Lamb	Pendray	Whiting
Figgins	Langland	Randolph	Witt
Finnern	Laughlin	Rawlings	Mr. Speaker
Gallagher	Lepley		

The nays were, 2.

Forsling                      Hayes

Absent or not voting, 13.

Aiken	Greene	Orr	Rutledge
Berry	Hunt	Randall	Short
Ditto	Koch	Ratliff	Simmer
Gilmore			

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

House File No. 56, a bill for an act to amend section fifty-nine hundred thirty-eight (5938) Code of 1927, so as to authorize cities and towns to establish and improve neighborhood parks and playgrounds, with report of committee recommending passage, was taken up for consideration.

Simmer of Wapello offered the following amendment and moved its adoption:

Amend by striking the last paragraph of section one (1).

Amendment adopted.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by striking in line four (4) of section one (1) the word "neighborhood".

Amendment adopted.

Kern 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, 87.

Aiken	Davis	Felter	Hanson of
Allen	Dayton	Figgins	Winnebago
Augustine	Donlon	Forsling	Hayes
Avery	Drake of Keokuk	Garrett	Helgason
Babcock	Drake of	Gilmore	Hesse
Bair	Muscatine	Gissel	Hollingsworth
Beath	Durant	Greaser	Hollis
Bonnstetter	Elliott	Greene	Hook
Brown	Ellsworth	Hansen of	Hopkins
Craven	Fabritz	Audubon	Husted

Kern	Mathews	Reed	Tamisiea
Koch	Mead	Reimers	Thiessen
Kohler	Millhone	Roe	Thompson
Lamb	Morton	Ryder	Torgeson
Langland	Nelson of	Rylander	Van Buren
Laughlin	Cherokee	Shields	Van Wert
Lepley	Nelson of Story	Short	Wamstad
Long	Osborn	Simmer	Watts
McCaulley	Paisley	Snyder	Wearin
McCreery	Pattison	Sours	Whiting
McDermott	Peaco	Stanzel	Witt
McLain	Pendray	Stiger	Mr. Speaker
Malone	Randolph	Strachan	

The nays were, 6.

Finnern	Hutcheon	Miller	TePaske
Gallagher	Mayne		

Absent or not voting, 15.

Ballew	Hansen of Scott	Lichty	Ratliff
Berry	Hunt	O'Donnell	Rawlings
Byers	Hush	Orr	Rutledge
Ditto	Johnson of Marion	Randall	

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 House File No. 56 by striking in line three (3) of the title the word, "neighborhood".

Amendment adopted and the title as amended was agreed to.

House File No. 50, a bill for an act to amend the law as it appears in section fifty-nine hundred eighty-two (5982) of the Code, 1927, relating to connections under water works trustees, with report of committee recommending passage, was taken up for consideration.

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

Amend House File No. 50, by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section fifty-nine hundred eighty-two (5982) of the code, 1927, is hereby amended by striking from said section lines sixteen (16), seventeen (17), eighteen (18) and nineteen (19) and by substituting the following in lieu thereof, "by one (1) publication in some news-



paper published in such city, which shall be at least ten (10) days prior to the time fixed in said resolution."

Amendment adopted.

Kern 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, 93.

Allen	Garrett	Laughlin	Rawlings
Augustine	Gilmore	Lepley	Reed
Avery	Gissel	Long	Reimers
Babcock	Greaser	McCaulley	Roe
Ballew	Greene	McCreery	Ryder
Beath	Hansen of	McDermott	Rylander
Berry	Audubon	McLain	Short
Bonnstetter	Hanson of	Malone	Snyder
Brown	Winnebago	Mathews	Sours
Byers	Hayes	Mayne	Stiger
Craven	Helgason	Mead	Strachan
Davis	Hesse	Millhone	Tamisiea
Dayton	Hollingsworth	Miller	TePaske
Donlon	Hollis	Morton	Thiessen
Drake of Keokuk	Hook	Nelson of	Thompson
Drake of	Hopkins	Cherokee	Torgeson
Muscatine	Hush	Nelson of Story	Van Buren
Durant	Husted	O'Donnell	Van Wert
Ellsworth	Hutcheon	Osborn	Wamstad
Fabritz	Kern	Paisley	Watts
Felter	Koch	Pattison	Wearin
Figgins	Kohler	Pendray	Whiting
Finnern	Lamb	Randall	Witt
Forsling	Langland	Randolph	Mr. Speaker
Gallagher			

The nays were, none.

Absent or not voting, 15.

Aiken	Hansen of Scott	Lichty	Rutledge
Bair	Hunt	Orr	Shields
Ditto	Johnson of	Peaco	Simmer
Elliott	Marion	Ratliff	Stanzel

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

House File No. 16, a bill for an act to amend chapters one hundred sixty-seven (167) and one hundred ninety-five (195) of the Code, 1927, relating to the powers of the State Board of Education and the Board of Control of State Institutions to make contracts with municipal corporations for fire protection, with

report of committee recommending passage, was taken up for consideration.

Whiting 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, 93.

Allen	Finnern	Langland	Randolph
Augustine	Forsling	Laughlin	Rawlings
Avery	Gallagher	Lepley	Reed
Babcock	Garrett	Lichty	Reimers
Bair	Gissel	Long	Roe
Ballew	Greaser	McCaulley	Ryder
Beath	Greene	McCreery	Rylander
Berry	Hansen of	McLain	Short
Bonnstetter	Audubon	Malone	Snyder
Brown	Hansen of	Mathews	Sours
Byers	Winnebago	Mayne	Stiger
Craven	Hayes	Mead	Strachan
Davis	Helgason	Millhone	Tamisiea
Dayton	Hesse	Morton	Thiessen
Ditto	Hollingsworth	Nelson of	Thompson
Donlon	Hollis	Cherokee	Torgeson
Drake of Keokuk	Hook	Nelson of Story	Van Buren
Drake of	Hopkins	O'Donnell	Van Wert
Muscatine	Hush	Osborn	Wamstad
Durant	Husted	Paisley	Watts
Elliott	Hutcheon	Pattison	Wearin
Ellsworth	Koch	Peaco	Whiting
Fabritz	Kohler	Pendray	Witt
Felter	Lamb	Randall	Mr. Speaker
Figgins			

The nays were, none.

Absent or not voting, 15.

Aiken	Johnson of	Miller	Shields
Gilmore	Marion	Orr	Simmer
Hansen of Scott	Kern	Ratliff	Stanzel
Hunt	McDermott	Rutledge	TePaske

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

Whiting of Johnson moved that the vote by which House File No. 16 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

On motion of McDermott of Adair 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 4, 1931.

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

Prayer was offered by the Rev. E. L. True, pastor of the Baptist Church, Shell Rock, Iowa.

Journal of February 3d corrected and approved.

## PETITIONS AND MEMORIALS

Felter of Warren presented a petition from citizens of Indianola, opposing compulsory military training at Iowa State College and the State University of Iowa.

Referred to committee on state educational institutions.

Roe of Allamakee presented a petition from citizens of Postville, opposing the proposed amusement tax.

Referred to committee on tax revision.

Lepley of Grundy presented a petition from the board of supervisors of Grundy county, opposing a diversion of primary road funds.

Referred to committee on roads and highways.

Rutledge of Webster presented petitions, opposing House File No. 87.

Referred to committee on ways and means.

McCaulley of Calhoun presented petitions, opposing House File No. 87.

Referred to committee on ways and means.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Ratliff of Henry for the day, on request of Reed of Mahaska; Ditto of Osceola for the day, on request of Hesse of O'Brien; Orr of Clayton for the day, on request of Hayes of Dubuque.

## ADDITIONAL COPIES OF BILLS ORDERED PRINTED

Ballem of Appanoose asked and obtained unanimous consent to have four hundred additional copies of House File No. 139 printed.

Pattison of Jefferson asked and obtained unanimous consent to have five hundred additional copies of House File No. 54 printed.

Helgason of Emmet asked and obtained unanimous consent to have five hundred additional copies of House File No. 21 printed.

Forsling of Woodbury asked and obtained unanimous consent to have one thousand additional copies of House File No. 174 printed.

## HOUSE FILE REREFERRED

Bair of Buena Vista asked and obtained unanimous consent to have House File No. 182 withdrawn from the committee on conservation of resources and referred to committee on fish and game.

## HOUSE FILE WITHDRAWN

Malone of Cass asked and obtained unanimous consent to have House File No. 161 withdrawn from the committee on motor vehicles and transportation and from further consideration of the House.

## REPORT OF JOINT COMMITTEE ON RULES

MR. SPEAKER: Your joint committee on rules begs leave to report that it has had the same under consideration and recommends that the joint rules of the Senate and House of the Forty-third General Assembly be adopted for the joint rules of the Senate and House for the Forty-fourth General Assembly.

REYBURN RUTLEDGE,

*Chairman of the House Committee on Rules.*

WM. E. MCLELAND,

*Chairman of the Senate Committee on Rules.*

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

Motion prevailed and the report was adopted.

#### REPORTS OF COMMITTEES

Van Buren of Jones, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 80, a bill for an act to appropriate \$20,000 or so much thereof as may be necessary for the purpose of paying the expenses of district judges, for the period from January 1, 1931 to June 30, 1931, inclusive, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 61, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the State, and who attend institutions of higher learning, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Hopkins of Guthrie, 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. 35, a bill for an act to amend the law as it appears in section four thousand two hundred seventy-five (4275), code, 1927, and to repeal chapter one hundred six (106) Acts Forty-third General Assembly relating to high school tuition, beg leave to report they have had the same 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 thereto the following:

"Section 3. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Decorah

Public Opinion, a newspaper published at Decorah, Iowa, the Hawarden Independent, a newspaper published at Hawarden, Iowa."

GEO. M. HOPKINS, *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 of the Forty-fourth 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 iniquities against which a torrent of legislation is being directed. But this declaration, or confessed 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.

#### RESOLUTION

Shields of Clarke offered the following resolution:

*Whereas*, The Honorable D. Millard Gibson, who was a member of the House of Representatives in the Thirty-ninth, Fortieth and Fortieth Extra General Assemblies from Clarke County, died on the 1st day of June, 1930; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this state and nation.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Shields of Clarke, Felter of Warren and Randall of Lucas.

Simmer of Wapello asked and obtained unanimous consent to have an editorial by Merrill Gilmore printed in the Journal.  
EDITOR COURIER:

It is one of the privileges of a subscriber to differ with the editorial expressions of his newspaper, and I should like to exercise that right respecting your editorial in Saturday's Courier as to Attorney General John Fletcher.

The road bond act of the Forty-second General Assembly, which was held invalid in the case of State vs. Executive Council, 207 Iowa 923, was submitted to the supreme court by the express directions of the law itself.

In that case the court said of the attorney-general: that he had "performed the mandate upon him with sincere purpose and with signal ability."

I was one of the lawyers who helped form the constitutional amendment which provides for doing what was held unconstitutional in the case in the 207th Iowa; and the purpose of the amendment is to authorize the doing of what prior constitutional provisions did not permit. The House asked the attorney general for an opinion upon the proposed amendment, and Mr. Fletcher has given an adverse opinion. Now I hope, and I think, that the attorney general is wrong; but that is a far different thing from saying that he is wrong in fact. It was his duty to give his opinion upon the request of the House. It is a poor lawyer who gives the opinion that is wanted; if he is honest he gives the opinion that he thinks is demanded by the law and the facts. That is apparently what the attorney general has done, and I do not think he is to be criticized for doing it. He is a lawyer for the state, and the state has a right to demand an honest opinion from its highest law officer, just as a private individual has that right in his own affairs.

While I differ with Mr. Fletcher's conclusions, I recognize his ability and his honesty; and those are two traits in its law officer for which the state should be grateful.

MERRILL GILMORE.

#### INTRODUCTION OF BILLS

House File No. 186, by Witt of Butler, a bill for an act to repeal section five thousand sixty-seven (5067) of the code, 1927, and to enact a substitute therefor, and to provide for the limitation of height, width and length of motor vehicles and trailers, and of the loads thereof.

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

House File No. 187, by Witt of Butler, a bill for an act to repeal section five thousand sixty-five (5065) of the code, 1927, as amended by section two (2), chapter twenty-five (25), acts of the forty-third (43rd) general assembly, and to enact a substitute therefor, relating to maximum loads on motor vehicles.

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

House File No. 188, by Short of Woodbury, a bill for an act to amend section one hundred eleven (111), and to repeal section



one hundred thirteen (113) of the code, 1927, and to enact a substitute therefor, relating to uniform system of accounting, and to examination of public accounts, so as to include offices and officers of independent school districts.

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

House File No. 189, by Mayne of Pottawattamie, a bill for an act consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company, its successors and assigns, from Council Bluffs, Iowa, to and across lands of the Iowa School for the Deaf under the provisions of chapter two hundred sixty-nine (269), acts of the thirty-third (33rd) general assembly; providing for the termination of the right-of-way therein granted and for the obligation of the railway company to remove its property from the state lands, restore them to original condition and surrender possession thereof to the state.

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

House File No. 190, by Long of Cerro Gordo, a bill for an act to amend chapter sixty-four (64), acts of the forty-third (43rd) general assembly, relating to the inspector in the state department of health, and providing for an assistant to said inspector, and compensation and expense of said inspectors.

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

House File No. 191, by Lepley of Grundy, a bill for an act to authorize the establishment, maintenance, and improvement of township parks, to authorize the levy of taxes therefor, to regulate the expenditure of such funds, to authorize the acceptance of gifts, devises, and bequests of property for such purposes, and to grant the power of eminent domain for said purpose.

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

House File No. 192, by Thiessen of Clinton, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd)

general assembly, relating to the use of ferrets in hunting, taking, killing, or capturing wild animals.

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

House File No. 193, by Allen of Pocahontas, a bill for an act to amend chapter one hundred fifty-one-B one (151-B1), code, 1927, so as to extend the provisions thereof to include "and/or all livestock".

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

House File No. 194, by Hall-Fabritz Contest Committee, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hall vs. Fabritz.

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

House File No. 195, by Nelson of Story, a bill for an act to amend chapter three hundred five (305) and sections five thousand nine hundred ten (5910), five thousand nine hundred fourteen (5914) and five thousand nine hundred fifteen (5915) of the code, 1927, relating to the powers of the board of railroad commissioners and cities in the matter of viaducts on streets and proposed streets.

Read first and second times and referred to committee on cities and towns.

House File No. 196, by Wamstad of Mitchell, a bill for an act to amend sections fifty-seven-a one (57-a1) and fifty-seven-a two (57-a2), chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to an increase of road poll taxes and the payment and collection thereof.

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

House File No. 197, by Fabritz of Wapello, a bill for an act to amend chapter two hundred sixty-four (264) of the code, 1927, relating to general duties of county officers, deputies and clerks.

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

### CONSIDERATION OF BILLS

House File No. 71, a bill for an act to legalize the act of the board of supervisors of Decatur county on January 23, 1931, in making a permanent transfer of nine thousand dollars (\$9,000.00) from the court expense fund to the paupers' fund of said county, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 99.

Allen	Garrett	Lepley	Roe
Augustine	Gilmore	Lichty	Rutledge
Avery	Gissel	Long	Ryder
Babcock	Greaser	McCreery	Rylander
Bair	Greene	McLain	Shields
Ballew	Hansen of	Malone	Short
Beath	Audubon	Mathews	Simmer
Berry	Hayes	Mayne	Snyder
Bonnstetter	Helgason	Mead	Sours
Brown	Hesse	Millhone	Stanzel
Byers	Hollingsworth	Miller	Stiger
Craven	Hollis	Morton	Strachan
Davis	Hook	Nelson of	Tamisiea
Dayton	Hopkins	Cherokee	TePaske
Donlon	Hunt	Nelson of Story	Thiessen
Drake of Keokuk	Hush	O'Donnell	Thompson
Drake of	Husted	Osborn	Torgeson
Muscatine	Hutcheon	Paisley	Van Buren
Durant	Johnson of	Pattison	Van Wert
Ellsworth	Marion	Peaco	Wamstad
Fabritz	Kern	Pendray	Watts
Felter	Koch	Randall	Wearin
Figgins	Kohler	Randolph	Whiting
Finnern	Lamb	Rawlings	Witt
Forsling	Langland	Reed	Mr. Speaker
Gallagher	Laughlin	Reimers	

The nays were, none.

Absent or not voting, 9.

Aiken	Hansen of Scott	McCaulley	Orr
Ditto	Hanson of	McDermott	Ratliff
Elliott	Winnebago		

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 provide for the levy and assessment of dues by the governing boards of cemeteries against all unused lots or parts of lots to be used for the perpetual care and upkeep of all lots or parts of lots located within a cemetery; to provide for the forfeiture of title to any unused lot or unused portion of a lot in the event of failure to pay the said assessment; to provide for the sale of all forfeited lots or portions of lots and for the use of the receipts from the sale of the same and for the redemption of said lots by the owner, heir or legal representative, and to provide for a lien on the lots or portions of lots for any unpaid assessment, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Wearin of Mills, the amendments proposed by the committee, found in the Journal of January 31st, were adopted.

Wearin of Mills offered the following amendment and moved its adoption:

Amend by adding section seven (7).

"Sec. 7. Nothing in this act shall apply to cemetery lots sold under the permanent upkeep plan."

Amendment adopted.

Elliott of Scott moved that House File No. 57 be rereferred to the committee on judiciary.

Motion prevailed.

House File No. 99, a bill for an act to amend section five thousand three hundred eighty-five (5385) of the Code, 1927, making it optional for boards of supervisors to levy a tax of not exceeding one (1) mill instead of one-half ( $\frac{1}{2}$ ) mill as now authorized, with report of committee recommending passage, was taken up for consideration.

Rutledge 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, 95.

Allen	Forsling	Kern	Randolph
Augustine	Gallagher	Koch	Rawlings
Avery	Garrett	Kohler	Reed
Babcock	Gilmore	Lamb	Reimers
Bair	Gissel	Langland	Roe
Ballew	Greaser	Laughlin	Rutledge
Beath	Greene	Lepley	Ryder
Berry	Hansen of	Lichty	Rylander
Bonnstetter	Audubon	McCaulley	Short
Brown	Hansen of Scott	McLain	Snyder
Byers	Hanson of	Malone	Sours
Craven	Winnebago	Mathews	Stanzel
Davis	Hayes	Mayne	Stiger
Dayton	Helgason	Mead	Strachan
Donlon	Hesse	Millhone	Tamisiea
Drake of Keokuk	Hollingsworth	Morton	TePaske
Drake of	Hollis	Nelson of	Thiessen
Muscatine	Hook	Cherokee	Torgeson
Durant	Hopkins	Nelson of Story	Van Wert
Elliott	Hunt	O'Donnell	Wamstad
Ellsworth	Hush	Osborn	Watts
Fabritz	Husted	Paisley	Wearin
Felter	Hutcheon	Pattison	Whiting
Figgins	Johnson of	Peaco	Witt
Finnern	Marion	Pendray	Mr. Speaker

The nays were, 3.

Miller	Randall	Thompson
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Absent or not voting, 10.

Aiken	McCreery	Ratliff	Simmer
Ditto	McDermott	Shields	Van Buren
Long	Orr		

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

Rutledge of Webster moved that the vote by which House File No. 99 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 117, a bill for an act to amend section eleven (11), chapter two hundred fourteen (214), acts of the forty-third (43rd) general assembly, relating to guardianship of veterans, with report of committee recommending passage, was taken up for consideration.

Kern 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, 95.

Allen	Forsling	Langland	Roe
Augustine	Gallagher	Laughlin	Rutledge
Avery	Garrett	Lichty	Ryder
Babcock	Gissel	Long	Rylander
Bair	Greaser	McCaulley	Shields
Ballew	Greene	McCreery	Short
Beath	Hansen of	McLain	Simmer
Berry	Audubon	Malone	Snyder
Bonnstetter	Hanson of	Mathews	Sours
Brown	Winnebago	Mayne	Stanzel
Byers	Hayes	Mead	Stiger
Craven	Helgason	Millhone	Strachan
Davis	Hollingsworth	Morton	Tamisiea
Dayton	Hollis	Nelson of	TePaske
Donlon	Hook	Cherokee	Thiessen
Drake of Keokuk	Hopkins	Nelson of Story	Thompson
Drake of	Hush	Osborn	Torgeson
Muscatine	Husted	Paisley	Van Buren
Durant	Hutcheon	Pattison	Van Wert
Elliott	Johnson of	Peaco	Wamstad
Ellsworth	Marion	Pendray	Watts
Fabritz	Kern	Randolph	Wearin
Felter	Koch	Rawlings	Whiting
Figgins	Kohler	Reed	Witt
Finnern	Lamb	Reimers	Mr. Speaker

The nays were, 2.

Gilmore McDermott

Absent or not voting, 11.

Aiken	Hesse	Miller	Randall
Ditto	Hunt	O'Donnell	Ratliff
Hansen of Scott	Lepley	Orr	

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

House File No. 157, a bill for an act to repeal sections eleven thousand thirty-one (11031) to eleven thousand thirty-three (11033), inclusive, Code, 1927, relating to actions against persons in the military or naval service of the government of the United States, with report of judiciary committee recommending passage, was taken up for consideration.

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

On the question, "Shall the bill pass?"

The ayes were, 101.

Allen	Garrett	Langland	Reimers
Augustine	Gilmore	Laughlin	Roe
Avery	Gissel	Lepley	Rutledge
Babcock	Greaser	Lichty	Ryder
Bair	Greene	Long	Rylander
Ballew	Hansen of	McCaulley	Shields
Beath	Audubon	McCreery	Short
Berry	Hansen of	McDermott	Simmer
Bonnstetter	Scott	McLain	Snyder
Brown	Hanson of	Malone	Sours
Byers	Winnebago	Mathews	Stanzel
Craven	Hayes	Mayne	Stiger
Davis	Helgason	Mead	Strachan
Dayton	Hesse	Millhone	Tamisiea
Donlon	Hollingsworth	Miller	TePaske
Drake of Keokuk	Hollis	Morton	Thiessen
Drake of	Hook	Nelson of	Thompson
Muscatine	Hopkins	Cherokee	Torgeson
Durant	Hush	Nelson of Story	Van Buren
Elliott	Husted	Osborn	Van Wert
Ellsworth	Hutcheon	Paisley	Wamstad
Fabritz	Johnson of	Pattison	Watts
Felter	Marion	Peaco	Wearin
Figgins	Kern	Pendray	Whiting
Finnern	Koch	Randolph	Witt
Forsling	Kohler	Rawlings	Mr. Speaker
Gallagher	Lamb	Reed	

The nays were, none.

Absent or not voting, 7.

Aiken	Hunt	Orr	Ratliff
Ditto	O'Donnell	Randall	

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

House File No. 160, a bill for an act to repeal section fifty-five hundred fifty-seven (5557), Code, 1927, relating to the refusal of a township officer to qualify, with report of judiciary committee recommending passage, was taken up for consideration.

Brown 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, 99.

Allen	Gallagher	Lepley	Reimers
Augustine	Garrett	Lichty	Roe
Avery	Gilmore	Long	Rutledge
Babcock	Gissel	McCaulley	Ryder
Bair	Greaser	McCreery	Rylander
Ballew	Greene	McDermott	Shields
Beath	Hansen of Scott	McLain	Short
Berry	Hanson of	Malone	Snyder
Bonnstetter	Winnebago	Mathews	Sours
Brown	Hayes	Mayne	Stanzel
Byers	Helgason	Mead	Stiger
Craven	Hesse	Millhone	Strachan
Davis	Hollingsworth	Miller	Tamisiea
Dayton	Hollis	Morton	TePaske
Donlon	Hook	Nelson of	Thiessen
Drake of	Hopkins	Cherokee	Torgeson
Keokuk	Hush	Nelson of	Van Buren
Drake of	Husted	Story	Van Wert
Muscatine	Hutcheon	Osborn	Wamstad
Durant	Johnson of	Paisley	Watts
Elliott	Marion	Pattison	Wearin
Ellsworth	Kern	Peaco	Whiting
Fabritz	Koch	Pendray	Witt
Felter	Kohler	Randall	Mr. Speaker
Figgins	Lamb	Randolph	
Finnern	Langland	Rawlings	
Forsling	Laughlin	Reed	

The nays were, none.

Absent or not voting, 9.

Aiken	Hansen of	Hunt	Ratliff
Ditto	Audubon	O'Donnell	Simmer
		Orr	Thompson

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 section one hundred sixty-two (162), Code, 1927, relative to the publication of the acts of the general assembly, with report of judiciary committee recommending passage, was taken up for consideration.

Hush 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, 95.

Allen	Babcock	Beath	Brown
Augustine	Bair	Berry	Byers
Avery	Ballew	Bonstetter	Craven



Davis	Hanson of	McCreery	Roe
Dayton	Winnebago	McLain	Rutledge
Donlon	Hayes	Malone	Ryder
Drake of	Helgason	Mathews	Rylander
Keokuk	Hesse	Mayne	Shields
Drake of	Hollingsworth	Mead	Short
Muscatine	Hollis	Millhone	Snyder
Durant	Hook	Miller	Sours
Elliott	Hush	Morton	Stanzel
Fabritz	Husted	Nelson of	Stiger
Felter	Hutcheon	Cherokee	Strachan
Figgins	Johnson of	Nelson of	TePaske
Finnern	Marion	Story	Thiessen
Forsling	Kern	Osborn	Thompson
Gallagher	Koch	Paisley	Van Buren
Gilmore	Kohler	Pattison	Van Wert
Gissel	Lamb	Peaco	Wamstad
Greaser	Langland	Pendray	Watts
Greene	Laughlin	Randall	Wearin
Hansen of	Lepley	Randolph	Whiting
Audubon	Lichty	Rawlings	Witt
Hansen of	Long	Reed	Mr. Speaker
Scott	McCauley	Reimers	

The nays were, none.

Absent or not voting, 13.

Aiken	Hopkins	Orr	Torgeson
Ditto	Hunt	Ratliff	
Ellsworth	McDermott	Simmer	
Garrett	O'Donnell	Tamistea	

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

House File No. 74, a bill for an act to provide for the assessment of agricultural lands owned by the state, to amend section sixty-nine hundred forty-four (6944), Code, 1927, and to repeal chapter one hundred fifteen (115), Acts Forty-third (43d) General Assembly, with report of committee recommending passage, was taken up for consideration.

Hollingsworth of Boone moved that House File No. 74 be referred to committee on ways and means.

Motion prevailed.

House File No. 163, a bill for an act to repeal section fifty-nine hundred fifty (5950) of the Code, 1927, relating to the removal of snow and ice from sidewalks, and to enact a substitute therefor, to provide for the removal of snow, ice, dirt, rubbish, and accumulations, with report of committee on cities and towns recommending passage, was taken up for consideration.

Brown of Polk offered the following amendments and moved their adoption:

Amend by striking in line five (5) of section one (1) the comma (,) after the word "accumulations".

Also, amend by striking in line eight (8) of section one (1) the words "on the" and inserting in lieu thereof the words "against the abutting".

Amend further by striking line ten (10) of section one (1) the words "shall be" and inserting in lieu thereof the word "is".

Amendments adopted.

Brown 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, 91.

Allen	Forsling	Lepley	Reed
Avery	Gallagher	Lichty	Reimers
Babcock	Gilmore	Long	Rutledge
Bair	Greaser	McCaulley	Ryder
Ballew	Greene	McCreery	Rylander
Beath	Hanson of	McLain	Shields
Berry	Winnebago	Mathews	Short
Bonnstetter	Hayes	Mayne	Snyder
Brown	Helgason	Mead	Sours
Craven	Hesse	Millhone	Stanzel
Davis	Hollingsworth	Miller	Stiger
Dayton	Hollis	Morton	Strachan
Donlon	Hook	Nelson of	Tamisiea
Drake of	Hopkins	Cherokee	TePaske
Keokuk	Hush	Nelson of	Thiessen
Drake of	Husted	Story	Thompson
Muscatine	Hutcheon	O'Donnell	Torgeson
Durant	Johnson of	Osborn	Van Buren
Elliott	Marion	Paisley	Van Wert
Ellsworth	Kern	Pattison	Wamstad
Fabritz	Koch	Peaco	Watts
Felter	Kohler	Pendray	Wearin
Figgins	Lamb	Randall	Whiting
Finnern	Langland	Randolph	Witt
			Mr. Speaker

The nays were, none.

Absent or not voting, 17.

Aiken	Gissel	Hunt	Ratliff
Augustine	Hansen of	Laughlin	Rawlings
Byers	Audubon	McDermott	Roe
Ditto	Hansen of	Malone	Simmer
Garrett	Scott	Orr	

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

#### RESOLUTION

Pattison of Jefferson offered the following resolution:

*Whereas*, The Honorable William L. Long who was a member of the House of Representatives in the Thirty-eighth, Thirty-ninth, Fortieth, Fortieth Extra, and Forty-first General Assemblies from Jefferson County, died December eleventh, 1929, therefore

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as such committee: Pattison of Jefferson, Ratliff of Henry and Mathews of Des Moines.

#### RESOLUTION

Bair of Buena Vista offered the following resolution:

*Whereas*, The Honorable F. N. Buckingham, former member of the House of Representatives from Buena Vista county in the Thirty-first and Thirty-second General Assemblies, died at his home in Alta, Iowa, on January 27th, 1931, therefore be it resolved by the House of Representatives of the Forty-fourth General Assembly that the speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to the state of Iowa.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Bair of Buena Vista, Nelson of Cherokee and Avery of Clay.

#### 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. 77, a bill for an act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 37, a bill for an act to amend Section Four (4), Chapter fifty-eight (58), Acts of the Forty-third General Assembly, relating to fur dealers licenses and fixing date of expiration therefor, and penalty for violation.

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 the law relating to the submission to the voters of a county the question of borrowing money for the purpose of erecting and equipping public buildings.

WALTER H. BEAM, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 37, a bill for an act to amend Section Four (4), Chapter fifty-eight (58), Acts of the 43rd General Assembly, relating to Fur Dealers Licenses and fixing date of expiration therefor, and penalty for violation.

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

Senate File No. 77, a bill for an act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs.

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

Senate File No. 31, a bill for an act to amend the law as it appears in section fifty-two hundred sixty-one (5261) and section fifty-two hundred sixty-three (5263) of the Code of 1927, relating to the submission to the voters of a county the question of borrowing money for the purpose of erecting and equipping public

buildings so as to extend said provisions so as to authorize the borrowing of money for the purpose of building additions or extensions to, or the remodeling or the reconstruction of any such public buildings.

Read first and second times and referred to committee on public lands and buildings.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 63.

G. H. HESSE,  
*Acting, Chairman House Committee.*

E. R. HICKLIN,  
*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. 63.

#### EXPLANATION OF VOTE

The following explanation of vote was filed:

MR. SPEAKER AND MEMBERS OF THE HOUSE: I voted on February 2nd against Senate Joint Resolution No. 1, being the Road Bond Bill and desire to explain my vote as follows:

First, because I believe that the amendment as drafted is a violation of the Iowa Constitution as well as the Federal Constitution.

Second, because having received an opinion from the Attorney General that said resolution is invalid, I believe it the duty of every Legislator as a matter of law to follow the advice of the Attorney General's office, created by the people for the purpose of advising public officials in the performance of their duties.

Because of the two foregoing reasons, to vote the amendment out to the people will cause the expenditure of approximately \$300,000 to no avail and only hamper and delay our road building program in the end.

LEONARD SIMMER.

On motion of Mead of Howard 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, FEBRUARY 5, 1931.

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

Prayer was offered by the Rev. H. J. Moore, pastor of the Union Park Presbyterian Church, Des Moines.

Journal of February 4th corrected and approved.

## RESOLUTIONS AND PETITIONS

Avery of Clay presented a petition from the board of supervisors of Clay county, opposing a diversion of the primary road fund.

Referred to committee on roads and highways.

Thompson of Fayette presented a resolution from the town council of Hawkeye, favoring a diversion of the primary road fund.

Referred to committee on roads and highways.

McCaulley of Calhoun presented petitions from Fort Dodge, opposing House File No. 87.

Referred to committee on ways and means.

Drake of Muscatine presented a petition from citizens of Muscatine, opposing House File No. 87.

Referred to committee on ways and means.

Rutledge of Webster presented petitions, opposing the raising of the cigarette tax.

Referred to committee on tax revision.

Allen of Pocahontas presented a letter from a citizen of Pocahontas county.

Referred to committee on banks and banking.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: McCaulley of Calhoun for the day, on request of Johnson of Marion; Orr of Clayton for the day, on request of Avery of Clay; Hayes of Dubuque for the day, on request of Ditto of Osceola.

## ADDITIONAL COPIES OF BILL ORDERED PRINTED

Whiting of Johnson asked and obtained unanimous consent to have five hundred additional copies of House File No. 32 printed.

## REPORTS OF COMMITTEES

McCaulley of Calhoun, from the committee on tax revision, submitted the following report:

MR. SPEAKER: Your committee on tax revision, to whom was referred House File No. 7, a bill for an act to amend the law as it appears in sections sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), and sixty-nine hundred eighty-one (6981), of the code of Iowa 1927, relating to the listing and assessment of the property of all public utilities, and to provide for the listing and assessment of the property of every individual, co-partnership, corporation or association operating for profit, water-works or gas works, electric light or power plant, railways operated by cable or electricity, and elevated street 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.

MARION R. McCAULEY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on tax revision, to whom was referred House File No. 4, a bill for an act to amend the law as it appears in paragraphs one (1), six (6) and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the state board of assessment and review, beg leave to report they have had the same 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 word 'of' in line 4, paragraph 2 of section 1 and inserting the word 'or'.

Further amend by inserting after the word 'and' in line 9 of paragraph 2 of section 1, the following:



'in the event the valuation of the assessed property is increased'.

MARION R. McCAULLEY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on tax revision, to whom was referred House File No. 1, a bill for an act to create the office of county assessor, provide for his election, prescribe his powers and duties, provide for the listing and assessment of property for taxation, to provide penalties for the violation thereof, to constitute a county board of review and to prescribe its duties; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-five (6865), to sixty-eight hundred ninety-six (6896), both inclusive, sixty-nine hundred five (6905), sixty-nine hundred seven (6907), sixty-nine hundred eight (6908), sixty-nine hundred nine (6909), sixty-nine hundred ten (6910), sixty-nine hundred eleven (6911), sixty-nine hundred eighteen (6918), sixty-nine hundred twenty-two (6922), sixty-nine hundred twenty-four (6924), seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), seventy-one hundred sixty-one (7161), all of the code of Iowa 1927, and section fifty-seven a two (57 a 2), chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in section fifty-seven a four (57 a4) chapter twenty (20) Acts of the Forty-third General Assembly, section four hundred fourteen

(414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), fifteen hundred sixty-six (1566), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), section one (1) chapter one hundred sixty-two (162) Acts of the Forty-third General Assembly, fifty-six hundred sixty-four (5664), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-four (6864), sixty-nine hundred twenty-one (6921), sixty-nine hundred twenty-nine (6929), sixty-nine hundred fifty-nine (6959), sixty-nine hundred seventy-three (6973), seventy hundred seven (7007), seventy hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), of the code of Iowa 1927, all relating to the listing and assessment of property for 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 do pass.

MARION R. MCCAULEY, *Chairman.*

Report adopted.

Hanson of Winnebago, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture, to whom was referred Senate File No. 28, a bill for an act to amend section forty hundred thirty-six (4036) of the code, 1927, relating to the state apiarist, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the code of 1927, and section one (1) of chapter one hundred sixteen (116) of the laws of the Forty-third General Assembly, relating to the destruction of weeds and the appointment of a weed commissioner, beg leave to report they have

had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 79, a bill for an act to amend section three (3), chapter eighty (80), acts of the Forty-third General Assembly, relating to county aid for farm aid 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 indefinitely postponed.

H. N. HANSON, *Chairman*.

Passed on file.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 155, a bill for an act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions, beg leave to report they have had the same 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 two (2).

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 133, a bill for an act to amend section 5829-a12 of the code, 1927, relating to the approval of plats so as to require the recommendation of the city plan commission with reference to proposals to vacate any street, alley or public ground, beg leave to report they have had 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 judiciary, to whom was referred Senate File No. 22, a bill for an act legalizing the Pleasant Hill Telephone Company, Mason 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 91, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 110, a bill for an act to repeal section ten thousand nine hundred five (10905) of the code, 1927, and to enact a substitute therefor, relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 145, a bill for an act to legalize the proceedings relating to an election in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, and declaring said bonds enforceable obligations 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Company, and fixing the date of expiration of its renewed corporate existence, beg leave to report they have had 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 judiciary, to whom was referred House File No. 135, a bill for an act providing for a method of execution of stock certificates, and regulating the use of facsimile signatures thereon, beg leave to report they have had 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 judiciary, to whom was referred House File No. 67, a bill for an act to readjust the terms of office of certain of the members of the board of supervisors of Hancock 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, 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:

That the heading following the title thereof, be amended by adding following the word "after" in line eight (8) thereof, the words "January 17, 1929", and by striking out the date "17th" following the words "filed on the" in line 17 thereof, and inserting in lieu thereof "15th", and in

striking out the date "17" following the word "January" in line 21 thereof, and inserting in lieu thereof "15", and in striking out the date "17" in line 34 following the word "January" thereof, and inserting in lieu thereof "15".

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 213, a bill for an act to repeal section 13967 of the Code, 1927, relating to fees.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 212, a bill for an act to amend sections 8288 to 8294, inclusive, code, 1927, and to provide the place of imprisonment when convictions are had under said sections, all relating to offenses involving bills of lading.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 211, a bill for an act to amend section 10305, code, 1927, relating to the filing of claims growing out of and relating to public improvements.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 209, a bill for an act to repeal section 4345, Code, 1927, as amended by the Forty-third General Assembly, Chapter 110, and to enact a substitute therefor relating to establishment of pension and annuity retirement systems in certain independent school districts, and to legalize the establishment of such systems under the laws herein repealed.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 208, a bill for an act to amend section 156, Code, 1927, relating to the issuance by the Code Editor of annotations to the code.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 207, a bill for an act to repeal sections 313 and 347, Code, 1927, and to amend section 1063, Code, 1927, relating to the bond of the director of the budget, and of the members of the appeal board appointed under chapter 22, Code, 1927.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 210, a bill for an act to provide for the disposal in vacation of motions for a new trial or for arrest of judgment in criminal causes and for the rendition of final judgment.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 156, a bill for an act to amend chapter one hundred seventy-six (176), Acts of the Forty-third (43rd) General Assembly, and sections fifty-nine hundred seventy-eight (5978), sixty hundred two (6002), sixty hundred three (6003), sixty hundred twenty-four (6024), sixty hundred twenty-six (6026) and sixty hundred thirty-two (6032), code of 1927, relating to the authorization of cities and towns to improve streets by the use of shale, beg leave to report they have had the same

under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 127, a bill for an act to amend the law as it appears in section sixty-five hundred fifty-six (6556) of the code, 1927, so as to permit a referendum to the voters in cities under the commission form of government of ordinances fixing the compensation of city 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 be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

### RESOLUTION

Hook of Taylor offered the following resolution:

*Whereas*, The Honorable George H. Van Houten, who was a member of the House of Representatives in the Twenty-sixth Extra, Twenty-seventh, Thirty-second and Thirty-second Extra General Assemblies from Taylor County, died on the 17th day of October, 1930; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this state and nation.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Hook of Taylor, Augustine of Ringgold and Millhone of Page.

### INTRODUCTION OF BILLS

House File No. 198, by Ditto of Osceola and Mead of Howard, a bill for an act to repeal section twenty-nine hundred five (2905) and to amend section twenty-nine hundred ten (2910) of the code, 1927, relating to county aid for county agricultural societies and the use of such funds.



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

House File No. 199, by Kern and Brown of Polk, a bill for an act to specify the purposes for which any accumulation or surplus in the county public hospital fund may be used by the trustees of such hospitals; to provide the time during which said trustees shall make their reports; to authorize said trustees to waive, reduce or cancel certain accounts; to specify the legal services which the county attorney shall perform for said trustees; and to provide for the payment of services rendered in said hospitals to private patients, and to this end, to amend section fifty-three hundred fifty-three (5353), fifty-three hundred fifty-nine (5359), fifty-three hundred sixty-three (5363) and fifty-three hundred sixty-four (5364), code, 1927, relating to said hospitals.

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

House File No. 200, by Fabritz of Wapello, a bill for an act to amend section seventeen hundred forty-five (1745), code, 1927, relating to the sale by game wardens of undesirable fish.

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

House File No. 201, by Shields of Clarke, a bill for an act to repeal sections eighteen hundred forty-six (1846) and eighteen hundred forty-eight (1848) of the code, 1927, and to enact substitutes therefor, relating to the defining of a lawful fence.

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

House File No. 202, by Beath of Adams, a bill for an act to amend section thirty-seven hundred eighty-six (3786), code of 1927, providing for parole of prisoners in the penitentiary and reformatories.

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

House File No. 203, by Whiting of Johnson, a bill for an act to amend section fifty-five hundred seventy-six (5576) of the code, 1927, relating to transfer of township funds.

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

House File No. 204, by Bonnstetter of Kossuth, a bill for an act to amend section eleven hundred sixty-six (1166) of the code, 1927, relating to nepotism.

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

House File No. 205, by Thompson of Fayette, a bill for an act to amend chapter fifty-eight (58), acts of the Forty-third (43rd) General Assembly, relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes.

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

House File No. 206, by Hopkins of Guthrie, a bill for an act providing that no proposition to authorize an issuance of bonds shall be deemed carried or adopted unless approved by sixty per cent (60%) of the votes cast thereon.

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

House File No. 207, by committee on judiciary, a bill for an act to repeal sections three hundred thirteen (313) and three hundred forty-seven (347), Code, 1927, and to amend section ten hundred sixty-three (1063), Code, 1927, relative to the bond of the director of the budget, and of the members of the appeal board appointed under chapter twenty-two (22), Code, 1927.

Read first and second times and passed on file.

House File No. 208, by committee on judiciary, a bill for an act to amend section one hundred fifty-six (156), Code, 1927, relating to the issuance by the Code Editor of annotations to the code.

Read first and second times and passed on file.

House File No. 209, by committee on judiciary, a bill for an act to repeal section forty-three hundred forty-five (4345), Code, 1927, as amended by the Forty-third (43rd) General Assembly, chapter

one hundred ten (110), and to enact a substitute therefor relating to the establishment of pension and annuity retirement systems in certain independent school districts, and to legalize the establishment of such systems under the laws herein repealed.

Read first and second times and passed on file.

House File No. 210, by committee on judiciary, a bill for an act to provide for the disposal in vacation of motions for a new trial or for arrest of judgment in criminal causes and for the rendition of final judgment.

Read first and second times and passed on file.

House File No. 211, by committee on judiciary, a bill for an act to amend section ten thousand three hundred five (10305), Code, 1927, relating to the filing of claims growing out of and relating to public improvements.

Read first and second times and passed on file.

House File No. 212, by committee on judiciary, a bill for an act to amend sections eighty-two hundred eighty-eight (8288) to eighty-two hundred ninety-four (8294), inclusive, Code, 1927, and to provide the place of imprisonment when convictions are had under said sections, all relating to offenses involving bills of lading.

Read first and second times and passed on file.

House File No. 213, by committee on judiciary, a bill for an act to repeal section thirteen thousand nine hundred sixty-seven (13967) of the Code, 1927, relating to fees.

Read first and second times and passed on file.

House File No. 214, by Torgeson of Worth, a bill for an act to repeal sections fifty-seven-a one (57-a1) to fifty-seven-a seven (57-a7), inclusive, of chapter twenty (20), acts of the Forty-third (43rd) General Assembly, and to repeal chapter three hundred eighteen (318), code of 1927, relating to road poll taxes.

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

House File No. 215, by Randall of Lucas, a bill for an act to

create a closed season on skunks in various counties, and to provide for notice for such closed season; to provide for expense incident thereto, and to provide for a penalty for the violation of the provisions of this act.

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

House File No. 216, by Randall of Lucas, a bill for an act to amend section ten thousand four hundred twenty-nine (10429) of the code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof.

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

House File No. 217, by Torgeson of Worth and Pattison of Jefferson, a bill for an act to amend section thirty-nine hundred twenty-one (3921) of the code, 1927, as to powers and duties of state board of education so as to provide that the taking of instruction in military tactics, science or training shall be optional with any student.

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

#### 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 make an appropriation for the purpose of paying the necessary expense of blind students.

Also, that the Senate has concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 10, relative to asking congressional legislation providing for aid and co-operation of the Federal Government in coping with law breaking and crime encouraged by the improvement of Highways designated as Federal Highways and Rural Post Roads.

Also, 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 authorize the issuance and sale of county road bonds voted under the provisions of Chapter two hundred forty-two (242) either of the Code of Iowa 1924 or 1927, and to provide for the payment of the principal and interest thereon.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 16, a bill for an act to amend section eleven (11) of chapter (20) of the laws of the Forty-third General Assembly relating to the use of secondary road construction fund.

WALTER H. BEAM, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 55, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the State, and who attend institutions of higher learning.

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

Senate File No. 16, a bill for an act to amend section eleven (11) of chapter twenty (20) of the laws of the Forty-third General Assembly, relating to the use of secondary road construction fund.

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

Senate File No. 15, a bill for an act to authorize the issuance and sale of county road bonds voted under the provisions of Chapter two hundred forty-two (242) either of the Code of Iowa 1924 or 1927, and to provide for the payment of the principal and interest thereon.

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

#### CONSIDERATION OF BILLS

House File No. 23, a bill for an act to amend the law as it appears in section ten thousand seven hundred sixty-eight (10768), of the Code of Iowa 1927, relating to the number of judges in and for the twenty-first Judicial District of Iowa, with report of committee recommending passage, was taken up for consideration.

TePaske of Sioux offered the following amendment and moved its adoption:

Amend by striking from line four (4) of section one (1) the words and figures "seventy-one (71)" and inserting in lieu thereof the words and figures "seventy (70)".

Amendment adopted.

TePaske of Sioux offered the following amendment and moved its adoption:

Amend House File No. 23 by inserting after section one (1) the following section:

Sec. 2. The additional office created by this act shall be filled by appointment by the governor and the person so appointed shall hold this office until the thirty-first day of December, 1932, and until his successor is elected and qualified, which successor shall be elected at the general election in 1932, and every four years thereafter.

Amendment adopted.

TePaske of Sioux asked and obtained unanimous consent to have the Chief Clerk renumber the sections of the bill in order to comply with the amendment as adopted by the House.

Berry of Monroe moved the previous question.

Motion prevailed.

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

On the question "Shall the bill pass?"

The ayes were, 90.

Aiken	Donlon	Greene	Johnson of
Allen	Drake of	Hansen of	Marion
Augustine	Keokuk	Audubon	Kern
Avery	Durant	Hanson of	Koch
Babcock	Elliott	Winnebago	Kohler
Ballew	Ellsworth	Helgason	Lamb
Beath	Fabritz	Hesse	Langland
Berry	Figgins	Hollingsworth	Laughlin
Bonnstetter	Finnern	Hollis	Lichty
Brown	Forsling	Hook	Long
Craven	Gallagher	Hopkins	McCreery
Davis	Garrett	Hunt	McLain
Dayton	Gilmore	Husted	Mathews
Ditto	Greaser	Hutcheon	Mayne.

Millhone	Pattison	Ryder	TePaske
Miller	Peaco	Rylander	Thiessen
Morton	Pendray	Shields	Thompson
Nelson of	Randolph	Short	Torgeson
Cherokee	Ratliff	Simmer	Van Buren
Nelson of	Rawlings	Snyder	Van Wert
Story	Reed	Sours	Wamstad
O'Donnell	Reimers	Stiger	Watts
Osborn	Roe	Strachan	Whiting
Paisley	Rutledge	Tamisiea	Mr. Speaker

The nays were, 8.

Bair	Lepley	Randall	Wearin
Hansen of	Malone	Stanzel	
Scott	Mead		

Absent or not voting, 10.

Byers	Felter	Hush	Orr
Drake of	Gissel	McCaulley	Witt
Muscatine	Hayes	McDermott	

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

House File No. 150, a bill for an act to amend section thirty-one hundred seventy-four (3174) code of 1927, relating to the sale of certain poisons, with report of committee on pharmacy recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 76.

Aiken	Fabritz	Hook	Long
Allen	Figgins	Hopkins	McLain
Augustine	Forsling	Hunt	Mathews
Avery	Gallagher	Hush	Mead
Babcock	Garrett	Husted	Millhone
Ballew	Gilmore	Hutcheon	Miller
Berry	Gissel	Johnson of	Morton
Bonnstetter	Greaser	Marion	Nelson of
Davis	Hansen of	Kern	Story
Dayton	Scott	Koch	Osborn
Drake of	Hanson of	Kohler	Paisley
Keokuk	Winnebago	Lamb	Peaco
Drake of	Helgason	Langland	Pendray
Muscatine	Hesse	Laughlin	Randall
Durant	Hollingsworth	Lepley	Randolph
Ellsworth	Hollis	Lichty	Ratliff

Reed	Snyder	Tamisiea	Wearin
Reimers	Sours	Thiessen	Whiting
Rutledge	Stanzel	Thompson	Mr. Speaker
Ryder	Stiger	Van Wert	
Short	Strachan	Wamstad	

The nays were, 4.

Hansen of Audubon	Pattison	Rylander	Watts
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Absent or not voting, 28.

Bair	Felter	Mayne	Simmer
Beath	Finnern	Nelson of	TePaske
Brown	Greene	Cherokee	Torgeson
Byers	Hayes	O'Donnell	Van Buren
Craven	McCaulley	Orr	Witt
Ditto	McCreary	Rawlings	
Donlon	McDermott	Roe	
Elliott	Malone	Shields	

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

House File No. 149, a bill for an act to amend section twenty-four hundred forty-four (2444), code of 1927, relating to the display of licenses by practitioners of certain professions, with report of committee on pharmacy recommending passage, was taken up for consideration.

Long 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, 90.

Augustine	Durant	Hansen of	Johnson of
Avery	Elliott	Scott	Marion
Babcock	Ellsworth	Hanson of	Kern
Ballew	Fabritz	Winnebago	Koch
Beath	Felter	Helgason	Kohler
Berry	Figgins	Hesse	Lamb
Bonnstetter	Forsling	Hollingsworth	Langland
Craven	Gallagher	Hollis	Laughlin
Dayton	Garrett	Hook	Lepley
Ditto	Gilmore	Hopkins	Lichty
Donlon	Gissel	Hunt	Long
Drake of	Greaser	Hush	McCreery
Keokuk	Hansen of	Husted	McDermott
Drake of	Audubon	Hutcheon	McLain
Muscatine			Malone



Mathews	Peaco	Ryder	Thiessen
Mead	Pendray	Rylander	Thompson
Millhone	Randall	Shields	Van Buren
Miller	Randolph	Short	Van Wert
Morton	Ratliff	Sours	Wamstad
Nelson of	Rawlings	Stanzel	Watts
Story	Reed	Stiger	Wearin
Osborn	Reimers	Strachan	Whiting
Paisley	Roe	Tamisiea	Mr. Speaker
Pattison	Rutledge	TePaske	

The nays were, none.

Absent or not voting, 18.

Aiken	Davis	Mayne	Simmer
Allen	Finnern	Nelson of	Snyder
Bair	Greene	Cherokee	Torgeson
Brown	Hayes	O'Donnell	Witt
Byers	McCaulley	Orr	

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

Hesse of O'Brien, 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 February, 1931, sent to the governor for his approval:

House File No. 63.

G. H. HESSE, *Acting Chairman.*

Report adopted.

#### AMENDMENTS FILED

Wamstad of Mitchell filed the following amendment to House File No. 21:

Amend House File No. 21 by adding thereto sections three (3) and four (4) as follows:

"Sec. 3. That section one (1) of chapter one hundred sixteen (116) of the laws of the Forty-third General Assembly be and the same is hereby amended by striking out all of lines thirty-seven (37), thirty-eight (38) and thirty-nine (39), and inserting in lieu thereof the following:

"The board of supervisors of the respective counties shall fix a uniform scale of compensation for all township weed commissioners.

"Sec. 4. Each weed commissioner appointed in any city or town, or employed by the state highway commission, shall receive such amount per diem and mileage as shall be fixed by the respective council or commission which he represents."

Elliott of Scott filed the following amendment to House File No. 1:

Amend Section 10, House File No. 1 by adding following Sub-section 12:

12. In any County in which there is a city acting under special charter, having a population of over 50,000, he shall submit to the City Council of such city, a recapitulation of the then actual values of all property subject to assessment and taxation in said city not later than the first day of July in each year. Upon certification to said assessor by such City Council of the tax levy and the percentage of taxable value for the current year he shall not later than the first day of September of such year deliver to the City Treasurer of said City a tax list, covering all property assessable within and subject to taxation by said city, with the taxes so levied and certified extended thereon upon such taxable value as shall have been determined by the City Council, which list shall embody all corrections in assessment made prior to the second Monday in July of such year. He shall also certify from time to time to the City Treasurer of such City any assessments of omitted property or corrections in assessments in the same manner as to the County Treasurer.

Add Section ———.

In any county in which there is a city acting under special charter and having a population of over 50,000, the City Council shall not later than the second Monday in July of each year certify to the County Assessor the tax levy and the percentage of taxable and actual value for the current year for extension upon the tax list of said city. Such tax list shall be the warrant for the collection thereof by the Treasurer of such city when delivered to him by the County Assessor. Any such city shall furnish to the County Assessor the necessary books for the compilation of said tax list. In the event of any correction of any assessment subsequent to the delivery by the County Assessor of the tax list for any such city to the Treasurer thereof, such Treasurer shall upon notice thereof from the County Assessor correct such list in accordance therewith. If the tax so levied has been paid upon a greater assessment than finally fixed, the City Council shall direct the City Treasurer to refund the excess so collected and charge the several funds previously credited. If the assessment theretofore made be finally increased, the City Treasurer after correcting said tax list shall collect the increased tax due in the same manner as for omitted property, provided however, no interest shall be

charged thereon until ten (10) days after demand unless such property is certified to such Treasurer as omitted property.

Amend by adding:

Sec. —. That Section Sixty-eight hundred sixty-seven be amended by striking therefrom the words in the seventh and eighth lines thereof: substituting therefor in each instance the words "the State Board of Assessment and Review".

Amend by adding:

Sec. —. That Section Sixty-eight Hundred sixty-six be amended by striking therefrom wherever found the words "Executive Council" and "which shall be ascertained by the assessor of said city".

Amend Sec. 63 to read:

That Section 6703 of the Code of Iowa 1927, be and the same is hereby amended by adding after the word "treasurer" in line three and before the word "collector" in line four the following: "and in such cities having a population of over fifty thousand a".

Amend Sec. 64 to read:

That Section 6732 of the Code of Iowa 1927, be and the same is hereby amended by adding thereto the following:

"Nothing herein contained shall be deemed to affect the procedure for the assessment of property and the equalization of assessments by the County Assessor."

Amend by omitting Section 65, Section 66, Section 67.

Amend Sec. 83 by omitting the reference to the following Code Sections 6865 to 6896, inclusive, and enumerate the following sections for repeal: Section 6868 to Section 6870, inclusive. Omit reference: "to Sections 6905, 6907, 6908, 6909, 6910, 6911, 6918, 6922, 6924".

Rylander of Marshall filed the following amendment to House File No. 21:

Amend House File No. 21 as follows:

1. By striking section one (1) thereof and by substituting in lieu thereof the following:

"Section 1. That section forty-eight hundred nineteen (4819) of the code of 1927, be and is hereby amended by striking the first sentence of sub-section two (2) thereof and by substituting in lieu thereof the following: Noxious weeds growing in the secondary roads shall be destroyed by the board of supervisors and noxious weeds growing in the primary roads shall be destroyed by the Highway Commission."

2. By adding thereto the following:

"Sec. 3. That section forty-eight hundred twenty (4820) of the code of 1927 is hereby repealed."

3. By striking the period (.) at the end of the title and inserting in lieu thereof a comma (,) and by adding the following:

"And to repeal section forty-eight hundred twenty (4820) of the code of 1927."

Tamisiea of Harrison filed the following amendment to House File No. 145:

Amend House File No. 145, by striking the word "commission" in line thirteen (13) of Section one (1), and inserting in lieu thereof the word "omission".

On motion of Augustine of Ringgold 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, FEBRUARY 6, 1931.

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

Prayer was offered by the Rev. James Edward Lair, pastor of the Fairview Christian Church, Taylor county, Iowa.

Journal of February 5th corrected and approved.

## RESOLUTIONS AND PETITIONS

Greene of Pottawattamie presented a petition from the National Blacksmith and Horseshoers Association of Oakland, Iowa, favoring the creation of a board of examiners.

Referred to committee on agriculture.

Greene of Pottawattamie presented a petition from the board of supervisors of Pottawattamie county, opposing a diversion of the primary road fund.

Referred to committee on roads and highways.

Rutledge of Webster presented a petition from citizens of Fort Dodge, opposing the raising of the cigarette tax.

Referred to committee on tax revision.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: McCaulley of Calhoun indefinitely, on request of Elliott of Scott; Orr of Clayton for the day, on request of Hayes of Dubuque.

## AMENDMENT WITHDRAWN

Tamisiea of Harrison asked and obtained unanimous consent to withdraw his amendment to House File No. 145, filed on February 5th and found on page 333 of the Journal.

## REPORTS OF COMMITTEES

Ellsworth of Hardin, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 25, a bill for an act to amend the law as it appears in Sections 2321, 2322, 5218, 5237 and 5238, all relating to the office of Coroner, specifying to added duties for the coroner, fixing his compensation to be paid out of the County Treasury, requiring the undertaker to promptly notify the coroner as to certain suspicious deaths, and authorizing the appointment of a Deputy 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 be amended as follows, and when so amended the bill do pass:

Amend section three (3) by adding thereto the following: "and shall receive therefor the same compensation as that paid other physicians, but in no such case shall he receive any witness fee".

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 31, a bill for an act to amend sections 2542, 2545 and 2546, code, 1927, relating to the practice of podiatry, beg leave to report they have had the same 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 three (3) of the bill. Further amend by renumbering section two (2) to read "Section 3.". Also amend by inserting as section two (2) the following:

"Section 2. Amend section two thousand five hundred forty-three (2543), code, 1927, by adding thereto the following:

'3. Persons engaged in the fitting, recommending or sale of shoes, arch supports or similar mechanical appliances in retail stores.'"

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on public health has introduced to the House, House File No. 223, a bill for an act to amend section 2538 of the code, 1927, pertaining to the practice of medicine and surgery.

The committee on public health recommends to the House that the bill do pass.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on public health has introduced to the House, House File No. 224, a bill for an act to amend sections 2447, 2448, 2492 and 2519 of the code, 1927, relative to the renewal of licenses and reinstatements of licensees, revocation of licenses of practitioners of medicine, and to the penalty for the violation of any of the statutes governing the practice of medicine.

The committee on public health recommends to the House that the bill do pass.

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on public health has introduced to the House, House File No. 225, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health under title eight (VIII) of the code, 1927, from the use of any professional title or abbreviation other than that of the profession under which he is licensed and requiring each practitioner to use the proper designation and providing the penalty for violation thereof.

The committee on public health recommends to the House that the bill do pass.

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Hush of Montgomery, 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. 46, a bill for an act to amend paragraph one (1) of Section two hundred eleven (211) in the Code of Iowa 1927, relating to the levy of taxes for grading 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 the title by inserting the word "sixty" before the word "two" in line one and by inserting the figure "6" before the figures "211" in the second line.

HOMER HUSH, *Chairman.*

Report adopted.

Van Buren of Jones, from the committee on appropriation, submitted the following report :

MR. SPEAKER: Your committee on appropriations, to whom was re-

ferred House File No. 98, a bill for an act to co-ordinate and harmonize various sections of the code, 1927, with the state appropriation act provided by sec. 333 of said code, to avoid duplicate appropriations in said code and act and to this end repeal secs. 1426, 1712, and 2781 and to amend secs. 1655, 2533, 3941, 4028, and 4559, all of said code, and relating to appropriations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 53, a bill for an act making appropriation to defray the expense of the inaugural ceremonies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Mathews of Des Moines, from the committee on the suppression of intemperance, submitted the following report:

MR. SPEAKER: Your committee on the suppression of intemperance have introduced to the House, House File No. 226, a bill for an act to repeal section thirteen thousand two hundred forty (13240), code, 1927, and to enact a substitute therefor, relating to the sale or keeping for sale or giving away of adulterated or drugged liquor.

The committee on the suppression of intemperance recommend to the House that the bill do pass.

HOWARD A. MATHEWS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on the suppression of intemperance have introduced to the House, House File No. 227, a bill for an act to amend section nineteen hundred sixty-four (1964), code, 1927; to repeal section nineteen hundred sixty-five (1965), code, 1927, and to enact a substitute therefor, relating to second and subsequent convictions of violations of laws relating to intoxicating liquors; to broaden the present provisions of law relative to such convictions; and to prescribe the duties of county attorneys and of the courts with reference to said subject matter.

The committee on the suppression of intemperance recommend to the House that the bill do pass.

HOWARD A. MATHEWS, *Chairman*.

Report adopted.



## RESOLUTION

Watts of Van Buren offered the following resolution:

*Whereas*, Hon. Arthur Mounce of Keosauqua, a member of the House of Representatives from Van Buren county in the Forty-third General Assembly, passed away on December 3rd at Ottumwa, Iowa.

*Be It Resolved by the House of Representatives*, That a committee of three be appointed to draft suitable resolutions commemorating the life of this man.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Watts of Van Buren, Lamb of Dallas and Ratliff of Henry.

## INTRODUCTION OF BILLS

House File No. 218, by Hansen of Scott, a bill for an act to amend section fifty-one hundred thirty-nine (5139) of the code, 1927, relating to the power of the board of supervisors to order the destruction of certain papers and records.

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

House File No. 219, by Hansen of Scott, a bill for an act to amend chapter ninety-two (92) laws of the forty-third general assembly, relating to the levying of a tax to pay pensions to widowed mothers.

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

House File No. 220, by Simmer of Wapello, a bill for an act to amend sections seven (7), twelve (12) and fifteen-a one (15-a1) of chapter twenty (20), acts of the forty-third (43rd) general assembly and to repeal sections thirteen (13) and sixteen (16) of chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to tax levies for secondary road purposes.

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

House File No. 221, by Rutledge of Webster, a bill for an act

to repeal sections forty-nine hundred forty-three (4943) to forty-nine hundred sixty (4960), inclusive, code, 1927, to prohibit the operation of motor vehicles upon public highways by persons who are not licensed as operators, or as chauffeurs, to provide for the issuance of such licenses, to prohibit the issuance of such licenses to certain persons, to prescribe the conditions of such licenses, to fix and declare the liability of persons for the operation of motor vehicles, to require a report of convictions of violations of laws regulatory of motor vehicles, to provide for the revocation and suspension of such licenses, to declare certain acts relative to the subject matter of this chapter to be public offenses, to provide for the punishment of such acts, to fix the time when this act shall take effect, to amend section forty-nine hundred ninety-nine (4999), relating to the disposition of motor vehicles and other fees, and to provide that this enactment shall be a part of chapter two hundred fifty-one (251), code, 1927.

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

House File No. 222, by Torgeson of Worth and Randall of Lucas, a bill for an act to amend section forty-seven hundred fifty-three-a seventeen (4753-a17) of the code, 1927, as amended by chapter twenty-three (23) acts of the forty-third (43rd) general assembly, relating to the limitation of indebtedness for the financing of improvement of the highways.

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

House File No. 223, by committee on public health, a bill for an act to amend section twenty-five hundred thirty-eight (2538) of the code, 1927, pertaining to the practice of medicine and surgery.

Read first and second times and passed on file.

House File No. 224, by committee on public health, a bill for an act to amend sections twenty-four hundred forty-seven (2447), twenty-four hundred forty-eight (2448), twenty-four hundred ninety-two (2492), and twenty-five hundred nineteen (2519) of the code, 1927, relative to the renewal of licenses and reinstatement of licensees, revocation of licenses of practitioners of medicine, and to the penalty for the violation of any of the statutes governing the practice of medicines.

Read first and second times and passed on file.

House File No. 225, by committee on public health, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health under title eight VIII, of the code, 1927, from the use of any professional title or abbreviation other than that of the profession under which he is licensed and requiring each practitioner to use the proper designation and providing the penalty for violation thereof.

Read first and second times and passed on file.

House File No. 226, by committee on suppression of intemperance, a bill for an act to repeal section thirteen thousand two hundred forty (13240), code, 1927, and to enact a substitute therefor, relating to the sale or keeping for sale or giving away of adulterated or drugged liquor.

Read first and second times and passed on file.

House File No. 227, by committee on suppression of intemperance, a bill for an act to amend section nineteen hundred sixty-four (1964), code, 1927; to repeal section nineteen hundred sixty-five (1965), code, 1927, and to enact a substitute therefor, relating to second and subsequent convictions of violations of laws relating to intoxicating liquors; to broaden the present provisions of law relative to such convictions; and to prescribe the duties of county attorneys and of the courts with reference to said subject matter.

Read first and second times and passed on file.

House File No. 228, by Husted of Madison, a bill for an act to amend sections thirty-one hundred thirteen (3113) and thirty-one hundred fifteen (3115) of the code, 1927, pertaining to the definition and labeling of stock tonics.

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

House File No. 229, by Simmer of Wapello and Torgeson of Worth, a bill for an act to repeal section forty-seven hundred sixty-five (4765) of the code, 1927, and to amend chapter twenty-three (23), acts of the forty-third (43rd) general assembly, relating to the issuance of bonds for secondary road construction.

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

House File No. 230, by Reed of Mahaska, a bill for an act to repeal section fifty-three hundred forty-six (5346) of the code, 1927, and to enact a substitute therefor, requiring the board of supervisors of the county to pay the proportional cost of educating the children residing at the county farm.

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

House File No. 231, by Whiting of Johnson, a bill for an act to make an appropriation to pay the cost of paving certain streets which pass through or are adjacent to property belonging to the state university of Iowa, Iowa City, Iowa.

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

House File No. 232, by Brown of Polk, a bill for an act to amend sections sixty-three hundred ten (6310) and sixty-three hundred fourteen (6314) code of 1927, relating to pension funds for disabled and retired firemen and policemen by including therein provisions making such pensions applicable to deputy clerks of municipal courts in cities having a population of one hundred thousand (100,000) or more.

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

House File No. 233, by Johnson of Marion, a bill for an act to amend section twenty-seven hundred sixty-six (2766), twenty-seven hundred eighty-one (2781), and twenty-eight hundred five (2805), and to repeal sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred (2800), twenty-eight hundred and one (2801) and twenty-eight hundred and two (2802) of the code, 1927, and to enact a substitute in lieu thereof relating to the licensing of veterinarians and to the revocation of license to practice veterinary medicine.

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

House Joint Resolution No. 4, by Elliott of Scott and Johnson of Marion, a joint resolution calling a special election for the

submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa.

Read first and second times and passed on file.

#### ADDITIONAL COPIES OF BILLS ORDERED PRINTED

Whiting of Johnson asked and obtained unanimous consent to have two hundred additional copies of House File No. 16 printed.

Witt of Butler asked and obtained unanimous consent to have five hundred additional copies of House Files Nos. 186 and 187 printed.

#### CONSIDERATION OF BILLS

House File No. 83, a bill for an act to amend section fifty-seven hundred forty-three (5743), Code of 1927, relating to the power of cities and towns to regulate and license, with report of committee recommending passage, was taken up for consideration.

Van Buren of Jones moved the previous question.

Motion prevailed.

Avery of Clay moved that the bill be read a third time 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, 50.

Augustine	Gallagher	Koch	Osborn
Avery	Garrett	Lamb	Paisley
Babcock	Gilmore	Lepley	Peaco
Ballew	Greaser	Lichty	Pendray
Bonnstetter	Greene	McCreery	Randolph
Brown	Hayes	McDermott	Rawlings
Ditto	Helgason	McLain	Rutledge
Drake of	Hesse	Malone	Ryder
Keokuk	Hollis	Mayne	Sours
Drake of	Hook	Mead	Stiger
Muscatine	Hutcheon	Millhone	Tamisiea
Ellsworth	Johnson of	Miller	Whiting
Fabritz	Marion	Morton	Witt
Finnern			

The nays were, 53.

Allen	Dayton	Forsling	Hanson of
Bair	Donlon	Gissel	Winnebago
Beath	Durant	Hansen of	Hollingsworth
Berry	Elliott	Audubon	Hopkins
Craven	Felter	Hansen of	Hush
Davis	Figgins	Scott	Husted

Kern	Nelson of	Rylander	Thompson
Kohler	Story	Shields	Torgeson
Langland	O'Donnell	Short	Van Buren
Laughlin	Pattison	Simmer	Van Wert
Long	Randall	Snyder	Wamstad
Mathews	Ratliff	Stanzel	Watts
Nelson of	Reed	Strachan	Wearin
Cherokee	Reimers	TePaske	Mr. Speaker
	Roe	Thiessen	

Absent or not voting, 5.

Aiken	Hunt	McCaulley	Orr
Byers			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Torgeson of Worth moved that the vote by which House File No. 83 failed to pass the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 80, a bill for an act to appropriate twenty thousand dollars (\$20,000), or so much thereof as may be necessary for the purpose of paying the expenses of district court judges authorized by law, for the period from January 1, 1931, to June 30, 1931, inclusive, 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, 77.

Augustine	Hansen of	Langland	Reed
Avery	Audubon	Laughlin	Rutledge
Babcock	Hansen of	Lepley	Ryder
Bair	Scott	Long	Rylander
Beath	Hanson of	McCreery	Shields
Brown	Winnebago	McDermott	Short
Byers	Hayes	McLain	Snyder
Craven	Helgason	Malone	Sours
Dayton	Hollingsworth	Mathews	Stanzel
Donlon	Hollis	Mayne	Stiger
Drake of	Hook	Mead	Tamisiea
Keokuk	Hopkins	Millhone	TePaske
Durant	Hush	Morton	Thompson
Elliott	Husted	Osborn	Torgeson
Fabritz	Hutcheon	Paisley	Van Buren
Figgins	Johnson of	Pattison	Van Wert
Finnern	Marion	Pendray	Wamstad
Forsling	Kern	Randolph	Watts
Garrett	Koch	Ratliff	Wearin
Gilmore	Kohler	Rawlings	Whiting
	Lamb		Mr. Speaker

The nays were, 15.

Bonnstetter	Gallagher	Hesse	Strachan
Ditto	Gissel	Miller	Thiessen
Ellsworth	Greaser	Peaco	Witt
Felter	Greene	Roe	

Absent or not voting, 16.

Aiken	Drake of	Nelson of	Orr
Allen	Muscatine	Cherokee	Randall
Ballew	Hunt	Nelson of	Reimers
Berry	Lichty	Story	Simmer
Davis	McCauley	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. 61, a bill for an act to make an emergency appropriation for the purpose of paying the necessary expenses of worthy and deserving blind students, who are residents of the State, and who attend institutions of higher learning, with report of committee recommending passage, was taken up for consideration.

Elliott of Scott asked and obtained unanimous consent to have Senate File No. 55 withdrawn from the committee on appropriations and substituted for House File No. 61.

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?"

The ayes were, 101.

Aiken	Drake of	Hansen of	Johnson of
Allen	Muscatine	Audubon	Marion
Augustine	Durant	Hansen of	Kern
Avery	Elliott	Scott	Koch
Babcock	Ellsworth	Hanson of	Kohler
Bair	Fabritz	Winnebago	Lamb
Beath	Felter	Hayes	Langland
Berry	Figgins	Helgason	Laughlin
Bonnstetter	Finnern	Hesse	Lepley
Brown	Forsling	Hollingsworth	Lichty
Byers	Gallagher	Hollis	Long
Craven	Garrett	Hook	McDermott
Davis	Gilmore	Hopkins	McLain
Ditto	Gissel	Hush	Malone
Donlon	Greaser	Husted	Mathews
Drake of	Greene	Hutcheon	Mayne
Keokuk			Mead

Millhone	Randall	Short	Torgeson
Miller	Randolph	Simmer	Van Buren
Morton	Ratliff	Snyder	Van Wert
Nelson of Cherokee	Rawlings	Sours	Wamstad
O'Donnell	Reed	Stanzel	Watts
Osborn	Reimers	Stiger	Wearin
Paisley	Roe	Strachan	Whiting
Pattison	Rutledge	Tamisiea	Witt
Peaco	Ryder	TePaske	Mr. Speaker
Pendray	Rylander	Thiessen	
	Shields	Thompson	

The nays were, none.

Absent or not voting, 7.

Ballew	McCaulley	Nelson of	Orr
Dayton	McCreery	Story	
Hunt			

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

Unanimous consent having been obtained, Senate File No. 53, a bill for an act making appropriation to defray the expense of the inaugural ceremonies, with report of committee recommending passage, was taken up for consideration.

Van Buren 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, 95.

Aiken	Ellsworth	Hollingsworth	McDermott
Augustine	Fabritz	Hollis	McLain
Avery	Felter	Hook	Malone
Babcock	Figgins	Hopkins	Mathews
Ballew	Finnern	Hush	Mayne
Beath	Forsling	Husted	Mead
Berry	Gallagher	Hutcheon	Millhone
Bonnstetter	Garrett	Johnson of	Miller
Brown	Gilmore	Marion	Morton
Davis	Gissel	Kern	Nelson of
Dayton	Greaser	Koch	Cherokee
Ditto	Greene	Kohler	Nelson of
Donlon	Hansen of	Lamb	Story
Drake of	Audubon	Langland	Osborn
Keokuk	Hansen of	Laughlin	Paisley
Drake of	Scott	Lepley	Pattison
Muscatine	Hayes	Lichty	Peaco
Durant	Helgason	Long	Pendray
Elliott	Hesse	McCreery	Randolph



Rawlings	Shields	Strachan	Wamstad
Reed	Short	Tamisiea	Watts
Reimers	Simmer	TePaske	Whiting
Roe	Snyder	Thiessen	Witt
Rutledge	Sours	Thompson	Mr. Speaker
Ryder	Stanzel	Torgeson	
Rylander	Stiger	Van Buren	

The nays were, none.

Absent or not voting, 13.

Allen	Hanson of	McCaulley	Ratliff
Bair	Winnebago	O'Donnell	Van Wert
Byers	Hunt	Orr	Wearin
Craven		Randall	

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

Unanimous consent having been obtained, House File No. 145, a bill for an act to legalize the proceedings relating to an election held in the city of Missouri Valley, Iowa, on the proposition of constructing a city hall and fire station, and issuing bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election, and declaring said bonds enforceable obligations of said city, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 91.

Augustine	Drake of	Greene	Johnson of
Avery	Keokuk	Hansen of	Marion
Babcock	Drake of	Audubon	Kern
Bair	Muscatine	Hayes	Koch
Ballew	Durant	Helgason	Kohler
Beath	Elliott	Hesse	Lamb
Berry	Ellsworth	Hollingsworth	Langland
Bonnstetter	Fabritz	Hollis	Laughlin
Brown	Felter	Hook	Long
Craven	Figgins	Hopkins	McDermott
Davis	Gallagher	Hush	McLain
Dayton	Garrett	Husted	Malone
Ditto	Gissel	Hutcheon	Mathews
Donlon	Greaser		Mayne

Mead	Pattison	Ryder	Thiessen
Millhone	Peaco	Rylander	Thompson
Miller	Pendray	Short	Van Buren
Morton	Randall	Simmer	Wamstad
Nelson of	Randolph	Snyder	Watts
Cherokee	Ratliff	Sours	Wearin
Nelson of	Rawlings	Stanzel	Whiting
Story	Reed	Stiger	Witt
O'Donnell	Reimers	Strachan	Mr. Speaker
Osborn	Roe	Tamisiea	
Paisley	Rutledge	TePaske	

The nays were, none.

Absent or not voting, 17.

Aiken	Gilmore	Hunt	Orr
Allen	Hansen of	Lepley	Shields
Byers	Scott	Lichty	Torgeson
Finnern	Hanson of	McCaulley	Van Wert
Forsling	Winnebago	McCreery	

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

#### HOUSE JOINT RESOLUTION REFERRED

Johnson of Marion asked and obtained unanimous consent to have House Joint Resolution No. 4 referred to committee on judiciary.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

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

Senate File No. 75, a bill for an act relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 72, a bill for an act to repeal section two hundred thirty-seven (237) of the code and to enact a substitute therefor, relating to the distribution of early laws.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 72, a bill for an act to repeal section two hundred thirty-seven (237) of the code and to enact a substitute therefor, relating to the distribution of early laws.

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

Senate File No. 75, a bill for an act to repeal section ten thousand nine hundred five (10905) of the Code, 1927, and to enact a substitute therefor, relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists.

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

Rutledge of Webster asked and obtained unanimous consent to withhold House File No. 221 from the printer until corrections have been made.

#### AMENDMENTS FILED

Gallagher of Iowa filed the following amendment to House File No. 129:

Amend House File No. 129 as follows:

1. Strike the word "and" in line two of the title, substituting a comma therefor.
2. Insert after "(2306)", at the end of line two, ",", and twenty-three hundred nine (2309)"

Amend the bill by adding thereto, as follows:

"Sec. 6. That section twenty-three hundred nine (2309) of the code, 1927, be amended by adding after the period in line seven (7), "Failure to report any venereal disease as specified in this chapter shall be cause for the refusal of a renewal of license as provided in title VIII. chapter 115, section two thousand four hundred forty-seven (2447), of the code, 1927."

Rutledge of Webster filed the following amendment to House File No. 159:

Amend House File No. 159 by inserting after the word "medicines" in section 3, line six (6) the following:

"except those used for agricultural or horticultural purposes."

Helgason of Emmet filed the following amendment to House File No. 21:

Amend House File No. 21 by adding at the end of section 2 the following:

"All laws of the state, or parts thereof, in conflict with the provisions of this act are for the purpose of this act hereby repealed."

On motion of Lepley of Grundy 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 7, 1931.

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

Prayer was offered by the Rev. De Loss Marken, pastor of the College Avenue Church of Christ, Des Moines.

Journal of February 6th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Byers of Linn for the day, on request of Elliott of Scott; O'Donnell of Carroll for the day, on request of Finnern of Crawford; Laughlin of Fremont for the day, on request of Reimers of Lyon; Koch of Bremer for the day, on request of Mead of Howard; Witt of Butler for the day, on request of Drake of Keokuk; Nelson of Cherokee for the day, on request of Husted of Madison; Hesse of O'Brien for the day, on request of Sours of Floyd; Augustine of Ringgold for the day, on request of Lepley of Grundy; Stiger of Tama for the day, on request of Whiting of Johnson; Wamstad of Mitchell for the day, on request of Hopkins of Guthrie; Hansen of Scott for the day, on request of Van Buren of Jones; Lichty of Black Hawk for the day, on request of Van Buren of Jones; McCreery of Linn for the day, on request of Van Buren of Jones; Hollingsworth of Boone for the day, on request of Van Buren of Jones; Orr of Clayton for the day, on request of Avery of Clay; Ditto of Osceola for the day, on request of Greene of Pottawattamie; Rawlings of Monona for the day, on request of Greene of Pottawattamie; Hayes of Dubuque for the day, on request of Greene of Pottawattamie.

## PETITIONS AND RESOLUTIONS

Allen of Pocahontas presented a petition, opposing the raising of the cigarette tax.

Referred to committee on tax revision.

Rutledge of Webster presented a petition from citizens of Otho, opposing the raising of the cigarette tax.

Referred to committee on tax revision.

Rutledge of Webster presented petitions from Fort Dodge, protesting the billboard tax.

Referred to committee on ways and means.

#### HOUSE FILE WITHDRAWN

Rutledge of Webster asked and obtained unanimous consent to have House File No. 221 withdrawn from the committee on motor vehicles and transportation and from further consideration of the House.

#### REPORTS OF COMMITTEES

Hanson of Winnebago, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 184, a bill for an act to amend section twenty-nine hundred two (2902), code of 1927, relating to state aid for county and district fair associations so as to correct the form of the section, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 170, a bill for an act to amend section thirty-one hundred fourteen (3114), code, 1927; to provide for the classifying and labeling of poultry shells, and to amend chapter eighty-four (84), Acts Forty-third General Assembly, relating to the labeling of commercial feeds and stock tonics, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman.*

Report adopted.

Forsling of Woodbury, 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 the law as it appears in section nine thousand five hundred forty-five (9545) of the Code, 1927,

making October twelfth or otherwise known as "Columbus Day" a legal holiday, beg leave to report they have had the same 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 said bill the entire title and inserting in lieu thereof the following:

"An act to provide and designate the twelfth day of October of each year as Columbus Day and to provide for memorials in the public schools of the state."

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

"Section 1. The twelfth day of October is hereby designated as Columbus Day and when it does not fall upon a school day, the school day nearest such date is designated as Columbus Day. On such day one-half hour may be devoted in the schools to instruction and appropriate exercises relative to and in commemoration of the life and history of Christopher Columbus and the principles and ideals he fostered."

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 158, a bill for an act to provide and designate the ninth day of October of each year as Leif Erikson Day, and to provide for memorials in the public schools 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 234, a bill for an act to amend section five thousand thirteen (5013), Code, 1927, and chapter one hundred twenty-seven (127), Acts of the Forty-third (43rd) General Assembly, relating to the motor vehicle department and the funds and records thereof.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 154, a bill for an act providing a means whereby any tax

payer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, beg leave to report they have had the same 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 all after the enacting clause and insert in lieu thereof the following:

Section 1. Whenever an amendment to the constitution of the state of Iowa shall have been proposed and agreed to by the General Assembly and shall have been agreed to by the succeeding General Assembly, any taxpayer may file suit in equity in the district court at the seat of government, challenging the validity, legality or constitutionality of such amendment, or the procedure connected therewith, and in such suit the district court shall have jurisdiction to determine the validity, legality or constitutionality of said amendment or the procedure connected therewith, and enter its decree accordingly, and may grant a writ of injunction enjoining the governor and secretary of state from submitting such constitutional amendment, if it, or the procedure connected therewith shall have been found to be invalid, illegal or unconstitutional.

Sec. 2. In such suit the taxpayer shall be plaintiff and the governor and secretary of state shall be defendants. Any taxpayer may intervene, either as party plaintiff or defendant.

Sec. 3. Amend section eleven thousand fifty-nine (11059), of the code, 1927, by inserting after the word "service" in line three (3) thereof, the following: " , except as provided in paragraph four (4) of this section."

Also further amend said section eleven thousand fifty-nine (11059) of the code, 1927, by adding paragraph four (4) as follows:

"If the action challenges the legality, validity or constitutionality of a proposed constitutional amendment, the defendant shall be held to appear within three (3) days after the service of an original notice."

Sec. 4. Amend section eleven thousand one hundred twenty-one (11121) of the code, 1927, by adding at the end thereof the following:

"If the action challenges the legality, validity or constitutionality of a proposed constitutional amendment, the defendant shall plead within three (3) days after service of the original notice."

Sec. 5. Amend section eleven thousand one hundred twenty-three (11123) of the code, 1927, by adding at the end thereof the following:

"If the action challenges the legality, validity or constitutionality of a proposed constitutional amendment, the court shall not extend the time to plead more than two (2) days beyond the time fixed herein."

Sec. 6. Amend section eleven thousand four hundred thirty-six (11436) of the code, 1927, by adding at the end thereof the following:

"If the action challenges the legality, validity or constitutionality of a proposed constitutional amendment, the cause shall be tried either in term time or in vacation within three (3) days after the issues are made up."

Sec. 7. Amend section twelve thousand eight hundred thirty-two (12832) of the code, 1927, by inserting after the word "months" in line four (4), the following:

"except as hereinafter provided".

Further amend section twelve thousand eight hundred thirty-two (12832) of the code, 1927, by adding at the end thereof the following:

"If the action challenges the legality, validity or constitutionality of a proposed constitutional amendment, notice of appeal may be taken within three (3) days from and after the entry of the decree in district court, and not afterwards.

Sec. 8. Amend section twelve thousand eight hundred forty-seven (12847) of the code, 1927, by inserting after the word "days" in line two (2), the following:

"except as hereinafter provided".

Also further amend section twelve thousand eight hundred forty-seven (12847) of the code, 1927, by adding at the end thereof, the following:

"If the action challenges the legality, validity or constitutionality of a proposed constitutional amendment, an abstract of record shall be filed within five (5) days after the service of notice of appeal, unless additional time, not to exceed three (3) days, be granted by the chief justice.

Sec. 9. Amend section twelve thousand eight hundred seventy-one (12871) of the code, 1927, by inserting after the word "thereof" in line eight (8), the following:

"If the action challenges the legality, validity or constitutionality of a proposed constitutional amendment, the appellant shall file a written argument within ten (10) days after the filing of the abstract and appellee shall file his argument within ten (10) days thereafter, and appellant shall then file his reply within three (3) days. The cause shall then be submitted to the supreme court in regular or special full bench session as soon thereafter as the chief justice may order.

Sec. 10. 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 Tribune-Capital, newspapers published in the city of Des Moines, Ia.

Also amend by striking out the title and inserting in lieu thereof the following:



"An Act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, and to amend sections eleven thousand fifty-nine (11059), eleven thousand one hundred twenty-one (11121), eleven thousand one hundred twenty-three (11123), eleven thousand four hundred thirty-six (11436), twelve thousand eight hundred thirty-two (12832), twelve thousand eight hundred forty-seven (12847), and twelve thousand eight hundred seventy-one (12871) of the code, 1927, relating to procedure in civil cases."

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 235, a bill for an act to amend section two hundred thirty-nine (239), Code, 1927, relating to the free distribution of the reports of the supreme court.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 70, a bill for an act to amend section sixty-two hundred seventy-eight-b1 (6278-b1), code of 1927, governing approval of plats in cities having by the latest state or federal census a population of twenty-five thousand (25,000) or over, and to prescribe conditions of such approval, beg leave to report they have had the same 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 therefrom lines one (1), two (2), three (3), four (4), five (5), six (6) and seven (7), and by inserting in lieu thereof the following:

"Section 1. That section sixty-two hundred seventy-eight b-1 (6278-b1), code of 1927, be and the same is hereby amended by adding to said section the following:"

ED. R. BROWN, *Chairman*.

Report adopted.

Helgason of Emmet, 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. 102, a bill for an act to amend chapter fifty-seven (57), Acts of the Forty-third (43rd) General Assembly, relating to the fees received for fishing and hunting licenses, beg leave to report they have had the same 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 in lines 6 and 7, the word "twenty-five" and inserting in lieu thereof, the word "ten".

E. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 75, a bill for an act to amend section twenty-seven (27) of chapter fifty-seven (57), Acts of the Forty-third (43rd) General Assembly, relating to petitions for open season on imported game birds, and to grant the right to kill ring-neck pheasants at any time under certain conditions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking out the word "three" in line six (6), of Section one (1), and inserting in lieu thereof the word "one".

Also amend by striking the word "fifty" in line seven (7) of Section 1.

E. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 124, a bill for an act relating to fish, game, fur-bearing animals and protected birds; creating a fish and game commission, prescribing its powers and duties, and transferring funds for the use of such commission, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. HELGASON, *Chairman*.

Report adopted.

Shields of Clarke, 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. 51, a bill for an act to provide for the refund

from the primary road fund of taxes levied by counties for primary road improvement under the provisions of Chapter 237, Laws of the Thirty-eighth General Assembly, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

LEROY SHIELDS, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 172, a bill for an act to amend section forty-seven hundred forty-six (4746) of the code, 1927, relating to assessment districts, survey and report, notice and hearing, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman.*

Report adopted.

Nelson of Story, from the committee on judicial and political districts, submitted the following report:

MR. SPEAKER: Your committee on judicial and political districts has introduced to the House, House File No. 238, a bill for an act to amend sections five hundred twenty-six-b-one (526-b1) and five hundred twenty-six-b-two (526-b2) of the code, 1927, relating to state representative districts.

The committee on judicial and political districts recommends to the House that the bill do pass.

FRED W. NELSON, *Chairman.*

Report adopted.

### INTRODUCTION OF BILLS

House File No. 234, by committee on judiciary, a bill for an act to amend section five thousand thirteen (5013), Code, 1927, and chapter one hundred twenty-seven (127), acts of the forty-third (43rd) general assembly, relating to the motor vehicle department and the funds and records thereof.

Read first and second times and passed on file.

House File No. 235, by committee on judiciary, a bill for an act to amend section two hundred thirty-nine (239), Code, 1927,

relating to the free distribution of the reports of the supreme court.

Read first and second times and passed on file.

House File No. 236, by Hatter-Gallagher Contest Committee, a bill for an act to make an appropriation for the expenses incurred in the election contest wherein L. W. Hatter was contestant and J. P. Gallagher was incumbent.

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

House File No. 237, by Miller of Shelby, a bill for an act to legalize the corporate acts and proceedings of the Portsmouth livestock shipping association of Portsmouth, Iowa, and to provide for the reinstatement of said corporation, thereby entitling said corporation to continue to act as a corporation for the unexpired portion of its corporate period as fixed by the articles of incorporation and limitations prescribed by law.

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

House File No. 238, by committee on judicial and political districts, a bill for an act to amend sections five hundred twenty-six-b-one (526-b1) and five hundred twenty-six-b-two (526-b2) of the code, 1927, relating to state representative districts.

Read first and second times and passed on file.

House File No. 239, by Whiting of Johnson, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to fish and game.

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

House File No. 240, by Tamisiea of Harrison, a bill for an act authorizing the destruction of weeds and grasses in certain cities, and prescribing notices therefor, also to amend chapter one hundred sixteen (116) acts of the forty-third (43rd) general assembly relating to the destruction of weeds.

Read first and second times and referred to committee on cities and towns.

House File No. 241, by Short and Forsling of Woodbury, a bill for an act to amend section fifty-eight hundred thirty-five (5835) of the code, 1927, relating to municipal bands, and to provide for municipal appropriation of funds therefor.

Read first and second times and referred to committee on cities and towns.

House File No. 242, by committee on state educational institutions, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, of such sum or sums as may be necessary to pay the expenses of the investigation of the affairs of the state university of Iowa and other state institutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8).

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

House File No. 243, by Kern of Polk, a bill for an act to amend, revise and codify sections forty-nine hundred ninety-nine (4999) and fifty hundred eleven (5011), code of 1927, relating to the disposition of the proceeds from automobile license fees, providing for the allocation thereof, and defining the duty and liability of county treasurers in the collection thereof.

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

House File No. 244, by Rutledge of Webster, a bill for an act relating to the licensing of motor vehicle operators and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways; to make uniform the law relating thereto and establishing a state department of public safety.

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

Whiting of Johnson asked and obtained unanimous consent to have Senate File No. 15 (companion bill) recalled from the committee on roads and highways and substituted for House File No. 14.

## MADE SPECIAL ORDER

Whiting of Johnson asked and obtained unanimous consent to have Senate File No. 15 made a special order for Tuesday, February 10th, at 11:00 a. m.

## CONSIDERATION OF BILLS

Senate File No. 22, a bill for an act to legalize the corporate acts and proceedings of the Pleasant Hill Telephone Company of Mason City, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Pleasant Hill Telephone Company, with report of committee recommending passage, was taken up for consideration.

Long 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, 76.

Aiken	Finnern	Long	Rutledge
Allen	Gallagher	McDermott	Ryder
Babcock	Garrett	McLain	Rylander
Ballew	Gilmore	Mathews	Shields
Beath	Gissel	Mayne	Snyder
Berry	Greaser	Mead	Sours
Bonnstetter	Hansen of	Millhone	Stanzel
Brown	Audubon	Miller	Strachan
Craven	Hanson of	Morton	Tamisiea
Davis	Winnebago	Nelson of Story	TePaske
Donlon	Helgason	Osborn	Thiessen
Drake of Keokuk	Hollis	Paisley	Thompson
Drake of	Hook	Pattison	Torgeson
Muscatine	Hopkins	Peaco	Van Buren
Durant	Husted	Pendray	Van Wert
Elliott	Hutcheon	Randolph	Watts
Ellsworth	Kohler	Ratliff	Wearin
Fabritz	Lamb	Reed	Whiting
Felter	Langland	Reimers	Mr. Speaker
Figgins	Lepley	Roe	

The nays were, none.

Absent or not voting, 32.

Augustine	Hayes	Laughlin	Orr
Avery	Hesse	Lichty	Randall
Bair	Hollingsworth	McCaulley	Rawlings
Byers	Hunt	McCreery	Short
Dayton	Hush	Malone	Simmer
Ditto	Johnson of	Nelson of	Stiger
Forsling	Marion	Cherokee	Wamstad
Greene	Kern	O'Donnell	Witt
Hansen of Scott	Koch		

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

House File No. 91, a bill for an act to legalize and validate mergers and/or consolidations in all cases wherein a corporation organized or purporting to have been organized under the laws of this State for the purpose of constructing and operating a bridge has merged and/or consolidated (or attempted to merge and/or consolidate) with a corporation organized or purporting to have been organized for a similar purpose under the laws of an adjacent State, with report of committee recommending passage, was taken up for consideration.

Elliott of Scott offered the following amendments and moved their adoption:

Amend by inserting in line five (5) of section one (1) a comma (,) after the word "stock".

Also, amend by striking in lines five (5) and six (6) of section three (3) the words "without expense to the State".

Amendments adopted.

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?"

The ayes were, 69.

Babcock	Garrett	McLain	Reimers
Bair	Gilmore	Malone	Roe
Ballew	Gissel	Mathews	Ryder
Beath	Greaser	Mead	Rylander
Bonnstetter	Hansen of	Millhone	Sours
Brown	Audubon	Miller	Stanzel
Craven	Hanson of	Morton	Strachan
Davis	Winnebago	Nelson of	Tamisiea
Dayton	Helgason	Story	TePaske
Donlon	Hollis	Osborn	Thiessen
Drake of	Hook	Paisley	Thompson
Keokuk	Hopkins	Pattison	Torgeson
Drake of	Hush	Peaco	Van Buren
Muscatine	Husted	Pendray	Van Wert
Durant	Hutcheon	Randall	Watts
Elliott	Kohler	Randolph	Wearin
Ellsworth	Lamb	Ratliff	Whiting
Figgins	Langland	Reed	Mr. Speaker
Gallagher	Long		

The nays were, none.

Absent or not voting, 39.

Aiken	Greene	Laughlin	Orr
Allen	Hansen of	Lepley	Rawlings
Augustine	Scott	Lichty	Rutledge
Avery	Hayes	McCaulley	Shields
Berry	Hesse	McCreery	Short
Byers	Hollingsworth	McDermott	Simmer
Ditto	Hunt	Mayne	Snyder
Fabritz	Johnson of	Nelson of	Stiger
Felter	Marion	Cherokee	Wamstad
Finnern	Kern	O'Donnell	Witt
Forsling	Koch		

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

House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence, with report of committee recommending passage, was taken up for consideration.

Elliott of Scott offered the following amendment and moved its adoption:

Amend by striking in line five (5) of section three (3) the words "without expense to the State".

Amendment adopted.

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?"

The ayes were, 71.

Allen	Durant	Hook	Morton
Avery	Elliott	Hopkins	Nelson of
Babcock	Ellsworth	Hush	Story
Bair	Fabritz	Husted	Osborn
Ballew	Figgins	Hutcheon	Paisley
Beath	Gallagher	Kohler	Peaco
Berry	Garrett	Lamb	Pendray
Bonnstetter	Gilmore	Langland	Randolph
Brown	Gissel	Long	Ratliff
Craven	Greaser	McDermott	Reed
Davis	Hansen of	McLain	Reimers
Donlon	Audubon	Malone	Roe
Drake of	Hanson of	Mathews	Ryder
Keokuk	Winnebago	Mead	Rylander
Drake of	Helgason	Millhone	Snyder
Muscatine	Hollis	Miller	Sours



Stanzel	TePaske	Van Buren	Wearin
Strachan	Thiessen	Van Wert	Whiting
Tamisiea	Torgeson	Watts	Mr. Speaker

The nays were, none.

Absent or not voting, 37.

Aiken	Hayes	Lichty	Rawlings
Augustine	Hesse	McCaulley	Rutledge
Byers	Hollingsworth	McCreery	Shields
Dayton	Hunt	Mayne	Short
Ditto	Johnson of	Nelson of	Simmer
Felter	Marion	Cherokee	Stiger
Finnern	Kern	O'Donnell	Thompson
Forsling	Koch	Orr	Wamstad
Greene	Laughlin	Pattison	Witt
Hansen of	Lepley	Randall	
Scott			

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

House File No. 67, a bill for an act to readjust the terms of office of certain members of the board of supervisors of Hancock county, Iowa, with report of committee recommending passage, was taken up for consideration.

Durant 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, 79.

Allen	Gallagher	Kern	Paisley
Avery	Garrett	Kohler	Pattison
Babcock	Gilmore	Lamb	Peaco
Bair	Gissel	Langland	Pendray
Ballew	Greaser	Lepley	Randall
Beath	Greene	Long	Randolph
Bonnstetter	Hansen of	McDermott	Ratliff
Brown	Audubon	McLain	Reed
Craven	Hanson of	Malone	Reimers
Davis	Winnebago	Mathews	Roe
Donlon	Helgason	Mayne	Rutledge
Drake of Keokuk	Hollis	Mead	Ryder
Durant	Hook	Millhone	Rylander
Elliott	Hopkins	Miller	Shields
Ellsworth	Hush	Morton	Snyder
Felter	Husted	Nelson of Story	Sours
Figgins	Hutcheon	Osborn	Stanzel
Finnern			

Strachan	Thiessen	Van Buren	Wearin
Tamisiea	Thompson	Van Wert	Whiting
TePaske	Torgeson	Watts	Mr. Speaker

The nays were, none.

Absent or not voting, 29.

Aiken	Forsling	Koch	Orr
Augustine	Hansen of Scott	Laughlin	Rawlings
Berry	Hayes	Lichty	Short
Byers	Hesse	McCaulley	Simmer
Dayton	Hollingsworth	McCreery	Stiger
Ditto	Hunt	Nelson of	Wamstad
Drake of	Johnson of	Cherokee	Witt
Muscatine	Marion	O'Donnell	
Fabritz			

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

Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington, Iowa, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Matthews of Des Moines, the amendment proposed by the committee, found in the Journal of February 5th, was adopted.

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, 77.

Allen	Drake of	Garrett	Hopkins
Avery	Keokuk	Gilmore	Hush
Babcock	Drake of	Gissel	Husted
Bair	Muscatine	Greaser	Hutcheon
Ballew	Durant	Greene	Kern
Beath	Elliott	Hansen of	Kohler
Berry	Ellsworth	Audubon	Lamb
Bonnstetter	Fabritz	Hanson of	Lepley
Brown	Felter	Winnebago	McDermott
Craven	Figgins	Helgason	McLain
Davis	Finnern	Hollis	Malone
Donlon	Gallagher	Hook	Mathews

Mead	Randall	Shields	Thompson
Millhone	Randolph	Snyder	Torgeson
Miller	Reed	Sours	Van Buren
Morton	Reimers	Stanzel	Van Wert
Osborn	Roe	Strachan	Watts
Paisley	Rutledge	Tamisiea	Wearin
Pattison	Ryder	TePaske	Whiting
Peaco	Rylander	Thiessen	Mr. Speaker
Pendray			

The nays were, none.

Absent or not voting, 31.

Aiken	Hesse	Long	Orr
Augustine	Hollingsworth	McCauley	Ratliff
Byers	Hunt	McCreery	Rawlings
Dayton	Johnson of	Mayne	Short
Ditto	Marion	Nelson of	Simmer
Forsling	Koch	Cherokee	Stiger
Hansen of	Langland	Nelson of	Wamstad
Scott	Laughlin	Story	Witt
Hayes	Lichty	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. 207, a bill for an act to repeal sections three hundred thirteen (313) and three hundred forty-seven (347), Code, 1927, and to amend section ten hundred sixty-three (1063), Code, 1927, relative to the bond of the director of the budget, and of the members of the appeal board appointed under chapter twenty-two (22), Code, 1927, with report of committee on judiciary recommending passage, was taken up for consideration.

Kern 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, 73.

Allen	Drake of	Greaser	Kern
Avery	Muscatine	Greene	Kohler
Babcock	Durant	Hansen of	Lamb
Bair	Elliott	Audubon	Langland
Ballew	Ellsworth	Hanson of	McDermott
Beath	Fabritz	Winnebago	McLain
Berry	Felter	Helgason	Mathews
Bonnstetter	Figgins	Hollis	Mayne
Brown	Finnern	Hook	Mead
Craven	Gallagher	Hopkins	Millhone
Donlon	Garrett	Hush	Miller
Drake of	Gilmore	Husted	Morton
Keokuk	Gissel	Hutcheon	Osborn

Paisley	Rutledge	Strachan	Van Buren
Pattison	Ryder	Tamisiea	Van Wert
Peaco	Rylander	TePaske	Watts
Pandray	Shields	Thiessen	Wearin
Randall	Sours	Thompson	Whiting
Reed	Stanzel	Torgeson	Mr. Speaker
Reimers			

The nays were, none.

Absent or not voting, 35.

Aiken	Hesse	McCaulley	Ratliff
Augustine	Hollingsworth	McCreery	Rawlings
Byers	Hunt	Malone	Roe
Davis	Johnson of	Nelson of	Short
Dayton	Marion	Cherokee	Simmer
Ditto	Koch	Nelson of	Snyder
Forsling	Laughlin	Story	Stiger
Hansen of	Lepley	O'Donnell	Wamstad
Scott	Lichty	Orr	Witt
Hayes	Long	Randolph	

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 section one hundred fifty-six (156), Code, 1927, relating to the issuance by the Code Editor of annotations to the code, with report of committee on judiciary recommending passage, was taken up for consideration.

Whiting 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, 67.

Avery	Garrett	Long	Rutledge
Babcock	Gilmore	McDermott	Ryder
Bair	Gissel	McLain	Rylander
Ballew	Greaser	Malone	Shields
Beath	Hansen of	Mathews	Snyder
Bonnstetter	Audubon	Mayne	Stanzel
Brown	Helgason	Mead	Strachan
Craven	Hollis	Millhone	Tamisiea
Donlon	Hook	Morton	TePaske
Drake of Keokuk	Hopkins	Osborn	Thiessen
Durant	Hush	Paisley	Thompson
Elliott	Husted	Pattison	Torgeson
Ellsworth	Hutcheon	Peaco	Van Wert
Fabritz	Kern	Pendray	Watts
Felter	Kohler	Randolph	Wearin
Figgins	Lamb	Reimers	Whiting
Gallagher	Langland	Roe	Mr. Speaker

The nays were, 4.

Allen	Miller	Randall	Reed
Absent or not voting, 37.			
Aiken	Greene	Koch	Orr
Augustine	Hansen of Scott	Laughlin	Ratliff
Berry	Hanson of	Lepley	Rawlings
Byers	Winnebago	Lichty	Short
Davis	Hayes	McCaulley	Simmer
Dayton	Hesse	McCreery	Sours
Ditto	Hollingsworth	Nelson of	Stiger
Drake of	Hunt	Cherokee	Van Buren
Muscatine	Johnson of	Nelson of Story	Wamstad
Finnern	Marion	O'Donnell	Witt
Forsling			

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

House File No. 209, a bill for an act to repeal section forty-three hundred forty-five (4345), Code, 1927, as amended by the Forty-third (43rd) General Assembly, chapter one hundred ten (110), and to enact a substitute therefor relating to the establishment of pension and annuity retirement systems in certain independent school districts, and to legalize the establishment of such systems under the laws herein repealed, with report of committee on judiciary recommending passage, was taken up for consideration.

Reimers 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, 66.

Allen	Felter	Lamb	Ratliff
Avery	Figgins	Langland	Reimers
Babcock	Finnern	Lepley	Rutledge
Bair	Gallagher	McDermott	Ryder
Ballew	Garrett	McLain	Rylander
Beath	Gilmore	Malone	Shields
Bonnstetter	Gissel	Mathews	Snyder
Brown	Greaser	Mayne	Sours
Craven	Hanson of	Mead	Strachan
Donlon	Winnebago	Millhone	Tamisiea
Drake of	Hook	Miller	TePaske
Keokuk	Hopkins	Osborn	Thompson
Drake of	Hush	Paisley	Torgeson
Muscatine	Husted	Pattison	Van Buren
Durant	Hutcheon	Peaco	Watts
Elliott	Kern	Pendray	Whiting
Ellsworth	Kohler	Randolph	Mr. Speaker
Fabritz			

The nays were, 5.

Absent or not voting, 37.

Morton Reed	Stanzel	Thiessen	Van Wert
Aiken	Hansen of	Laughlin	Orr
Augustine	Scott	Lighty	Randall
Berry	Hayes	Long	Rawlings
Byers	Helgason	McCaulley	Roe
Davis	Hesse	McCreery	Short
Dayton	Hollingsworth	Nelson of	Simmer
Ditto	Hollis	Cherokee	Stiger
Forsling	Hunt	Nelson of	Wamstad
Greene	Johnson of	Story	Wearin
Hansen of	Marion	O'Donnell	Witt
Audubon	Koch		

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

House File No. 210, a bill for an act to provide for the disposal in vacation of motions for a new trial or for arrest of judgment in criminal causes and for the rendition of final judgment, with report of committee on judiciary recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 78.

Allen	Finnern	Lepley	Roe
Avery	Gallagher	Long	Rutledge
Babcock	Garrett	McDermott	Ryder
Bair	Gilmore	McLain	Rylander
Ballew	Gissel	Malone	Shields
Berry	Greaser	Mathews	Snyder
Bonnstetter	Hansen of	Mayne	Sours
Brown	Aulubon	Mead	Stanzel
Craven	Hanson of	Millhone	Strachan
Davis	Winnebago	Miller	Tamisiea
Donlon	Helgason	Morton	TePaske
Drake of	Hollis	Osborn	Thiessen
Keokuk	Hook	Paisley	Thompson
Drake of	Hopkins	Pattison	Torgeson
Muscatine	Hush	Pendray	Van Buren
Durant	Husted	Randall	Van Wert
Elliott	Hutcheon	Randolph	Watts
Ellsworth	Kern	Ratliff	Wearin
Fabritz	Kohler	Reed	Whiting
Felter	Lamb	Reimers	Mr. Speaker
Figgins	Langland		

The nays were, none.

Absent or not voting, 30.

Aiken	Hansen of	Laughlin	Orr
Augustine	Scott	Lichty	Peaco
Beath	Hayes	McCaulley	Rawlings
Byers	Hesse	McCreery	Short
Dayton	Hollingsworth	Nelson of	Simmer
Ditto	Hunt	Cherokee	Stiger
Forsling	Johnson of	Nelson of	Wamstad
Greene	Marion	Story	Witt
	Koch	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. 211, a bill for an act to amend section ten thousand three hundred five (10305), Code, 1927, relating to the filing of claims growing out of and relating to public improvements, with report of committee on judiciary recommending passage, was taken up for consideration.

Reimers 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, 79.

Allen	Gallagher	Long	Roe
Avery	Garrett	McDermott	Rutledge
Babcock	Gissel	McLain	Ryder
Bair	Greaser	Malone	Rylander
Ballew	Greene	Mathews	Shields
Beath	Hansen of	Mayne	Snyder
Berry	Audubon	Mead	Sours
Bonnstetter	Hanson of	Millhone	Stanzel
Brown	Winnebago	Miller	Strachan
Craven	Helgason	Morton	Tamisiea
Donlon	Hollis	Osborn	TePaske
Drake of Keokuk	Hook	Paisley	Thiessen
Drake of	Hopkins	Pattison	Thompson
Muscatine	Hush	Peaco	Torgeson
Durant	Husted	Pendray	Van Buren
Elliott	Hutcheon	Randall	Van Wert
Ellsworth	Kern	Randolph	Watts
Fabritz	Kohler	Ratliff	Wearin
Felter	Lamb	Reed	Whiting
Figgins	Langland	Reimers	Mr. Speaker
Finnern	Lepley		

The nays were, none.

Absent or not voting, 29.

Aiken	Davis	Forsling	Hayes
Augustine	Dayton	Gilmore	Hesse
Byers	Ditto	Hansen of Scott	Hollingsworth

Hunt	Lichty	Nelson of Story	Simmer
Johnson of	McCaulley	O'Donnell	Stiger
Marion	McCreery	Orr	Wamstad
Koch	Nelson of	Rawlings	Witt
Laughlin	Cherokee	Short	

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

House File No. 213, a bill for an act to repeal section thirteen thousand nine hundred sixty-seven (13967) of the Code, 1927, relating to fees, with report of committee on judiciary recommending passage was taken up for consideration.

Whiting 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, 71.

Allen	Garrett	McDermott	Roe
Avery	Gilmore	McLain	Rutledge
Babcock	Gissel	Malone	Rylander
Bair	Greaser	Mathews	Shields
Ballew	Hanson of	Mayne	Sours
Beath	Winnebago	Mead	Strachan
Berry	Helgason	Millhone	Tamisiea
Bonnstetter	Hollis	Miller	TePaske
Brown	Hook	Morton	Thiessen
Donlon	Hopkins	Osborn	Thompson
Drake of	Hush	Paisley	Torgeson
Keokuk	Husted	Pattison	Van Buren
Durant	Hutcheon	Peaco	Watts
Elliott	Kern	Pendray	Wearin
Ellsworth	Kohler	Randall	Whiting
Fabritz	Lamb	Randolph	Mr. Speaker
Felter	Langland	Ratliff	
Figgins	Lepley	Reed	
Finnern	Long	Reimers	

The nays were, none.

Absent or not voting, 37.

Aiken	Greene	Koch	Rawlings
Augustine	Hansen of	Laughlin	Ryder
Byers	Audubon	Lichty	Short
Craven	Hansen of	McCaulley	Simmer
Davis	Scott	McCreery	Snyder
Dayton	Hayes	Nelson of	Stanzel
Ditto	Hesse	Cherokee	Stiger
Drake of	Hollingsworth	Nelson of	Van Wert
Muscatine	Hunt	Story	Wamstad
Forsling	Johnson of	O'Donnell	Witt
Gallagher	Marion	Orr	



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

House File No. 156, a bill for an act to amend chapter one hundred seventy-six (176), acts of the forty-third (43rd) general assembly, and sections fifty-nine hundred seventy-eight (5978), sixty hundred two (6002), sixty hundred three (6003), sixty hundred twenty-four (6024), sixty hundred twenty-six (6026) and sixty hundred thirty-two (6032), code of 1927, relating to the authorization of cities and towns to improve streets by the use of shale, 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, 77.

Aiken	Figgins	Kohler	Reed
Allen	Finnern	Langland	Reimers
Avery	Gallagher	Lepley	Roe
Babcock	Garrett	Long	Rutledge
Ballew	Gilmore	McDermott	Rylander
Beath	Gissel	McLain	Shields
Berry	Greaser	Malone	Sours
Bonnstetter	Greene	Mathews	Stanzel
Brown	Hansen of	Mayne	Strachan
Craven	Audubon	Mead	Tamisiea
Davis	Hanson of	Millhone	TePaske
Donlon	Winnebago	Miller	Thiessen
Drake of	Helgason	Morton	Thompson
Keokuk	Hollis	Osborn	Torgeson
Drake of	Hook	Paisley	Van Buren
Muscatine	Hopkins	Pattison	Van Wert
Durant	Hush	Pendray	Watts
Elliott	Husted	Randall	Wearin
Ellsworth	Hutcheon	Randolph	Whiting
Fabritz	Kern	Ratliff	Mr. Speaker
Felter			

The nays were, none.

Absent or not voting, 31.

Augustine	Hesse	McCaulley	Rawlings
Bair	Hollingsworth	McCreery	Ryder
Byers	Hunt	Nelson of	Short
Dayton	Johnson of	Cherokee	Simmer
Ditto	Marion	Nelson of	Snyder
Forsling	Koch	Story	Stiger
Hansen of	Lamb	O'Donnell	Wamstad
Scott	Laughlin	Orr	Witt
Hayes	Lichty	Peaco	

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

House File No. 135, a bill for an act providing for a method of execution of stock certificates, and regulating the use of facsimile signatures thereon, with report of committee recommending passage, was taken up for consideration.

Kern 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, 72.

Aiken	Finnern	McDermott	Roe
Allen	Garrett	McLain	Rutledge
Avery	Gilmore	Malone	Ryder
Babcock	Greaser	Mathews	Rylander
Ballew	Greene	Mayne	Shields
Beath	Hanson of	Mead	Sours
Berry	Winnebago	Millhone	Stanzel
Bonnstetter	Helgason	Miller	Strachan
Brown	Hollis	Morton	Tamisiea
Craven	Hook	Osborn	Thiessen
Donlon	Hopkins	Paisley	Thompson
Drake of Keokuk	Hush	Pattison	Torgeson
Drake of	Husted	Peaco	Van Buren
Muscatine	Hutcheon	Pendray	Van Wert
Durant	Kern	Randolph	Watts
Elliott	Kohler	Ratliff	Wearin
Ellsworth	Lamb	Reed	Whiting
Fabritz	Langland	Reimers	Mr. Speaker
Figgins	Long		

The nays were, none.

Absent or not voting, 36.

Augustine	Hansen of	Laughlin	Randall
Bair	Audubon	Lepley	Rawlings
Byers	Hansen of Scott	Lichty	Short
Davis	Hayes	McCaulley	Simmer
Dayton	Hesse	McCreery	Snyder
Ditto	Hollingsworth	Nelson of	Stiger
Felter	Hunt	Cherokee	TePaske
Forsling	Johnson of	Nelson of Story	Wamstad
Gallagher	Marion	O'Donnell	Witt
Gissel	Koch	Orr	

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

House File No. 212, a bill for an act to amend sections eighty-two hundred eighty-eight (8288) to eighty-two hundred ninety-

four (8294), inclusive, Code, 1927, and to provide the place of imprisonment when convictions are had under said sections, all relating to offenses involving bills of lading, with report of committee on judiciary recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 75.

Aiken	Finnern	McDermott	Ryder
Allen	Garrett	McLain	Rylander
Avery	Gilmore	Mathews	Shields
Babcock	Gissel	Mayne	Snyder
Ballew	Greaser	Mead	Sours
Beath	Greene	Millhone	Stanzel
Berry	Hanson of	Miller	Strachan
Bonnstetter	Winnebago	Morton	Tamisiea
Brown	Helgason	Osborn	Thiessen
Craven	Hollis	Paisley	Thompson
Davis	Hopkins	Pattison	Torgeson
Donlon	Hush	Peaco	Van Buren
Drake of	Husted	Pendray	Van Wert
Keokuk	Hutcheon	Randall	Watts
Durant	Kern	Randolph	Wearin
Elliott	Kohler	Ratliff	Whiting
Ellsworth	Lamb	Reed	Mr. Speaker
Fabritz	Langland	Reimers	
Felter	Lepley	Roe	
Figgins	Long	Rutledge	

The nays were, none.

Absent or not voting, 33.

Augustine	Hansen of	Lichty	Short
Bair	Scott	McCaulley	Simmer
Byers	Hayes	McCreery	Stiger
Dayton	Hesse	Malone	TePaske
Ditto	Hollingsworth	Nelson of	Wamstad
Drake of	Hook	Cherokee	Witt
Muscatine	Hunt	Nelson of	
Forsling	Johnson of	Story	
Gallagher	Marion	O'Donnell	
Hansen of	Koch	Orr	
Audubon	Laughlin	Rawlings	

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

House File No. 133, a bill for an act to amend section fifty-eight hundred twenty-nine-a twelve (5829-a12) of the code, 1927, re-

lating to the approval of plats so as to require the recommendation of the city plan commission with reference to proposals to vacate any street, alley or public ground, with report of committee recommending passage, was taken up for consideration.

Brown 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, 62.

Avery	Garrett	McDermott	Rutledge
Babcock	Gissel	McLain	Ryder
Ballew	Greaser	Mathews	Rylander
Berry	Hanson of	Mayne	Shields
Bonnstetter	Winnebago	Mead	Snyder
Brown	Helgason	Millhone	Stanzel
Craven	Hook	Morton	Tamisiea
Donlon	Hopkins	Osborn	Thiessen
Drake of	Hush	Paisley	Thompson
Keokuk	Husted	Pattison	Torgeson
Durant	Hutcheon	Peaco	Van Buren
Elliott	Kern	Pendray	Van Wert
Ellsworth	Kohler	Randolph	Watts
Fabritz	Lamb	Reed	Wearin
Felter	Langland	Reimers	Whiting
Figgins	Long	Roe	Mr. Speaker

The nays were, 2.

Gallagher                      Hollis

Absent or not voting, 44.

Aiken	Gilmore	Laughlin	Orr
Allen	Greene	Lepley	Randall
Augustine	Hansen of	Lichty	Ratliff
Bair	Audubon	McCaulley	Rawlings
Beath	Hansen of	McCreery	Short
Byers	Scott	Malone	Simmer
Davis	Hayes	Miller	Sours
Dayton	Hesse	Nelson of	Stiger
Ditto	Hollingsworth	Cherokee	Strachan
Drake of	Hunt	Nelson of	TePaske
Muscatine	Johnson of	Story	Wamstad
Finnern	Marion	O'Donnell	Witt
Forsling	Koch		

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

Greene of Pottawattamie asked unanimous consent to have House File No. 170 rereferred to the committee on agriculture.

Objection was made.

Greene of Pottawattamie moved that House File No. 170 be rereferred to the committee on agriculture.

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 House is asked:

Senate File No. 81, a bill for an act relating to park commissioners by empowering the Board of Park Commissioners in special charter cities having a population of less than twenty-five thousand (25,000) to certify to the City Council an additional tax.

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 relative to conferring certain powers and imposing certain duties upon cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 81, a bill for an act to amend chapter two hundred ninety-three (293) of the Code, 1927, relating to Park Commissioners by empowering the Board of Park Commissioners in special charter cities having a population of less than twenty-five thousand (25,000) to certify to the City Council an additional tax anticipating the collection thereof and issuing anticipatory warrants for the purpose of erecting clubhouses in public parks.

Read first and second times and referred to committee on cities and towns.

Senate File No. 35, a bill for an act to make chapter one hundred ninety-five (195) of the Laws of the Forty-third General Assembly conferring certain powers and imposing certain duties upon cities in relating to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter.

Read first and second times and referred to committee on cities and towns.

On motion of Sours of Floyd 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 9, 1931.

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

Prayer was offered by the Rev. Stoddard Lane, pastor of the Plymouth Congregational Church, Des Moines.

Journal of February 7th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: McCauley of Calhoun for the day, on request of Johnson of Marion; Torgeson of Worth for the day, on request of Hush of Montgomery; Hayes of Dubuque for the day, on request of Orr of Clayton; Avery of Clay for today and tomorrow, on request of Kern of Polk; Stanzel of Sac for the day, on request of Allen of Pocahontas.

## PETITIONS AND RESOLUTIONS

Forsling of Woodbury presented a petition from the Des Moines Fire Department, supporting House File No. 127.

Referred to committee on cities and towns.

Gallagher of Iowa presented a petition from the creamery board of Williamsburg, favoring a tax on oleomargarine.

Referred to committee on ways and means.

Peaco of Clinton presented a petition from the Clinton Lodge of the Order of Benefit Association of Railway Employees, favoring railroad legislation.

Referred to committee on railroads.

## ADDITIONAL COPIES OF BILL ORDERED PRINTED

Johnson of Marion asked and obtained unanimous consent to have five hundred additional copies of House File No. 233 printed.

## MADE SPECIAL ORDER

Helgason of Emmet asked and obtained unanimous consent to have House File No. 124 made a special order for Friday, February 13th, at 10:30 a. m.

## CHANGE OF SPECIAL ORDER

Whiting of Johnson asked and obtained unanimous consent to have the special order on Senate File No. 15, set for Tuesday at 11:00 a. m., changed to Tuesday at 10:30 a. m.

Greene and Mayne of Pottawattamie offered the following concurrent resolution:

## HOUSE CONCURRENT RESOLUTION NO. 11

Memorializing the Congress of the United States to refrain from enacting a law placing a tariff or embargo on crude petroleum and the refined products thereof.

*Whereas*, The legislatures in certain petroleum producing states have passed resolutions memorializing the Congress of the United States to enact a law placing a tariff, or an embargo, on petroleum and its refined products, claiming that such a measure is necessary as a relief measure to the industry in these states, and

*Whereas*, Iowa's per capita consumption of gasoline is relatively high in the sisterhood of states, and the effect of a tariff, being to increase the cost of gasoline to the consumer, would only place an increased burden on our agricultural pursuits, and

*Whereas*, Such a law would place an additional burden on an already over-taxed industry, there being now collected as an excise tax on gasoline over four hundred fifty million dollars (\$450,000,000) annually, this being in addition to the general property and production tax on petroleum, and

*Whereas*, Such a tariff would place an additional burden of over three hundred fifty million dollars (\$350,000,000) to this burden, and would be borne by the owners of over twenty-seven million (27,000,000) automobiles and trucks, and would be a benefit to comparatively few, and

*Whereas*, Only four or five states produce oil to any considerable extent and their citizens comprise only a small portion of the population of the United States, and

*Whereas*, Petroleum and its refined products are necessary to carry on trade and commerce, and

*Whereas*, The condition such as now exists in the petroleum industry is only temporary and is no more serious than conditions existing in other businesses, and

*Whereas*, It has been the well settled policy for the past decade, both by the petroleum producers and the Government, to conserve our petroleum deposits, and

*Whereas*, An embargo or tariff would have the effect of hastening the depletion of our petroleum and greatly endanger our future supply, jeopardizing our national defense in time of war, and placing a heavy burden on our future commerce in time of peace, therefore

*Be It Resolved by the House, the Senate concurring*: That the President of the United States, and the Congress of the United States, be memorialized to refrain from the enacting of any laws imposing a tariff or an embargo on petroleum products or the refined products thereof, and

*Be It Further Resolved*, That a copy of this resolution, duly effected, be delivered to the President of the United States, to the United States Senate, and to the House of Representatives of the United States, and

*Be It Further Resolved*, That copies of this resolution be delivered to the press and to each representative from Iowa in Congress.

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

Motion prevailed and the concurrent resolution was adopted.

### INTRODUCTION OF BILLS

House File No. 245, by Rutledge of Webster, a bill for an act to provide for the erection and maintenance on state-owned land at the state college of agriculture and mechanic arts at Ames, Iowa, of a fire station and firemen's training tower, and to make an appropriation therefor.

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

House File No. 246, by Whiting of Johnson, a bill for an act to amend section forty-three hundred sixty-one (4361) of the code, 1927, relating to schoolhouses and schoolhouse sites.

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



House File No. 247, by Strachan of Humboldt, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the county of Humboldt, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said school district.

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

House File No. 248, by Brown of Polk, a bill for an act to amend section ten thousand three hundred forty-eight (10348), code, 1927, pertaining to the hotel keeper's lien.

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

House File No. 249, by Hayes of Dubuque and Orr of Clayton, a bill for an act to amend section seventeen hundred forty-seven (1747) of the code, 1927, relating to bonds required for commercial fishermen.

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

House File No. 250, by Reed of Mahaska, Strachan of Humboldt and Bonnstetter of Kossuth, a bill for an act to amend sections fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10637) of the code, 1927, and chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to the mileage of boards of supervisors, sheriffs, county superintendents, coroners, constables and county engineers.

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

House File No. 251, by Nelson of Story, a bill for an act to amend section nine thousand fifty-two (9052) and nine thousand fifty-three (9053) of the code, 1927, relating to the bringing of actions in quo warranto against mutual assessment insurance associations and prescribing the procedure in such actions, and to limiting the amount of assessments which may be levied upon members thereof.

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

House File No. 252, by Rylander of Marshall, a bill for an act relating to mutual hail insurance associations; to limit the amount which they may expend for the payment of liabilities or expenses other than those incurred for taxes or loss or damage by hail; to limit the amount of their emergency, reserve or surplus funds; to require them to pay claims which are not in dispute for loss or damage by hail before the last day of the calendar year in which the loss or damage occurs; to include the month of May within those months during which their policies and contracts may be cancelled only at the option of the association; to limit their right to charge their members for the cancellation of their membership, policies or contracts; and to amend sections nine thousand thirty-seven (9037), nine thousand forty (9040), nine thousand forty-eight (9048) and nine thousand fifty-five (9055) of the code, 1927.

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

House Joint Resolution No. 5, by Brown of Polk, a joint resolution proposing an amendment to the constitution of the state of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, relocation and improvement of waterways, and reservations in and about and along and leading to any or all of the same, with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof.

Read first and second times and referred to committee on constitutional amendments.

#### HOUSE JOINT RESOLUTION NO. 5

Proposing an amendment to the constitution of the state of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining

memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, relocation and improvement of waterways and reservations in and about and along and leading to any or all of the same, with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof.

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

Section 1. That the following amendment to the constitution of the state of Iowa is hereby proposed, to-wit: Cities may acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings and reservations in and about and along and leading to any or all of the same, or for relocation and improvement of waterways and for the establishment, laying out and completion of such improvements, may lease or convey any such real estate thus acquired and not necessary for such improvements, with or without reservations concerning the future use and occupation of such real estate, so as to protect such public work and improvements, and their environs, and to preserve the view, appearance, light, air and usefulness of such public works.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 53 and 55.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 53 and 55.

#### 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. 145, a bill for an act to legalize proceedings for the construction of a city hall and fire station, and the issuing of bonds for same in the city of Missouri Valley.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 38, a bill for an act amending section fifty-six hundred ninety-four (5694) of the code, 1927, relating to the chiefs of police and fire departments in cities under the manager plan.

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 relating to general exemptions of motor vehicles.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 38, a bill for an act amending section fifty-six hundred ninety-four (5694) of the code, 1927, relating to the chiefs of police and fire departments in cities under the manager plan.

Read first and second times and referred to committee on cities and towns.

Senate File No. 125, a bill for an act to amend section four thousand eight hundred sixty-seven (4867) of the Code, 1927, relating to general exemptions of motor vehicles.

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

#### CONSIDERATION OF BILLS

House File No. 35, a bill for an act to amend the law as it appears in section four thousand two hundred seventy-five (4275), Code, 1927, and to repeal chapter one hundred six (106) Acts Forty-third General Assembly relating to high school tuition, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Langland of Winneshiek the amendment proposed by the committee, found in the journal of February 4th, was adopted.

Langland of Winneshiek offered the following amendment and moved its adoption:

Amend by striking therefrom section two (2).

Amendment adopted.

TePaske of Sioux offered the following amendment and moved its adoption:

Amend by insertitng the word "and" in line three (3) of section three (3) after the word "Iowa".

Amendment adopted.

Langland 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, 92.

Augustine	Gissel	Lepley	Ratliff
Babcock	Greaser	Long	Rawlings
Bair	Greene	McCreery	Reed
Ballew	Hansen of	McDermott	Reimers
Beath	Audubon	McLain	Roe
Berry	Hansen of Scott	Malone	Ryder
Bonnstetter	Hanson of	Mathews	Shields
Brown	Winnebago	Mayne	Short
Craven	Helgason	Mead	Snyder
Davis	Hesse	Millhone	Sours
Dayton	Hollis	Miller	Stiger
Ditto	Hook	Morton	Strachan
Donlon	Hopkins	Nelson of	Tamisiea
Drake of Keokuk	Hush	Cherokee	TePaske
Drake of	Husted	Nelson of Story	Thiessen
Muscatine	Hutcheon	O'Donnell	Thompson
Durant	Johnson of	Orr	Van Buren
Ellsworth	Marion	Osborn	Van Wert
Fabritz	Kern	Paisley	Wamstad
Figgins	Koch	Pattison	Watts
Finnern	Kohler	Peaco	Wearin
Forsling	Lamb	Pendray	Whiting
Gallagher	Langland	Randall	Witt
Garrett	Laughlin	Randolph	Mr. Speaker
Gilmore			

The nays were, 1.

Rutledge

Absent or not voting, 15.

Aiken	Elliott	Hunt	Simmer
Allen	Felter	Lichty	Stanzel
Avery	Hayes	McCaulley	Torgeson
Byers	Hollingsworth	Rylander	

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

Senate File No. 28, a bill for an act to amend Section Forty Hundred Thirty-six (4036) of the Code, 1927, relating to the State Apiarist, 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, 90.

Augustine	Gissel	Long	Reed
Babcock	Greaser	McCreery	Reimers
Bair	Greene	McDermott	Roe
Ballew	Hansen of	McLain	Rutledge
Beath	Audubon	Malone	Ryder
Berry	Hanson of	Mathews	Rylander
Bonnstetter	Winnebago	Mayne	Short
Brown	Helgason	Mead	Sours
Craven	Hesse	Millhone	Stanzel
Davis	Hollingsworth	Miller	Stiger
Dayton	Hollis	Morton	Strachan
Ditto	Hook	Nelson of	Tamisica
Donlon	Hopkins	Cherokee	TePaske
Drake of Keokuk	Hush	Nelson of Story	Thiessen
Durant	Husted	Orr	Thompson
Ellsworth	Hutcheon	Osborn	Van Buren
Fabritz	Johnson of	Paisley	Van Wert
Felter	Marion	Pattison	Wamstad
Figgins	Kern	Peaco	Watts
Finnern	Koch	Pendray	Wearin
Forsling	Kohler	Randolph	Whiting
Gallagher	Lamb	Ratliff	Witt
Garrett	Langland	Rawlings	Mr. Speaker
Gilmore	Laughlin		

The nays were, none.

Absent or not voting, 18.

Aiken	Drake of	Hunt	Randall
Allen	Muscatine	Lepley	Shields
Avery	Elliott	Lichty	Simmer
Byers	Hansen of Scott	McCaulley	Snyder
	Hayes	O'Donnell	Torgeson

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

House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the Code

of 1927, and section one (1) of the chapter one hundred sixteen (116) of the laws of the Forty-third General Assembly, relating to the destruction of weeds and the appointment of a weed commissioner, with report of committee recommending passage, was taken up for consideration.

Wamstad of Mitchell called up the amendment filed by him and found on page 330 of the Journal of February 5th and moved its adoption.

Amendment adopted.

Rylander of Marshall called up the amendment filed by him and found on page 332 of the Journal of February 5th and moved its adoption.

Amendment adopted.

Helgason of Emmet called up the amendment filed by him and found on page 348 of the Journal of February 6th and moved its adoption.

Amendment adopted.

Greaser of Benton offered the following amendment and moved its adoption:

Amend by striking section one (1).

McCreery of Linn moved that action on House File No. 21 be deferred and the bill be rereferred to the committee on agriculture.

Hopkins of Guthrie moved the previous question.

Motion prevailed.

On the question "Shall action be deferred and House File No. 21 be rereferred?" a roll call was demanded.

The ayes were, 31.

Augustine	Hollingsworth	Mayne	Rutledge
Bair	Hollis	Millhone	Rylander
Beath	Husted	Nelson of	Shields
Elliott	Hutcheon	Cherokee	Simmer
Forsling	Johnson of	Orr	Tamisiea
Gallagher	Marion	Osborn	Van Buren
Garrett	McCreery	Pattison	Witt
Hansen of Scott	Mathews	Reed	Mr. Speaker
Hesse			

The nays were, 63.

Babcock	Finnern	Lepley	Roe
Berry	Gissel	Long	Ryder
Bonnstetter	Greaser	McLain	Short
Brown	Hansen of	Malone	Snyder
Craven	Audubon	Mead	Sours
Davis	Hanson of	Miller	Stanzel
Dayton	Winnebago	Morton	Stiger
Ditto	Helgason	Nelson of Story	Strachan
Donlon	Hook	O'Donnell	TePaske
Drake of Keokuk	Hopkins	Paisley	Thiessen
Drake of	Hunt	Peaco	Thompson
Muscatine	Hush	Pendray	Van Wert
Durant	Koch	Randolph	Wamstad
Ellsworth	Kohler	Ratliff	Watts
Fabritz	Lamb	Rawlings	Wearin
Felter	Langland	Reimers	Whiting
Figgins	Laughlin		

Absent or not voting, 14.

Aiken	Byers	Kern	McDermott
Allen	Gilmore	Lichty	Randall
Avery	Greene	McCaulley	Torgeson
Ballew	Hayes		

Motion lost.

Rutledge of Webster offered the following amendment as a substitute for the pending amendment and also amending section one (1) of House File No. 21 as amended by Rylander of Marshall by striking all after the colon in line four (4) and inserting in lieu thereof the following:

"Weeds and grasses shall be mowed and noxious weeds growing in secondary roads shall be destroyed by the board of supervisors and weeds and grasses growing in primary roads shall be mowed and noxious weeds growing in primary road shall be destroyed by the highway commission.

Substitution was made.

Shields of Clarke moved that House File No. 21 be deferred and that the bill retain its place on the calendar.

Gissel of Buchanan moved the previous question.

Motion prevailed.

On the question, "Shall the House defer action?" a roll call was demanded.

The ayes were, 45.

Bair	Brown	Durant	Ellsworth
Beath	Donlon	Elliott	Forsling



Gallagher	Hopkins	Mayne	Rutledge
Garrett	Hunt	Millhone	Rylander
Greaser	Husted	Nelson of	Shields
Hansen of	Hutcheon	Cherokee	Short
Audubon	Johnson of	Nelson of Story	Tamisiea
Hansen of Scott	Marion	Orr	Van Buren
Hanson of	Langland	Osborn	Wamstad
Winnebago	Laughlin	Pattison	Wearin
Hesse	McCreerv	Ratliff	Witt
Hollingsworth	Malone	Reed	Mr. Speaker
Hollis			

The nays were, 50.

Augustine	Figgins	McLain	Ryder
Babcock	Finnern	Mathews	Snyder
Berry	Gissel	Mead	Sours
Bonnstetter	Greene	Miller	Stanzel
Craven	Helgason	Morton	Stiger
Davis	Hook	O'Donnell	Strachan
Dayton	Hush	Paisley	TePaske
Ditto	Koch	Peaco	Thiessen
Drake of Keokuk	Kohler	Pendray	Thompson
Drake of	Lamb	Randolph	Van Wert
Muscatine	Lepley	Rawlings	Watts
Fabritz	Long	Reimers	Whiting
Felter	McDermott	Roe	

Absent or not voting, 13.

Aiken	Byers	Kern	Randall
Allen	Gilmore	Lichty	Simmer
Avery	Hayes	McCaulley	Torgeson
Ballew			

Motion to defer lost.

Wearin of Mills offered the following amendment to the substitute amendment and moved its adoption:

Amend by striking the period (.) at the end of the substitute amendment and add the following words "and that the expense of such work shall be charged to the secondary road fund and the primary road fund respectively."

Shields of Clarke raised the point of order that the amendment offered by Rutledge of Webster was not germane, in as much as the bill relates to the destruction of noxious weeds, whereas the amendment relates to a different subject—the mowing of high-ways.

The Speaker held the point of order not well taken.

Brown of Polk moved the previous question on the amendment to the substitute amendment and all pending amendments.

## AMENDMENT FILED

Van Buren of Jones filed the following amendment to House File No. 123:

Amend House File No. 123 as follows:

Strike all of the bill following the enacting clause and insert in lieu thereof the following:

"Section 1. That section ninety-two hundred fifty-eight-b one (9258-b1) of the Code, 1927, be repealed and the following enacted in lieu thereof:

'9258-b1. No banking institution shall open or maintain any branch bank. However, as may be authorized by and subject to the jurisdiction of the banking department any banking institution may establish an office for the sole and only purposes of receiving deposits and paying checks and performing such other clerical and routine duties not inconsistent with this act. No banking institution may establish any office beyond those counties immediately surrounding the county in which said banking institution is located. No office shall be continued at any place after a new banking institution has actually commenced business at that place. Nothing in this act shall prohibit national banks the privileges of this section whenever they may be so authorized by federal law.'

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Plain Talk and the Daily Record, newspapers published in the city of Des Moines, Iowa."

Also amend the title of said bill to read as follows:

"An act to repeal section ninety-two hundred fifty-eight-b one (9258-b1), of the Code, 1927, and to enact a substitute therefor to prohibit branch banking, but to provide for the establishment of offices for the receipt of deposits, paying of checks and for other clerical duties other than at the principal place of business of a banking institution."

Bair of Buena Vista moved that the House adjourn until 10:00 a. m. Tuesday.

On the question, "Shall the House adjourn," a roll call was demanded.

The ayes were, 60.

Aiken	Donlon	Gissel	Hollis
Augustine	Drake of	Greaser	Hook
Bair	Muscatine	Greene	Hopkins
Brown	Durant	Hansen of Scott	Hunt
Craven	Ellsworth	Hanson of	Husted
Davis	Felter	Winnebago	Hutcheon
Dayton	Forsling	Hesse	Koch
Ditto	Gallagher	Hollingsworth	Langland

Laughlin	Nelson of Story	Rylander	Van Buren
McCreery	Orr	Shields	Van Wert
McDermott	Osborn	Snyder	Wamstad
McLain	Pendray	Strachan	Watts
Malone	Randall	Tamisica	Wearin
Millhone	Ratliff	TePaske	Witt
Morton	Reed	Thompson	Mr. Speaker
Nelson of Cherokee	Roe		

The nays were, 27.

Babcock	Helgason	O'Donnelli	Short
Berry	Hush	Paisley	Sours
Bonnstetter	Kohler	Peaco	Stanzel
Drake of Keokuk	Lamb	Randolph	Stiger
Figgins	Lepley	Rawlings	Thiessen
Finnern	Mathews	Rutledge	Whiting
Garrett	Mead	Ryder	

Absent or not voting, 21.

Allen	Fabritz	Johnson of	Mayne
Avery	Gilmore	Marion	Miller
Ballew	Hansen of	Kern	Pattison
Beath	Audubon	Lichty	Reimers
Byers	Hayes	Long	Simmer
Elliott		McCaulley	Torgeson

Motion prevailed and 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 10, 1931.

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

Prayer was offered by the Rev. Paul P. Jackson, pastor of the Congregational Church, Sibley, Iowa.

Journal of February 9th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gilmore of Cedar for the day, on request of Van Buren of Jones; Torgeson of Worth for the day, on request of Hush of Montgomery.

## PETITIONS AND MEMORIALS

Laughlin of Fremont presented a petition, favoring House File No. 57.

Referred to committee on public lands and buildings.

Gallagher of Iowa presented a petition from the Oak Hill Cemetery Association of Williamsburg, favoring House File No. 57.

Referred to committee on public lands and buildings.

Koch of Bremer presented petitions from the Waverly and Tripoli posts of the American Legion, favoring compulsory military training.

Referred to committee on state educational institutions.

Nelson of Cherokee presented a petition from the Treptow Post of the American Legion, favoring compulsory military training.

Referred to committee on state educational institutions.

Rutledge of Webster presented a petition from the United Home Grocers of Fort Dodge, opposing the increasing of the tobacco tax.

Referred to committee on tax revision.

McCaulley of Calhoun presented a petition, opposing the increasing of the tobacco tax.

Referred to committee on tax revision.

Fabritz of Wapello presented petitions, favoring the "Commission Bill."

Referred to committee on fish and game.

Drake of Muscatine presented a petition, protesting House File No. 87.

Referred to committee on ways and means.

Hansen of Scott presented a petition, protesting House File No. 87.

Referred to committee on ways and means.

Lepley of Grundy presented a petition, favoring the division of Iowa into senatorial districts by grouping Grundy county with Tama, rather than with Butler and Bremer counties.

Referred to committee on judicial and political districts.

Koch of Bremer presented a petition from the board of supervisors of Bremer county, opposing the diversion of the primary road fund.

Referred to committee on roads and highways.

McCaulley of Calhoun presented a petition from business and professional men of Traer, opposing an amusement tax.

Referred to committee on tax revision.

#### REPORTS OF COMMITTEES

Shields of Clarke, 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. 16, a bill for an act to amend section eleven (11) of chapter twenty (20) of the laws of the Forty-third General Assembly relating to the use of secondary road construction 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.

LEROY SHIELDS, *Chairman.*

Report adopted.

Senate File No. 16 was substituted for House File No. 15 which was returned to the desk and filed.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred Senate File No. 77, a bill for an act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 113, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2500) or more, where the houses or business houses average less than two hundred feet apart, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman.*

Report adopted.

Helgason of Emmet, 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. 205, a bill for an act to amend chapter fifty-eight (58), Acts of the Forty-third (43rd) General Assembly, relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes, beg leave to report they have had 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. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 200, a bill for an act to amend section seventeen hundred forty-five (1745), code of 1927, relating to the sale by game wardens of undesirable fish, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section seventeen hundred forty-five (1745), code of 1927, by inserting in line seven (7) after the comma following the word "year" the following:

"shall be let to the highest responsible bidder,"

E. O. HELGASON, *Chairman*.

Report adopted.

Hanson of Winnebago, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 193, a bill for an act to amend chapter one hundred fifty-one-B one (151-B1), Code, 1927, so as to extend the provisions thereof to include "and/or all livestock", beg leave to report they have 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.

H. N. HANSON, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 228, a bill for an act to amend sections thirty-one hundred thirteen (3113) and thirty-one hundred fifteen (3115) of the code, 1927, pertaining to the definition and labeling of stock tonics, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 198, a bill for an act to repeal section twenty-nine hundred five (2905) and to amend section twenty-nine hundred ten (2910) of the code, 1927, relating to county aid for county agricultural societies and the use of such 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.

H. N. HANSON, *Chairman*.

Report adopted.

McCaulley of Calhoun, from the committee on tax revision, submitted the following report:

MR. SPEAKER: Your committee on tax revision, to whom was referred House File No. 2, a bill for an act providing for property tax relief by the levying, collecting and paying of taxes on incomes; providing for rules and regulations and prescribing penalties, and making an appropriation for carrying out this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Section 3, line thirty-eight (38), by striking the word "four" and inserting the letter "d".

Amend Section 7 by striking from lines five (5) and six (6), the words, "of the inventory is made in accordance with this act.", and substituting therefor the word "thereof."

Amend Section 27, line twenty-five (25) by striking the word "of" following the word "board" and inserting in lieu thereof the word "or".

And further amend Section 27, line sixty-five (65) by striking the word "filed", and inserting in lieu thereof the word "failed".

Amend Section 28, line ten (10) by striking the word "determination" and inserting in lieu thereof the word "findings".

MARION R. MCCAULEY, *Chairman*.

Report adopted.

Hunt of Louisa, from the committee on drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage, to which was referred House File No. 22, a bill for an act to amend section seventy-five hundred thirty-two (7532), Code, 1927, relating to publication of notice of hearing of completion of public drainage improvements, beg leave to report



they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

RALPH R. HUNT, *Chairman.*

Report adopted.

## RESOLUTION

Pendray of Jackson offered the following resolution:

*Whereas, The Honorable W. F. Schirmer, a former member of the House of Representatives from Jackson county during the Thirty-ninth, Fortieth, and Fortieth Extra General Assemblies, died in Bellevue, August 26, 1930; therefore*

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life.*

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Pendray of Jackson, Peaco of Clinton and Van Buren of Jones.

## HOUSE FILE WITHDRAWN

McLain of Poweshiek asked and obtained unanimous consent to have House File No. 31 withdrawn from further consideration of the House.

## INTRODUCTION OF BILLS

House File No. 253, by Paisley of Lee, a bill for an act to amend sections sixty-five hundred eighty-eight (6588) and sixty-five hundred ninety-two (6592) of the code, 1927, relating to levies by cities, acting under the commission form of government, and to the limitation on such levies.

Read first and second times and referred to committee on cities and towns.

House File No. 254, by Mayne of Pottawattamie, a bill for an act to amend chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) general assembly, relating to regulation

of motor trucks and making said chapter applicable to carriers of freight under contract for compensation for hire.

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

House File No. 255, by Mayne of Pottawattamie, a bill for an act to amend chapter one hundred twenty-nine (129), acts of the forty-third (43rd) general assembly, relating to regulation of motor trucks, so as to provide for the levy and collection of a tax for the maintenance and repair of the highways.

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

House File No. 256, by Mayne of Pottawattamie, a bill for an act to amend chapter one hundred thirty-one (131), acts of the forty-third (43rd) general assembly, relating to operation of motor trucks, and limiting the maximum weight of motor trucks or trailers, and the loads thereof.

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

House File No. 257, by Johnson of Marion, a bill for an act to authorize the attorney general to enter into a contract for the use of a special police radio broadcasting system and to authorize the procurement of special radio receiving sets to be used in connection with said system by the state, counties and municipalities thereof for police purposes only, and to provide for the payment of the cost thereof.

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

House File No. 258, by Rutledge of Webster, a bill for an act to amend chapter three hundred twenty-two (322), code, 1927, relating to disabled and retired firemen and policemen; to provide a pension and retirement fund for employees of municipally-owned waterworks; to provide the manner in which said fund may be created, including a levy of taxes for said fund; to prescribe the terms and conditions on which said employees may share in said fund; and to empower cities and towns to provide medical services to such employees under certain conditions.

Read first and second times and referred to committee on cities and towns.

### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the Code of 1927, and section one (1) of the chapter one hundred sixteen (116) of the laws of the Forty-third General Assembly, relating to the destruction of weeds and the appointment of a weed commissioner, was taken up for consideration.

Rutledge of Webster asked and obtained unanimous consent to have the substitute amendment filed by him and found in the Journal of February 9th, withdrawn.

Helgason 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, 83.

Allen	Finnern	Kohler	Randolph
Augustine	Forsling	Lamb	Rawlings
Bacock	Gallagher	Langland	Reed
Bair	Gissel	Laughlin	Reimers
Ballew	Hansen of	Lepley	Roe
Beath	Audubon	Lichty	Ryder
Berry	Hanson of	Long	Rylander
Bonnstetter	Winnebago	McCaulley	Short
Brown	Helgason	McCreery	Snyder
Byers	Hesse	McDermott	Sours
Craven	Hollingsworth	McLain	Stanzel
Davis	Hollis	Mead	Stiger
Ditto	Hook	Millhone	Strachan
Donlon	Hopkins	Miller	Tamisia
Drake of Keokuk	Hunt	Morton	TePaske
Drake of	Hush	Nelson of	Thompson
Muscatine	Husted	Cherokee	Van Wert
Durant	Hutcheon	Nelson of Story	Wamstad
Elliott	Johnson of	O'Donnell	Wearin
Ellsworth	Marion	Osborn	Whiting
Felter	Kern	Pattison	Witt
Figgins	Koch	Pendray	Mr. Speaker

The nays were, 16.

Dayton	Hansen of Scott	Orr	Rutledge
Garrett	Hayes	Paisley	Thiessen
Greaser	Malone	Peaco	Van Buren
Greene	Mathews	Ratcliff	Watts

Absent or not voting, 9.

Aiken  
Avery  
Fabritz

Gilmore  
Mayne

Randall  
Shields

Simmer  
Torgeson

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

By unanimous consent the chief clerk was authorized to re-number the sections.

Helgason of Emmet moved that the vote by which House File No. 21 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

The hour having arrived for special order, Senate File No. 15, a bill for an act to authorize the issuance and sale of county road bonds voted under the provisions of Chapter two hundred forty-two (242) either of the Code of Iowa 1924 or 1927, and to provide for the payment of the principal and interest thereon, with report of committee recommending passage, was taken up for consideration.

Whiting 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, 95.

Augustine	Forsling	Hutcheon	Millhone
Babcock	Gallagher	Johnson of	Morton
Bair	Garrett	Marion	Nelson of
Ballew	Gissel	Kern	Cherokee
Beath	Greaser	Koch	Nelson of Story
Berry	Greene	Kohler	O'Donnell
Bonnstetter	Hansen of	Lamb	Orr
Brown	Audubon	Langland	Osborn
Craven	Hansen of Scott	Laughlin	Paisley
Davis	Hanson of	Lepley	Pattison
Dayton	Winnebago	Lichty	Peaco
Ditto	Helgason	Long	Pendray
Drake of Keokuk	Hesse	McCaulley	Randall
Drake of	Hollingsworth	McCreery	Randolph
Muscatine	Hollis	McDermott	Ratliff
Durant	Hook	McLain	Rawlings
Elliott	Hopkins	Malone	Reed
Ellsworth	Hunt	Mathews	Reimers
Felter	Hush	Mayne	Rutledge
Figgins	Husted	Mead	Ryder

Rylander	Stanzel	Thiessen	Watts
Shields	Stiger	Thompson	Wearin
Short	Strachan	Van Buren	Whiting
Snyder	Tamisiea	Van Wert	Witt
Sours	TePaske	Wamstad	Mr. Speaker

The nays were, none.

Absent or not voting, 13.

Aiken	Donlon	Gilmore	Roe
Allen	Fabritz	Hayes	Simmer
Avery	Finnern	Miller	Torgeson
Byers			

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

Whiting of Johnson moved that the vote by which Senate File No. 15 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

Hanson of Winnebago, chairman of the committee on agriculture, moved that the report of the committee recommending that House File No. 79 be indefinitely postponed be adopted.

Rutledge of Webster moved the previous question.

Motion prevailed.

Report adopted.

#### ST. OLAF CHOIR ENTERTAINS GENERAL ASSEMBLY

Speaker Johnson announced the presence of Dr. F. M. Christiansen and the St. Olaf Lutheran choir of Northfield, Minnesota.

Sergeant-at-arms, Oley Nelson, introduced Dr. Christiansen, who with his choir entertained the House.

#### AMENDMENTS FILED

Witt of Butler and Ditto of Osceola filed the following amendments to House File No. 139:

Amend House File No. 139 as follows:

1. By inserting as section six (6), the following:

"Sec. 6. Any foreign corporation or company maintaining an office within the state for a period of six (6) months, shall be given a preference over those not maintaining an office within the state."

2. By renumbering section six (6) to read: "Sec. 7."

Johnson of Marion filed the following amendment to House File No. 7:

Amend House File No. 7 by inserting after the word "by" in line three (3) of section one (1), the following:

"inserting after the words 'gas works' in the fourth line thereof, the words 'or pipe lines' and also amend by"

Also amend by inserting after the words "gas works" in line two (2) of section four (4) the following: "or pipe lines".

Morton of Wright filed the following amendments to House File No. 155:

Amend House File No. 155 as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. Section eleven thousand seven hundred sixty (11760) of the code, 1927, as amended by the Forty-third (43rd) General Assembly, chapter two hundred fifty-six (256), is repealed and the following is enacted in lieu thereof, to wit:

'11760. General exemptions. If the debtor is a resident of this state and the head of a family, he may hold exempt from execution the following property:

1. All wearing apparel of himself and family kept for actual use and suitable to their condition, and the trunks or other receptacles necessary to contain the same.

2. All private libraries, family bibles, portraits, pictures, musical instruments, and paintings not kept for the purpose of sale.

3. A lot not exceeding six hundred square feet in any public or private burying ground.

4. Two cows and two calves.

5. Fifty sheep and the wool therefrom.

6. Six stands of bees.

7. Five hogs, and forty pigs under six months.

8. The necessary food for all animals exempt from execution for six months.

9. One bedstead and the necessary bedding for every two in the family.
10. Household and kitchen furniture, not exceeding three hundred dollars in value.
11. One sewing machine and other instruments of domestic labor kept for actual use.
12. The necessary provisions and fuel for the use of the family for six months.
13. The proper tools, instruments, or books of the debtor, if a mechanic, surveyor, clergyman, lawyer, physician, dentist, teacher, or professor.
14. If the debtor is a physician, public officer, teamster, or other laborer, a team, consisting of not more than two horses or mules, and the wagon or other vehicle, with the proper harness or tackle, by the use of which he habitually earns his living.
15. If the debtor is a farmer, one automobile; also four horses, and the tools and equipment, and seed necessary to carry on a farm of one hundred sixty acres.
16. If a printer, a printing press and the types, furniture, and material necessary for the use of such printing press and a newspaper office connected therewith, not to exceed in all the value of twenty-five hundred dollars.
17. Poultry to the value of fifty dollars.
18. If the debtor is a resident of this state and is the head of a family, and does not own one or more of the foregoing items of property, his wife, if she is an actual member of the family and owns one or more such items, and is the debtor, shall be entitled to hold such items exempt from execution.
19. If the debtor is a resident of this state and a woman other than the head of a family, she may hold exempt from execution one sewing machine, and poultry to the value of fifty dollars."

Also further amend by striking out the title and inserting in lieu thereof the following:

"An Act to repeal section eleven thousand seven hundred sixty (11760) of the code, 1927, as amended by the Forty-third (43rd) General Assembly, chapter two hundred fifty-six (256), and to enact a substitute therefor relating to exemptions from execution."

On motion of Hanson of Winnebago 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 11, 1931.

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

Prayer was offered by the Rev. Daniel E. Kerr, pastor of the First Presbyterian Church, Mediapolis, Iowa.

Journal of February 10th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Avery of Clay for the day, on request of Hayes of Dubuque; Orr of Clayton for the day, on request of Hayes of Dubuque.

## PETITIONS AND MEMORIALS

Allen of Pocahontas presented a petition from the American Legion Post at Havelock, urging retention of compulsory military training at state educational institutions.

Referred to committee on state educational institutions.

McCaulley of Calhoun presented a petition, opposing the increasing of the tobacco tax.

Referred to committee on tax revision.

## REPORTS OF COMMITTEES

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 134, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-four (5694) of the code, 1927, placing police matrons under civil service in certain cities, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman.*

Passed on file.



Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 143, a bill for an act to amend section fifty-seven hundred forty-three of the code, 1927 relating to the powers of cities and towns to regulate and license certain businesses, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 189, a bill for an act consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company, its successors and assigns, from Council Bluffs, Iowa, to and across lands of the Iowa School for the Deaf under the provisions of chapter two hundred sixty-nine (269), Acts of the Thirty-third (33rd) General Assembly; providing for the termination of the right of way therein granted and for the obligation of the railway company to remove its property from the state lands, restore them to original condition and surrender possession thereof to 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 232, a bill for an act to amend sections sixty-three hundred ten (6310) and sixty-three hundred fourteen (6314) code of 1927, relating to pension funds for disabled and retired firemen and policemen by including therein provisions making such pensions applicable to deputy clerks of municipal courts in cities having a population of one hundred thousand (100,000) or more, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House Joint Resolution No. 4, a joint resolution calling a special election

for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking the word and figures "May 12" in line eight (8) of section one (1) and by inserting in lieu thereof the word and figures "June 16".

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 263, a bill for an act to amend, revise and codify section twelve thousand eight hundred ninety (12890) of the code, 1927, relating to the definition of a felony.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Hayes of Dubuque, from the committee on interstate bridges, submitted the following report:

MR. SPEAKER: Your committee on interstate bridges, to whom was referred House File No. 12, a bill for an act to make Chapter 195 of the laws of the Forty-third General Assembly conferring certain powers and imposing certain duties upon cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. N. HAYES, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on interstate bridges, to whom was referred House File No. 90, a bill for an act providing for the merger and/or consolidation of a corporation organized under the laws of this State for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent 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.

J. N. HAYES, *Chairman*.

Report adopted.

Hopkins of Guthrie, 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. 103, a bill for an act to amend section forty-four hundred fifty-six (4456) of the code, 1927, and provide a method of abandonment of county uniformity of school textbooks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 111, a bill for an act to amend section forty-two hundred seventy-four (4274) of the code, 1927, relating to attending school in another corporation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 136, a bill for an act to amend section forty-two hundred fifty-two (4252) of the code, 1927, relating to courses of study in common schools, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman.*

Report adopted.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Greaser of Benton asked and obtained unanimous consent to have four hundred additional copies of House File No. 170 printed.

#### HOUSE FILES WITHDRAWN

Randall of Lucas asked and obtained unanimous consent to have House File No. 115 withdrawn from the committee on judiciary and from further consideration of the House.

Wearin of Mills asked and obtained unanimous consent to have

House File No. 137 withdrawn from the committee on fish and game and from further consideration of the House.

Simmer of Wapello asked and obtained unanimous consent to have House File No. 24 withdrawn from the committee on fish and game and from further consideration of the House.

### RESOLUTION

TePaske of Sioux offered the following resolution:

*Whereas*, On February 7, 1931, a deep sorrow came to our fellow member, the Honorable A. H. Avery of Clay County, in the death of his daughter,

*Now Therefore Be It Resolved by this House*, That we pause to take reverent note of this bereavement;

That we beg to assure him of our profound sympathy during this his hour of sorrow;

That we instruct the Clerk of this House to communicate to the Honorable A. H. Avery and his family the assurance of sympathy of this House, and to send him by mail a copy of this Resolution.

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

Motion prevailed and the resolution was adopted.

### INTRODUCTION OF BILLS

House File No. 259, by Johnson of Marion, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code, 1927, relating to the licensing of dentists.

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

House File No. 260, by Reed of Mahaska, a bill for an act to amend section fourteen hundred ninety (1490) of the code, 1927, relating to pipes and flues for deleterious gases.

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

House File No. 261, by Hopkins of Guthrie, a bill for an act to repeal section thirty-eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau.

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

House File No. 262, by Ditto of Osceola, a bill for an act authorizing the writing of title insurance by domestic and foreign companies; providing for the guaranty fund and reserve fund of such companies; qualifications and powers of domestic companies; to repeal section eighty-nine hundred three (8903), code, 1927, and to enact a substitute therefor, to fix capital of such companies; to amend section eighty-nine hundred forty (8940), code, 1927, to create this form of insurance and to amend section eighty-nine hundred forty-one (8941), code, 1927, to include this class of insurance, and to remove the limit of liability under policies of title insurance.

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

House File No. 263, by committee on judiciary, a bill for an act to amend, revise, and codify section twelve thousand eight hundred ninety (12890) of the Code, 1927, relating to the definition of a felony.

Read first and second times and passed on file.

House File No. 264 by Elliott of Scott, a bill for an act to create a public service commission; to grant to it jurisdiction over the facilities, service and rates of public utilities; to provide for the appointment, terms of office, and compensation of the commissioners and to provide for the organization of the commission; to define the powers, duties and jurisdiction of the commission and provide for the enforcement and appeal from its orders; to abolish the board of railroad commissioners, and provide for the transfer to the public service commission of all proceedings pending before the board of railroad commissioners and to confer upon the public service commission the jurisdiction, rights, powers and duties of the board of railroad commissioners; and to repeal sections 516, 7865, and 7866, of the code of 1927, and all acts and parts of acts in conflict with this act.

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

House File No. 265, by Maneor-Berry contest committee, a

bill for an act to make an appropriation for the expenses incurred in the election contest of Maneor vs. Berry.

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

House File No. 266, by Husted of Madison, a bill for an act to repeal chapter one hundred two (102), acts of the forty-third (43rd) general assembly, relating to attaching and detaching territory to and from adjoining districts.

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

House File No. 267, by Hopkins of Guthrie, a bill for an act to amend section thirty-eight hundred seventy-three (3873), code, 1927, and to repeal section thirty-eight hundred seventy-four (3874), code, 1927, relating to teachers' examinations.

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

House File No. 268, by Helgason of Emmet, a bill for an act to amend chapter three hundred forty-six (346) of the code, 1927, relieving the county treasurer from listing delinquent special assessments upon the tax list, as required in section seventy-one hundred ninety-three (7193) of the code, 1927, and to require the county auditor to list the respective special assessments within the respective counties in books known as special assessment tax lists, and to require the treasurer to refer thereto on the respective tax lists each year.

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

House File No. 269, by Helgason of Emmet, a bill for an act to amend paragraph ten (10) of section sixty-two hundred eleven (6211), code, 1927 relating to the levy of taxes in cities and towns for gas light, electric light, heat or power.

Read first and second times and referred to committee on cities and towns.

House File No. 270, by Forsling of Woodbury, a bill for an act to amend sections four thousand four hundred thirty-three

(4433) and five thousand eight hundred forty-seven (5847) of the code, 1927, relating to recreation places and playgrounds.

Read first and second times and referred to committee on cities and towns.

McCaulley of Calhoun asked and obtained unanimous consent to have House File No. 1 placed at the foot of the calendar.

### MADE SPECIAL ORDER

McCaulley of Calhoun asked and obtained unanimous consent that House File No. 2 be made a special order for Friday, February 20th, at 10:00 a. m.

### CONSIDERATION OF BILLS

House File No. 159, a bill for an act to amend sections twenty-five hundred seventy-eight (2578) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof, with report of committee recommending passage, was taken up for consideration.

Rutledge of Webster asked and obtained unanimous consent to have the amendment filed by him and found in the Journal of February 6th withdrawn.

Millhone of Page offered the following amendment and moved its adoption:

Amend House File No. 159 as follows:

1. By striking section one (1) thereof, and substituting therefor the following:

"Section 1. That section twenty-five hundred seventy-eight (2578), code of 1927, be amended by inserting after the word 'drugs' in line five (5) thereof, the following: ", poisons'."

2. By adding as section five (5) the following:

"Sec. 5. That section twenty-five hundred seventy-nine (2579), code of 1927, be amended as follows:

(a) By striking from lines one (1) and two (2) thereof the following: 'The preceding section shall not be construed to include the following classes:' and substituting therefor the following: 'No section in this chapter, as amended, shall be construed to include the following classes:'

(b) By adding thereto paragraph number five (5) to read "5. Farm organizations who buy and distribute rodent and weed eradicators in original packages, labeled as provided in section thirty-one hundred seventy-six (3176), code of 1927, for other poisons.'"

3. By inserting in line one (1) of the title after the figures "(2578)" the following: ", twenty-five hundred seventy-nine (2579)".

Rutledge of Webster offered the following amendment to the amendment and moved its adoption:

Amend subsection b under section five (5) by adding after the word eradicators the following: ", and dairy supply houses who supply preservatives for milk and cream samples."

Amendment to the amendment adopted.

Torgeson of Worth moved that further action on House File No. 159 be deferred.

Motion prevailed.

House File No. 4, a bill for an act to amend the law as it appears in paragraphs one (1), six (6), and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the State Board of Assessment and Review, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of McCaulley of Calhoun, the amendments proposed by the committee, found in the Journal of February 5th, were adopted.

McCaulley 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, 87.

Aiken	Dayton	Felter	Hansen of
Allen	Ditto	Figgins	Scott
Augustine	Donlon	Finnern	Hanson of
Babcock	Drake of	Forsling	Winnebago
Bair	Keokuk	Gallagher	Hayes
Beath	Drake of	Gilmore	Helgason
Bonnstetter	Muscatine	Greaser	Hesse
Brown	Durant	Hansen of	Hollis
Byers	Ellsworth	Audubon	Hook
Craven	Fabritz		Hopkins



Hunt	McCreery	Osborn	Sours
Hush	McDermott	Paisley	Stiger
Husted	McLain	Pattison	Strachan
Hutcheon	Malone	Pendray	Tamisiea
Johnson of Marion	Mathews	Randolph	TePaske
Kern	Mayne	Ratliff	Thiessen
Koch	Mead	Reed	Thompson
Kohler	Millhone	Reimers	Torgeson
Lamb	Morton	Roe	Van Buren
Langland	Nelson of	Rutledge	Wamstad
Lichty	Cherokee	Ryder	Wearin
Long	Nelson of	Rylander	Whiting
McCaulley	Story	Shields	Witt
	O'Donnell	Short	Mr. Speaker

The nays were, 5.

Garrett	Peaco	Van Wert	Watts
Lepley			

Absent or not voting, 16.

Avery	Elliott	Laughlin	Rawlings
Ballew	Gissel	Miller	Simmer
Berry	Greene	Orr	Snyder
Davis	Hollingsworth	Randall	Stanzel

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

McCaulley of Calhoun moved that the vote by which House File No. 4 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 7, a bill for an act to amend the law as it appears in section sixty-nine hundred seventy-nine (6979), sixty-nine hundred eighty (6980), and sixty-nine hundred eighty-one (6981), of the Code of Iowa, 1927, relating to the listing and assessment of the property of all public utilities, and to provide for the listing and assessment of the property of every individual, co-partnership, corporation or association operating for profit, waterworks or gas works, electric light or power plant, railways operated by cable or electricity, and elevated street railways, with report of committee recommending passage, was taken up for consideration.

Johnson of Marion called up the amendment filed by him and found in the House Journal of February 10th and moved its adoption.

Amendment adopted.

Johnson of Marion moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 87.

Augustine	Greaser	Lepley	Reed
Babcock	Greene	Lichty	Reimers
Bair	Hansen of	Long	Roe
Beath	Audubon	McCaulley	Rutledge
Brown	Hansen of	McCreery	Ryder
Byers	Scott	McDermott	Rylander
Craven	Hanson of	McLain	Shields
Davis	Winnebago	Malone	Short
Dayton	Hayes	Mathews	Simmer
Ditto	Helgason	Mayne	Sours
Drake of	Hesse	Mead	Stanzel
Keokuk	Hollis	Millhone	Stiger
Drake of	Hook	Morton	Tamisiea
Muscataine	Hopkins	Nelson of	TePaske
Durant	Husted	Cherokee	Thiessen
Ellsworth	Hutcheon	Osborn	Thompson
Fabritz	Johnson of	Paisley	Torgeson
Felter	Marion	Pattison	Van Buren
Figgins	Kern	Pendray	Wamstad
Forsling	Koch	Randall	Wearin
Gallagher	Kohler	Randolph	Whiting
Garrett	Lamb	Ratliff	Witt
Gilmore	Langland	Rawlings	Mr. Speaker
Gissel	Laughlin		

The nays were, 6.

Allen	Finnern	Peaco	Watts
Bonnstetter	Hush		

Absent or not voting, 15.

Aiken	Donlon	Miller	Orr
Avery	Elliott	Nelson of	Snyder
Ballew	Hollingsworth	Story	Strachan
Berry	Hunt	O'Donnell	Van Wert

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

Johnson of Marion offered the following amendment to the title and moved its adoption:

Amend House File No. 7, by striking in line seven (7) of the title the comma (,) after the word "works" and inserting the words "or pipe line".

Amendment adopted, and the title as amended was agreed to.

Johnson of Marion moved that the vote by which House File

No. 7 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 110, a bill for an act to repeal section ten thousand nine hundred five (10905) of the Code, 1927, and to enact a substitute therefor, relating to the selection of jury lists and providing the manner for correcting irregularity in the selection thereof, and to provide for the selection of additional petit jury lists, with report of committee recommending passage, was taken up for consideration.

Hutcheon of Greene asked and obtained unanimous consent to have Senate File No. 75 recalled from the judiciary committee and substituted for House File No. 110.

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

On the question "Shall the bill pass?"

The ayes were, 99.

Allen	Garrett	Langland	Rawlings
Augustine	Gilmore	Laughlin	Reed
Babcock	Gissel	Lepley	Reimers
Bair	Greaser	Lichty	Roe
Ballew	Greene	Long	Rutledge
Beath	Hansen of	McCaulley	Ryder
Berry	Audubon	McCreery	Shields
Bonnstetter	Hansen of	McDermott	Short
Brown	Scott	McLain	Snyder
Byers	Hanson of	Malone	Sours
Craven	Winnebago	Mathews	Stanzel
Davis	Hayes	Mayne	Stiger
Dayton	Helgason	Mead	Strachan
Ditto	Hesse	Millhone	Tamisiea
Donlon	Hollis	Miller	TePaske
Drake of	Hook	Morton	Thiessen
Keokuk	Hopkins	Nelson of	Thompson
Drake of	Hunt	Cherokee	Torgeson
Muscatine	Hush	Osborn	Van Buren
Durant	Husted	Paisley	Van Wert
Ellsworth	Hutcheon	Pattison	Wamstad
Fabritz	Johnson of	Peaco	Watts
Felter	Marion	Pendray	Wearin
Figgins	Kern	Randall	Whiting
Finnern	Koch	Randolph	Witt
Forsling	Kohler	Ratliff	Mr. Speaker
Gallagher	Lamb		

The nays were, none.

Absent or not voting, 9.

Aiken	Hollingsworth	O'Donnell	Rylander
Avery	Nelson of	Orr	Simmer
Elliott	Story		

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

House File No. 46, a bill for an act to amend paragraph one (1) of section two hundred eleven (211) in the Code of Iowa, 1927, relating to the levy of taxes for grading purposes, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brown of Polk, the amendment proposed by the committee, found in the Journal of February 6th, was adopted.

Brown 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, 85.

Allen	Figgins	Kern	Reimers
Augustine	Finnern	Kohler	Roe
Babcock	Forsling	Lamb	Rutledge
Bair	Gallagher	Langland	Ryder
Ballew	Gissel	Laughlin	Shields
Beath	Greaser	Lepley	Short
Berry	Greene	Long	Sours
Bonnstetter	Hansen of	McCaulley	Stanzel
Brown	Audubon	McCreery	Stiger
Byers	Hanson of	McDermott	Strachan
Craven	Winnebago	McLain	Tamisiea
Dayton	Hayes	Mathews	TePaske
Ditto	Helgason	Millhone	Thiessen
Donlon	Hesse	Osborn	Thompson
Drake of	Hollis	Paisley	Torgeson
Keokuk	Hook	Pattison	Van Buren
Drake of	Hopkins	Peaco	Van Wert
Muscatine	Hunt	Pendray	Wamstad
Durant	Hush	Randall	Wearin
Elliott	Husted	Randolph	Whiting
Ellsworth	Hutcheon	Ratliff	Witt
Fabritz	Johnson of	Reed	Mr. Speaker
Felter	Marion		

The nays were, 4.

Garrett	Malone	Miller	Rawlings
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Absent or not voting, 19.

Aiken	Hollingsworth	Nelson of	Orr
Avery	Koch	Cherokee	Rylander
Davis	Lichty	Nelson of	Simmer
Gilmore	Mayne	Story	Snyder
Hansen of	Mead	O'Donnell	Watts
Scott	Morton		

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. 98, a bill for an act to coordinate and harmonize various sections of the Code, 1927, with the state appropriation act provided by section three hundred thirty-three (333) of said Code, to avoid duplicate appropriations in said Code and Act, and to this end to repeal sections fourteen hundred twenty-six (1426), seventeen hundred twelve (1712), and twenty-seven hundred eighty-one (2781), and to amend sections sixteen hundred fifty-five (1655), twenty-five hundred thirty-three (2533), thirty-nine hundred forty-one (3941), forty hundred twenty-eight (4028), and forty-five hundred fifty-nine (4559), all of said Code, and relating to appropriations, with report of committee recommending passage, was taken up for consideration.

Van Buren 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, 82.

Allen	Fabritz	Hutcheon	O'Donnell
Augustine	Figgins	Johnson of	Osborn
Babcock	Finnern	Marion	Paisley
Ballew	Gallagher	Kern	Pattison
Beath	Garrett	Koch	Peaco
Berry	Gilmore	Kohler	Pendray
Bonnstetter	Gissel	Lamb	Randall
Byers	Greaser	Langland	Randolph
Craven	Greene	Laughlin	Ratliff
Davis	Hanson of	Long	Rawlings
Dayton	Winnebago	McCauley	Reimers
Ditto	Hayes	McCreery	Rutledge
Donlon	Helgason	Mathews	Ryder
Drake of	Hollis	Mead	Shields
Keokuk	Hook	Millhone	Short
Drake of	Hopkins	Miller	Snyder
Muscatine	Hunt	Morton	Stiger
Durant	Hush	Nelson of	Strachan
Ellsworth	Husted	Cherokee	TePaske

Thiessen	Van Buren	Watts	Witt
Thompson	Van Wert	Wearin	Mr. Speaker
Torgeson	Wamstad	Whiting	

The nays were, 3.

Felter	McLain	Reed
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Absent or not voting, 23.

Aiken	Hansen of	Lichty	Roe
Avery	Audubon	McDermott	Rylander
Bair	Hansen of	Malone	Simmer
Brown	Scott	Mayne	Sours
Elliott	Hesse	Nelson of	Stanzel
Forsling	Hollingsworth	Story	Tamisiea
	Lepley	Orr	

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

House File No. 223, a bill for an act to amend section twenty-five hundred thirty-eight (2538) of the code, 1927, pertaining to the practice of medicine and surgery, with report of committee on public health recommending passage, was taken up for consideration.

Ellsworth 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, 83.

Allen	Figgins	Kohler	Ratliff
Augustine	Forsling	Lamb	Rawlings
Babcock	Gallagher	Langland	Reed
Bair	Gilmore	Laughlin	Roe
Ballew	Gissel	Lepley	Rutledge
Beath	Greene	Lichty	Ryder
Berry	Hansen of	Long	Short
Bonnstetter	Scott	McCaulley	Sours
Brown	Hanson of	McCreery	Stanzel
Byers	Winnebago	McLain	Strachan
Craven	Helgason	Malone	Tamisiea
Dayton	Hesse	Mathews	TePaske
Ditto	Hollis	Millhone	Thiessen
Donlon	Hook	Miller	Thompson
Drake of	Hopkins	Morton	Torgeson
Keokuk	Hush	Nelson of	Van Buren
Drake of	Husted	Cherokee	Van Wert
Muscatine	Hutcheon	Osborn	Wamstad
Durant	Johnson of	Pattison	Wearin
Elliott	Marion	Peaco	Whiting
Ellsworth	Kern	Pendray	Witt
Fabritz	Koch	Randolph	Mr. Speaker
Felter			

The nays were, 5.

Garrett	McDermott	Reimers	Stiger
Greaser			

Absent or not voting, 20.

Aiken	Hayes	Nelson of	Rylander
Avery	Hollingsworth	Story	Shields
Davis	Hunt	O'Donnell	Simmer
Finnern	Mayne	Orr	Snyder
Hansen of	Mead	Paisley	Watts
Audubon		Randall	

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

House File No. 224, a bill for an act to amend sections twenty-four hundred forty-seven (2447), twenty-four hundred forty-eight (2448), twenty-four hundred ninety-two (2492), and twenty-five hundred nineteen (2519) of the code, 1927, relative to the renewal of licenses and reinstatement of licensees, revocation of licenses of practitioners of medicine, and to the penalty for the violation of any of the statutes governing the practice of medicines, with report of committee on public health recommending passage, was taken up for consideration.

Ellsworth 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, 45.

Ballew	Gallagher	Koch	Reed
Beath	Garrett	Lichty	Rutledge
Brown	Greene	Long	Ryder
Byers	Hansen of	McCreery	Stiger
Dayton	Scott	McLain	Tamisiea
Ditto	Hayes	Morton	Torgeson
Donlon	Hook	Nelson of	Van Buren
Drake of	Hopkins	Story	Van Wert
Keokuk	Hunt	Osborn	Wamstad
Durant	Johnson of	Pattison	Whiting
Elliott	Marion	Pendray	Witt
Ellsworth	Kern	Rawlings	Mr. Speaker
Figgins			

The nays were, 40.

Allen	Craven	Finnern	Hesse
Augustine	Davis	Gissel	Hush
Berry	Fabritz	Greaser	Husted
Bonnstetter	Felter	Helgason	Hutcheon

Kohler	Malone	Peaco	TePaske
Lamb	Mathews	Randolph	Thiessen
Langland	Mayne	Roe	Thompson
Laughlin	Mead	Rylander	Wearin
Lepley	Miller	Sours	
McCaulley	Nelson of	Stanzel	
McDermott	Cherokee	Strachan	

Absent or not voting, 23.

Aiken	Gilmore	Hollis	Reimers
Avery	Hansen of	Millhone	Shields
Babcock	Audubon	O'Donnell	Short
Bair	Hanson of	Orr	Simmer
Drake of	Winnebago	Paisley	Snyder
Muscatine	Hollingsworth	Randall	Watts
Forsling		Ratliff	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

#### MOTION TO RECONSIDER

Allen of Pocahontas moved to reconsider the vote by which House File No. 224 failed to pass the House.

#### CONSIDERATION OF BILLS

House File No. 225, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health under title eight VIII, of the code, 1927, from the use of any professional title or abbreviation other than that of the profession under which he is licensed and requiring each practitioner to use the proper designation and providing the penalty for violation thereof, with report of committee on public health recommending passage, was taken up for consideration.

Ellsworth 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, 96.

Allen	Bonnstetter	Drake of	Fabritz
Augustine	Brown	Keokuk	Felter
Babcock	Byers	Drake of	Figgins
Bair	Craven	Muscatine	Finnern
Ballew	Davis	Durant	Forsling
Beath	Ditto	Elliot	Gallagher
Berry	Donlon	Ellsworth	Garrett



Gilmore	Hutcheon	Millhone	Snyder
Gissel	Johnson of	Morton	Sours
Greaser	Marion	Nelson of	Stanzel
Greene	Kern	Cherokee	Stiger
Hansen of	Koch	O'Donnell	Strachan
Audubon	Kohler	Osborn	Tamisiea
Hansen of	Lamb	Paisley	TePaske
Scott	Langland	Peaco	Thiessen
Hanson of	Lepley	Pendray	Thompson
Winnebago	Lichty	Randolph	Torgeson
Hayes	Long	Ratliff	Van Buren
Helgason	McCaulley	Rawlings	Van Wert
Hesse	McCreery	Reed	Wamstad
Hollis	McDermott	Roe	Watts
Hook	McLain	Rutledge	Wearin
Hopkins	Malone	Ryder	Whiting
Hunt	Mathews	Rylander	Witt
Hush	Mayne	Shields	Mr. Speaker
Husted	Mead	Short	

The nays were, none.

Absent or not voting, 12.

Aiken	Hollingsworth	Nelson of	Pattison
Avery	Laughlin	Story	Randall
Dayton	Miller	Orr	Reimers
			Simmer

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 concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution No. 8, relative to the appointment of an investigating committee, whose duty it shall be to fully investigate the management and affairs of the State University of Iowa.

Also, that the Senate has concurred and adopted the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File No. 30, a bill for an act to legalize the proceedings of the Lutheran Mutual Fire Insurance Association of Burlington.

Also, that the Senate has concurred in and adopted House amendments to the following joint resolution in which the concurrence of the Senate was asked:

Senate Joint Resolution No. 1, agreeing to, enacting, and adopting a proposed amendment to the constitution of the State of Iowa, relating to

the improvement of Highways and making provision for the payment of the cost thereof.

WALTER H. BEAM, *Secretary*.

Allen of Pocahontas asked and obtained unanimous consent to have House Concurrent Resolution No. 8 printed in the *Journal* as amended by the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 8

#### As Amended by the Senate

Providing for the appointment of an investigating committee, whose duty it shall be to fully investigate the management and affairs of the State University of Iowa and its various officers and employees and providing that said Committee shall report its findings and recommendations thereon to the General Assembly and to the Attorney General of the State of Iowa, and to provide an appropriation sufficient to pay the expense of said Committee.

*Whereas*, Charges and claims of mal-administration on the part of the Board of Education of the State of Iowa and upon the part of certain officials, officers and employees of the State University of Iowa have been made, and

*Whereas*, The Honorable Dan W. Turner, Governor of the State of Iowa, has recommended that a legislative joint committee be appointed to thoroughly investigate the conditions of the management and administration of the affairs of said University, both by the officials and employees thereof and by said State Board of Education, and

*Whereas*, It appears that in fairness to the State Board of Education and to the officials and employees of the State University of Iowa, and to the people of the State of Iowa, such investigation should be made,

*Therefore, Be It Resolved by the House, the Senate Concurring:*

Section 1. That a joint committee of the members of the House of Representatives and Senate of the Forty-fourth General Assembly, consisting of six (6) members, be and the same is hereby created and established; three (3) of the members thereof to be appointed by the Lieutenant governor from the membership of the Senate, and three (3) of the members to be appointed from the membership of the House by the Speaker of the House. It shall be the duty of said joint committee to investigate charges hereinbefore set forth and also other matters in connection therewith as they may arise and in connection with the administration of the State Board of Education and the institutions under its control and make written report of its findings and a recommendation to the Governor and the General Assembly of the State of Iowa.

Sec. 2. That said Joint Committee is directed to call on the Attorney

General for such services as may by it be deemed necessary and said Committee is hereby authorized to employ such attorneys, auditors, expert investigators and employees as may be by it deemed necessary to a thorough, complete and independent investigation of such charges and such matters in connection therewith as may come to its attention, and the general administration of the Board of Education and the institutions under its control.

Sec. 3. That the State Board of Education, the Finance Committee thereof, all officers and employees of said Board and all officers and employees of the State University of Iowa, are hereby directed and ordered to deliver to said Joint Committee and to the employees thereof all books, records and papers as may be deemed necessary by said Committee in the making of such investigation.

Sec. 4. That said Joint Committee is hereby directed to conduct such investigation in an impartial manner without interference from any person, board, officer or employee, who is in any way connected with the management and conduct of affairs of said University.

Sec. 5. That said Joint Committee is hereby authorized and empowered to summon and subpoena witnesses from any place within the State of Iowa and to compel the attendance of witnesses at any place within the State of Iowa where said Committee may deem it advisable to hold hearings; that it may take testimony under oath; that it may take the testimony of witnesses outside of the state; that any person refusing to answer to a subpoena or refusing to give testimony may be punished for contempt in the manner as provided by the Laws of Iowa.

Sec. 6. That said joint committee is hereby directed and authorized to issue subpoenas for all witnesses and the production of all books asked for by any person whose conduct or administration in office is being investigated and such person shall have the right to compulsory attendance of witnesses and the State Board of Education shall be entitled to an attorney of their own selection at the expense of the state, the compensation of said attorney to be determined by the General Assembly.

Sec. 7. That said joint committee shall cause to be taken down in shorthand and transcribed all testimony taken for said committee and shall on completion of the investigation file the same with the Chief Clerk of the House and the Secretary of the Senate, the same to be made a matter of public record.

Sec. 8. That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing; and that any member of the press or any individual in interest shall have the right and privilege at all times to be present.

Sec. 9. That said Joint Committee is hereby directed to make a written report and recommendations to this General Assembly of such matters.

## MADE SPECIAL ORDERS

Brown of Polk asked and obtained unanimous consent to have house File No. 154 made a special order for Thursday, February 12th, at 10:00 a. m.

Johnson of Marion asked and obtained unanimous consent to have House Joint Resolution No. 4 made a special order immediately following the disposition of House File No. 154.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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 Joint Resolution No. 1 and Senate File No. 22.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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 Joint Resolution No. 1 and Senate File No. 22.

A substitute amendment by Reimers of Lyon, Hush of Montgomery and Nelson of Story for House File No. 2 was filed and printed in bill form for economy and convenience.

## MOTIONS TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which House File No. 223 passed the House.

OTHA WEARIN.

## AMENDMENTS FILED

Shields of Clark filed the following amendment to House File No. 81:

Amend House File No. 81 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section nine hundred twenty-eight (928), Code 1927, is hereby repealed and the following enacted in lieu thereof:

"928. Application for ballot. Any voter, under the circumstances specified in subsection 1 of the preceding section, may, on any day not Sunday or a holiday and not more than twenty (20) days prior to the date of election; and any voter under the circumstances specified in subsection 2 of the preceding section may on any day not Sunday or a holiday and not more than ten (10) days prior to the date of election, make application to the county auditor, or to the city or town clerk, as the case may be for an official ballot to be voted at such election, but when said application alleges illness or physical disability, it must be accompanied by the certificate of a practicing physician that said illness or disability will prevent the attendance of said voter at the polls."

Sec. 2. Section nine hundred thirty-six (936), Code, 1927, is amended by striking from lines three (3) and four (4) the following: "or someone makes the request for him,".

Sec. 3. The following sections are hereby enacted:

"962-d1. Taking ballots from auditor's office. No county auditor, city or town clerk, or secretary of a school board or deputy thereof shall take, or permit any person to take, from his office prior to election day or on said day, except as provided in section nine hundred thirty-six (936), any official ballot except to mail ballots to voters who have made sworn application for them under this chapter, and except to forward to the judges of election the ballots of absent voters, and except to supply the judges of election with ballots as required by law."

"962-d2. Unlawful solicitation. No superintendent, general manager, overseer, or employee and no member of the family thereof, of any charitable or correctional institution which is under the control of the state, or of any county home or of any public hospital which is under the control of any county, city, or town, and no public officer, elective or appointive, who is charged with any duty pertaining to such institution, home, or hospital, and no candidate for any office, and no member of a county or district central committee of any political party or any political organization and no employee of such committee, shall, directly or indirectly, influence or attempt to influence any committed inmate or patient in such institution, home, or hospital to apply for a ballot or aid or assist such inmate or patient in obtaining such ballot or in voting in the manner permitted in this chapter."

Helgason of Emmet filed the following amendment to House File No. 124:

Amend House File No. 124 as follows:

In section eighteen (18) strike all after the word "in" in line three (3), and insert the following: "The Estherville Daily News, a newspaper published in Estherville, Iowa, and the Pocahontas Democrat, a newspaper published in Pocahontas, Iowa."

Rutledge of Webster filed the following amendment to House File No. 258:

Amend House File No. 258 as follows:

1. By adding to the title the following:

"and to amend section thirteen hundred sixty-one (1361), code, 1927, relating to coverage under the Workmen's Compensation Act."

2. By inserting immediately after section six (6) of the bill the following new section, to wit:

Sec. 6-a1. Section thirteen hundred sixty-one (1361), code, 1927, is amended by inserting immediately after the word "fund" in line five (5) of paragraph four (4) the following words, to wit: "or waterworks employees' pension fund".

Johnson of Marion filed the following amendments to House Joint Resolution No. 4:

Amend House Joint Resolution No. 4 by adding after line nine (9) of section one (1) the following as section two (2) of said Joint Resolution.

"Sec. 2. The governor shall at least thirty days before said election issue his proclamation in relation to said election and shall transmit a copy of said proclamation to the sheriff of each county. The Secretary of State shall not less than twenty days preceding said election transmit to the auditor of each county a certified copy of said proposed amendment to the Constitution and a sample of the ballot to be used at said election. The Sheriff of each county shall give at least ten days notice of said election by causing a copy of such proclamation to be published in a newspaper of general circulation printed in the county."

Also further amend by renumbering section two (2) of said Joint Resolution as section three (3).

Also further amend by adding the following:

"Sec. 4. This Joint Resolution 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 Tribune-Capital, newspapers published in the city of Des Moines, Iowa."

Elliott of Scott filed the following amendment to House File No. 224:

Amend House File 224 by the Committee on Public Health, relating to

renewal and reinstatement of licenses of practitioners of medicine, as follows:

1. Insert immediately following the word "may" in line five (5) of section one (1) the words "on the recommendation of the examining board".

2. Insert immediately following the word "health" in line ten (10) of section two (2) the words "and the district court revoking such license."

On motion of Elliott of Scott 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 12, 1931.

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

Prayer was offered by the Rev. Henry McCraven, Des Moines.

Journal of February 11th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Fabritz of Wapello for the day, on request of Hutcheon of Greene.

## PETITIONS AND MEMORIALS

Ratliff of Henry presented a petition from the Winfield Ad Club, opposing House File No. 87.

Referred to committee on ways and means.

Hutcheon of Greene presented petitions, opposing the raising of the tobacco tax.

Referred to committee on tax revision.

Rutledge of Webster presented a petition from citizens of Fort Dodge, opposing the raising of the tobacco tax.

Referred to committee on tax revision.

Thompson of Fayette presented a petition, favoring making military training optional in the state schools.

Referred to committee on state educational institutions.

Nelson of Story presented a petition, favoring making military training optional in the state schools.

Referred to committee on state educational institutions.



Pendray of Jackson presented a petition from the Isaac Walton League of Jackson County, opposing the commission system.

Referred to committee on fish and game.

Nelson of Story presented a petition from the Big Brother's Class, favoring the commission system.

Referred to committee on fish and game.

Hesse of O'Brien presented a petition from the American Legion post of Sheldon, favoring compulsory military training in state schools.

Referred to committee on state educational institutions.

Ballew of Appanoose presented a petition from Moulton, opposing an amusement tax.

Referred to committee on ways and means.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Bair of Buena Vista asked and obtained unanimous consent to have five hundred additional copies of House File No. 162 printed.

#### REPORTS OF COMMITTEES

Pendray of Jackson, from the committee on public libraries, submitted the following report:

MR. SPEAKER: Your committee on public libraries has introduced to the House, House File No. 271, a bill for an act to amend sub-section 20 of Section 6211, Code of 1927, relating to library building funds.

The public libraries committee recommends to the House that the bill do pass.

CAROLYN C. PENDRAY, *Chairman.*

Report adopted.

McCreery of Linn, from the committee on compensation of public officers, submitted the following report:

MR. SPEAKER: Your committee on compensation of public officers, to whom was referred House File No. 8, a bill for an act to repeal Chapter one (1), Acts of the Forty-third (43rd) General Assembly, relative to payment of expenses of members of the General Assembly and the Lieu-

tenant Governor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

D. R. McCREERY, *Chairman*.

Simmer of Wapello moved that House File No. 8 be rereferred to the judiciary committee.

Elliott of Scott moved that the report of the committee on compensation of public officers on House File No. 8 be laid on the table.

On the question, "Shall the report be laid on the table?" a roll call was demanded.

The ayes were, 43.

Allen	Drake of	Laughlin	Pattison
Augustine	Muscatine	Lichty	Rawlings
Avery	Elliott	Long	Ryder
Babcock	Figgins	McCreery	Simmer
Bair	Gilmore	McDermott	Sours
Ballew	Hanson of	Mayne	Stanzel
Berry	Winnebago	Millhone	Stiger
Byers	Hayes	Nelson of	Strachan
Dayton	Hollingsworth	Story	Van Buren
Ditto	Hollis	O'Donnell	Wamstad
Drake of	Johnson of	Orr	Whiting
Keokuk	Marion	Paisley	Witt

The nays were, 59.

Aiken	Hansen of	McLain	Reimers
Beath	Audubon	Malone	Roe
Bonnstetter	Helgason	Mathews	Rylander
Brown	Hesse	Mead	Shields
Craven	Hook	Miller	Short
Davis	Hopkins	Morton	Snyder
Donlon	Hush	Nelson of	Tamisiea
Durant	Husted	Cherokee	TePaske
Ellsworth	Hutcheon	Osborn	Thiessen
Felter	Koch	Peaco	Thompson
Finnern	Kohler	Pendray	Torgeson
Forsling	Lamb	Randall	Van Wert
Gallagher	Langland	Randolph	Watts
Garrett	Lepley	Ratliff	Wearin
Gissel	McCaulley	Reed	Mr. Speaker
Greaser			

Absent or not voting, 6.

Fabritz	Hansen of	Hunt	Rutledge
Greene	Scott	Kern	

Motion to lay on the table was lost.

Elliott of Scott moved that action on rereferring the report of the committee on House File No. 8 be deferred.

Torgeson of Worth moved the previous question. Motion prevailed.

On the question, "Shall action be deferred?" a roll call was demanded.

The ayes were, 42.

Allen	Elliott	Lichty	Ryder
Augustine	Figgins	Long	Simmer
Avery	Garrett	McCreery	Sours
Babcock	Gilmore	Mathews	Stanzel
Bair	Hanson of	Mayne	Stiger
Berry	Winnebago	Millhone	Strachan
Byers	Hayes	O'Donnell	TePaske
Dayton	Hollis	Orr	Thiessen
Drake of	Johnson of	Paisley	Van Buren
Keokuk	Marion	Pattison	Whiting
Drake of	Langland	Rawlings	Witt
Muscatine	Langhlin		

The nays were, 61.

Aiken	Greaser	McCaulley	Ratliff
Ballew	Greene	McDermott	Reed
Beath	Hansen of	McLain	Reimers
Bonnstetter	Audubon	Malone	Roe
Brown	Helgason	Mead	Rylander
Craven	Hesse	Miller	Shields
Davis	Hollingsworth	Morton	Short
Ditto	Hook	Nelson of	Snyder
Donlon	Hopkins	Cherokee	Tamisiea
Durant	Hush	Nelson of	Thompson
Ellsworth	Husted	Story	Torgeson
Felter	Hutcheon	Osborn	Van Wert
Finnern	Koch	Peaco	Wamstad
Forsling	Kohler	Pendray	Watts
Gallagher	Lamb	Randall	Wearin
Gissel	Lepley	Randolph	Mr. Speaker

Absent or not voting, 5.

Fabritz	Hansen of	Hunt	Rutledge
	Scott	Kern	

Motion to defer action was lost.

Allen of Pocahontas raised the point of order that, by virtue of Rule 28 of the House rules, which provides that, when a question is postponed indefinitely, it shall not be again acted upon during the session, and also by virtue of the fact that the Senate has already made a final disposition of the subject matter which is now before the House; therefore it would follow that any action taken by the House with reference to House File No. 8 would be out of order.

Speaker Johanson held the point of order not well taken for the reason that Rule 28 relates only to questions arising in the House, and any Senate action with reference to the subject is not binding upon the House.

Torgeson of Worth moved as a substitute for all pending motions that the rules be suspended and that House File No. 8 be placed on its third reading.

On the question, "Shall the substitution be made?" a roll call was demanded.

The ayes were, 38.

Aiken	Felter	Husted	Randolph
Allen	Figgins	Laughlin	Simmer
Augustine	Finnern	McCreery	Stanzel
Byers	Greene	Mathews	Strachan
Craven	Hansen of	Millhone	Tamisiea
Dayton	Scott	Morton	TePaske
Donlon	Helgason	Osborn	Torgeson
Drake of	Hollingsworth	Pattison	Van Buren
Muscatine	Hopkins	Peaco	Watts
Elliott	Hush	Pendray	Wearin

The nays were, 62.

Avery	Greaser	Lichty	Reed
Ballew	Hansen of	Long	Reimers
Beath	Audubon	McCaulley	Roe
Berry	Hanson of	McDermott	Ryder
Bonnstetter	Winnebago	McLain	Rylander
Brown	Hayes	Malone	Shields
Davis	Hesse	Mead	Short
Ditto	Hook	Nelsen of	Snyder
Drake of	Hutcheon	Cherokee	Sours
Keokuk	Johnson of	Nelson of	Stiger
Durant	Marion	Story	Thiessen
Ellsworth	Kern	O'Donnell	Thompson
Forsling	Koch	Orr	Van Wert
Gallagher	Kohler	Paisley	Wamstad
Garrett	Lamb	Randall	Whiting
Gilmore	Langland	Ratliff	Witt
Gissel	Lepley	Rawlings	Mr. Speaker

Absent or not voting, 8.

Babcock	Fabritz	Hunt	Miller
Bair	Hollis	Mayne	Rutledge

Motion to substitute lost.

On the question, "Shall House File No. 8 be rereferred to the judiciary committee?" a roll call was demanded.

The ayes were, 46.

Avery	Hanson of	McDermott	Rylander
Babcock	Winnebago	Malone	Simmer
Bair	Hayes	Mathews	Snyder
Ballew	Hollingsworth	Mayne	Sours
Berry	Hollis	Miller	Stanzel
Byers	Johnson of	O'Donnell	Stiger
Dayton	Marion	Orr	Strachan
Ditto	Koch	Paisley	Thiessen
Figgins	Lamb	Peaco	Van Buren
Garrett	Langland	Rawlings	Wamstad
Gilmore	Laughlin	Reimers	Whiting
Hansen of	McCreery	Ryder	Witt
Audubon			

The nays were, 58.

Aiken	Felter	Kern	Randall
Allen	Finnern	Kohler	Randolph
Augustine	Forsling	Lepley	Ratliff
Beath	Gallagher	Lichty	Reed
Bonnstetter	Gissel	Long	Roe
Brown	Greaser	McCaulley	Shields
Craven	Greene	McLain	Short
Davis	Hansen of	Mead	Tamisiea
Donlon	Scott	Millhone	TePaske
Drake of	Helgason	Morton	Thompson
Keokuk	Hesse	Nelson of	Torgeson
Drake of	Hook	Cherokee	Van Wert
Muscatine	Hopkins	Nelson of	Watts
Durant	Hush	Story	Wearin
Elliott	Husted	Pattison	Mr. Speaker
Ellsworth	Hutcheon	Pendray	

Absent or not voting, 4.

Fabritz	Hunt	Osborn	Rutledge
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Motion to rerefer House File No. 8 to judiciary committee was lost.

Simmer of Wapello moved that the report of the committee

on compensation of public officers on House File No. 8 be laid on the table until March 20.

### CONSIDERATION OF BILLS

#### Special Order

The hour having arrived for special order, House File No. 154, a bill for an act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, with report of committee recommending amendment and passage, was taken up for consideration.

Brown of Polk asked and obtained unanimous consent to strike the word and figure "eight (8)" in line three (3) of section nine (9) of the committee amendment found on page 353 of the Journal of February 7th, and inserting in lieu thereof the word and figure seven (7).

On motion of Brown of Polk, the amendments proposed by the committee, found in the Journal of February 7th, as amended, were adopted.

Long of Cerro Gordo moved that a committee of three be appointed to notify the Senate that the House was ready to receive them in joint session.

Motion prevailed and the Speaker appointed as such committee: Long of Cerro Gordo, McCaulley of Calhoun, and Donlon of Palo Alto.

Long of Cerro Gordo from the committee appointed to notify the Senate that the House was ready to receive them in joint session, reported that they had performed their duty. 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 honorable 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 in the west side of the chamber.

## JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor McFarlane, President of the Senate, presiding.

President McFarlane announced a quorum present and the joint convention duly organized.

Senator Clark of Cerro Gordo moved that a committee of three be appointed, one from the Senate and two from the House, to notify Ex-Senator A. L. Rule that the joint convention was ready to receive him.

Motion prevailed and the President appointed as such committee: Senator Clark of Cerro Gordo, Long of Cerro Gordo and Wearin of Mills.

The committee appointed to notify Ex-Senator A. L. Rule that the joint convention was ready to receive him and his visiting guests appeared with them.

Lieutenant-Governor McFarlane then introduced Ex-Senator Rule, who addressed the joint convention.

## REMARKS OF EX-SENATOR A. L. RULE

MR. PRESIDENT, MR. SPEAKER, SENATORS, GENTLEMEN OF THE HOUSE AND FRIENDS:

It is a distinct gratification and honor to meet with you on this day, for the purpose of reviewing the life of our Greatest Statesman and Martyred President.

It is, indeed, fitting and proper that each year on the Anniversary of the birth of these makers of the history of our country, we should pause from the business and strife of life to study their deeds, acts and character, that we may draw therefrom the lessons to assist us in accomplishing our best.

With the thought of the Gettysburg Address in our mind, we may well say that what we may do or say here today, will not long be remembered. What we may do or say here today, matters not at all to this great character; but what we may do or say here today is of vital importance to us in assisting and directing us along the path where we may be the most useful to our fellow-men and our country.

John G. Nicolay has said:

"Abraham Lincoln was the first typical American to reach the lonely heights of immortal fame. Before him, within the narrow compass of our history loom but two prominent characters: Columbus the Discoverer, and George Washington, the Father of our Country; the one an Italian, the other an English Country gentleman".

George Washington was an American; he was born, lived and died here, but he came from a prominent English family and was reared and educated in the atmosphere of the English nature, habits, moral and social standards. The protege of Lord Fairfax, living and thinking in the terms of the English nobility and country gentleman: reared, living and educated upon our Eastern seaboard, which was typically an English Colony, he naturally, from his position and environment, developed into the typical English country gentleman.

Abraham Lincoln never saw our Eastern civilization until he was a man grown. He never came in contact with the refinement, education and social graces of our Eastern civilization, much less, the culture, refinement and aristocracy of England. Abraham Lincoln was the product of a new life. He was of that race of hardy pioneers who had begun to push westward from our eastern fringe of civilization to wrest the land of an unknown country, from nature, the Indian and the wild animal. These hardy pioneers pushed out into the great unknown to dare its solitudes, to trace the river, explore the forest and to cross the virgin plains to build new homes under new and rugged conditions; to build a new life and expand a new country. These hardy pioneers accomplished in a century what it took the primitive Aryan thousands of years to do in Europe.

George Washington stands upon the border line of English and American history. Abraham Lincoln looms out from the very heart of the American pioneer life, a son of the great new west. In our history, Washington and Lincoln can be looked upon as two, far separated mountain peaks of the great range. In the valleys between these two peaks we see names, acts and deeds that reflect credit upon our nation, but these two great giants of character, Washington and Lincoln, stand towering far above all others and high into the clouds; and upon these two lofty peaks shines that universal and perpetual light of true fame.

Abraham Lincoln was born in obscurity, reared in poverty, and tossed and swayed upon the billows of adversity. Deprived of his mother at the age of nine years, he fell under the protecting, guiding and loving care of his step-mother, Sarah Bush Johnson, a woman of education, refinement and character, who took a keen interest in the educational ambitions of this young step-son. With seven books, the Bible, Robinson Crusoe, Esop's Fables, Bunyon's Pilgrim's Progress, Weem's Life of Washington, a History of the United States and the Revised Statutes of Indiana, as his sole source of literary training and education, until after he had reached his majority, he so developed his mind and character that he equipped himself with a command of English and such a human knowledge gained from nature, forest, stream and the sky, that he became a splendid lawyer, an orator and a statesman without a peer, a soldier of the first rank and a Christian character that is not surpassed by any man since the day of the Blessed Master Himself.

In the Preface to the Life of Lincoln by Lord Charnwood, the eminent English biographer and writer, it is said, Abraham Lincoln was one of the supreme statesmen of the last three centuries, in fact one of the greatest our race has ever produced.



In 1913, Lord Curzon, Chancellor of the University of Oxford, in speaking before the student body of the University of Cambridge on the subject of Modern Parliamentary Eloquence said, the three supreme masterpieces of oratory, are the Toast of William Pitt to the English Arms at Trafalgar, Lincoln's Gettysburg Address and Lincoln's Second Inaugural Address. I escape the task of deciding which is the masterpiece of Modern English Eloquence by awarding the prize to the American. Two of these were uttered by a man who had been a plainsman and a country lawyer before he became a statesman. But they are among the glories and treasures of mankind and today, in the hall of the University of Oxford, Lincoln's Gettysburg Address, adorns the wall as one of the most perfect pieces of English ever written.

Because of the lack of time, we must pass over the early life of Mr. Lincoln; but it might be well to note, as typical of his character, that while a member of the House of Representatives, in 1847, he was to recommend the appointment of a United States Marshal. Mr. Thomas was Mr. Lincoln's choice but Mr. Bonds' appointment was urged upon Mr. Lincoln. Desiring that the appointment should be solely for the good of the service and the benefit of his country, Mr. Lincoln forwarded Mr. Thomas's papers with the endorsement:

"I solicit for his claims, a full and fair consideration. Having said this much, I add that in my individual judgment, the appointment of Mr. Thomas would be the better."

But in fairness to the other applicant, he forwarded the papers of Mr. Bond and endorsed thereon:

"I add that from personal knowledge I consider Mr. Bond every way worthy of the office and qualified to fill it. Holding the individual opinion that the appointment of a different gentleman would be better, I ask special attention and consideration for his claims, and for the opinions expressed in his favor by those over whom I can claim no superiority."

At this early period in Mr. Lincoln's political life, first we see that great characteristic of his public life, fairness to all, but above all, service to the government and the people.

At the close of his service in the House of Representatives of the 30th Congress of the United States, Mr. Lincoln retired to Springfield, declining a further nomination or election, that he might engage in his profession of the law and did not re-enter the field of politics or public life until 1854.

In order truly to estimate the character of Abraham Lincoln and his decisions upon the great questions that were to confront him in the after years, we must go back into the history of the slavery question. Prior to 1787 the great Northwest Territory comprising most of the state of Ohio, all of Indiana, Illinois, Wisconsin and Michigan, belonged to the state of Virginia. Thomas Jefferson, that great champion of democracy and leader of its party, and one of the framers of the Declaration of Independence, advocated the ceding of the Northwest Territory by Virginia to the United States. In drawing the Ordinance of 1787 ceding this territory to the United States, a proviso was included that *slavery should never be permitted therein*. Thus the policy of prohibiting slavery in new

territory began with the framer of the Declaration of Independence, the greatest leader of the Democratic Party, a Southerner and even a slaveholder. Later in 1803, when the same Thomas Jefferson was the President of the United States, he made the Louisiana Purchase from France for the sum of \$15,000,000 which included the states of Louisiana, Arkansas, Missouri, Iowa, Minnesota, North and South Dakota, Kansas and Nebraska, as well as a part of Colorado and Montana.

In 1812 the state of Louisiana came into the Union as a slave state without opposition.

In 1819 Missouri sought admission to the Union as a slave state. This was resisted by the North and thus the first slave agitation as to new territory began.

In 1820 the admission of Missouri was again under consideration. Congress finally accepted the *Missouri Compromise* by which Missouri was admitted as a slave state, but in all other territory purchased from France, North of 36'—30" North, *Slavery should be forever prohibited*.

In 1846 during the Mexican War, President Polk asked \$2,000,000 of Congress for use in negotiating peace with Mexico and with which to purchase additional territory from Mexico. Mr. Willmot of Pennsylvania added an amendment to the bill providing that, in any territory so acquired, slavery should be forever prohibited. This amendment killed the appropriation.

In 1849, Stephen A. Douglas, when a candidate for United States Senator from Illinois, said:

"The Missouri Compromise has been in successful operation for over a quarter of a century and has received the ratification of all parties—a sacred thing which no ruthless hand would ever be reckless enough to disturb."

In January, 1854, the Kansas-Nebraska Bill, providing for the admission of Kansas and Nebraska as states, was introduced. This bill provided that the Missouri Compromise was not to be affirmed or repealed, but the slavery question was to be left to the government in the new states. Stephen A. Douglas offered an amendment which provided that the Missouri Compromise should be *inoperative and void*, and the Kansas-Nebraska Bill with this amendment of Stephen A. Douglas was passed in May, 1854. Douglas was the Democratic Senator from Mr. Lincoln's own state of Illinois; he and Mr. Lincoln had been in Congress together as members of the House and Mr. Douglas later during the session became the United States Senator. Mr. Lincoln had been anti-slavery and had supported the Willmot Proviso. He had acquiesced in and believed in the Missouri Compromise and felt that it was a sacred thing which should not be ruthlessly set aside, as pronounced by Senator Douglas's own words. The passage of the Kansas-Nebraska Bill with the Douglas amendment fired Mr. Lincoln's soul and brought home to him the dangers that this question held for the future. In September of 1854, Mr. Lincoln took the stump for Mr. Yates, who was the Whig candidate for Congress. His clear delineation of the slavery question, and his thorough knowledge of its history soon caused his speeches to attract marked attention and he was drawn from the Congressional

campaign into the State campaign. Senator Douglas was to speak at the State Agricultural Fair at Springfield and by common impulse, Mr. Lincoln was drawn upon to reply. He performed this task with such aptness, force and freshness of argument that it raised him to the leadership of the opposition to Douglas. Two weeks later Douglas and Lincoln met at Peoria in debate. In the Peoria speech, Mr. Lincoln said:

"I hate it because it deprives our Republican example of its just influence in the world; enables the enemies of free institutions, with plausibility, to taunt us as hypocrites; causes the real friends of freedom to doubt our sincerity; and especially because it forces so many good men among ourselves into an open war with the very fundamental principles of civil liberty criticizing the Declaration of Independence and insisting that there is no right principle of action but self interest. \* \* \* Slavery is founded in the selfishness of man's nature—opposition to it in his love of justice."

In these utterances, we see the great heart-throbbings of a true humanitarian, inspired with the great love of his fellowmen and seeking above all the true Divine rule that justice apply to all equally. At the request of Senator Douglas, the debates were discontinued.

The Democrat colleague of Senator Douglas in the Senate was a candidate for re-election before the Illinois Legislature and Mr. Lincoln was brought forth as one of his opponents. The Anti-Nebraska Democrats, however, were opposing Senator Douglas and his Democratic colleague and voted for Lyman Trumbull, one of their own number, refusing to join with the Whigs and vote for their candidate, Mr. Lincoln. On the ninth ballot it became evident to Mr. Lincoln that there was danger of a new Democratic candidate who was neutral on the Kansas-Nebraska Bill. Again he put aside self and his cause for the good of his country and prevailed upon his Whig supporters to vote for Trumbull, which won Trumbull's election and gained for Mr. Lincoln the loyal support of the Anti-Nebraska Democrats.

Not long thereafter, in writing upon this subject to a friend, he said:

"The Autocrat of all the Russias will resign his crown and proclaim his subjects free Republicans sooner than will our masters voluntarily give up their slaves. Our political problem now is, can we as a nation continue together permanently—forever—half slave and half free? The problem is too mighty for me—may God in his mercy superintend the solution."

With the clear supernatural vision which had been given Mr. Lincoln, he stated the very question which was to confront him during the remainder of his life. He felt that it was a question which could not alone be solved by the individual mind, but that the finality of its solution was in the hands of the Divine Providence; that only by being guided thereby, and by remaining in close harmony therewith, could a leader be found, who could ultimately, with that Divine assistance, work out a final consummation.

In 1858 Stephen A. Douglas was a candidate for re-election to the United States Senate and the new Republican party, by resolution, made Abraham Lincoln the opposing candidate. That evening Mr. Lincoln

appeared before the convention and delivered his historical speech in which he said:

"A house divided against itself cannot stand. I believe this government cannot endure permanently, half slave and half free. I do not expect the Union to be dissolved—I do not expect the House to fall—but I do expect it will cease to be divided. It will become all one thing or all the other."

Then followed a critical analysis of the history of slavery, the Kansas-Nebraska Bill, the Dredd-Scott Decision, with such force, that it immediately attracted attention throughout the free states. Senator Douglas returned from Washington and immediately took the stump. Mr. Lincoln challenged Senator Douglas to a joint public debate and it was arranged that they should jointly address the same meetings at seven towns in the state on dates extending through August, September and October. It was in these debates that Mr. Lincoln propounded the question to Mr. Douglas:

"Can the people of a United States territory in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits, prior to the formation of a State constitution?"

Mr. Lincoln's friends urged him not to propound this question as it would ruin his chances for election. Mr. Lincoln replied:

"Gentlemen, I am killing larger game; if Douglas answers, he can never be President and the battle of 1860 is worth a hundred of this."

Again we have that great characteristic of Abraham Lincoln; he thought, not of himself, nor of the honor to him but only of the great question that was before the country and looking, as he always did, into the future he seemed to discern that no matter what the sacrifice might be to him, the great question involved was the welfare of his country and the happiness of humanity. At this time in his life, it never occurred to Mr. Lincoln that he was a great man or that he was even an important figure in the political world. The thought that he would ever enter the White House was apparently furthest from his mind. He failed to recognize that the great Divine force at work had singled him out as the one far seeing soul to carry out the Divine plan. The question was propounded. Douglas attempted to avoid it. If he answered "Yes", he alienated the southern Democrat; if he answered "No" he alienated the northern Democrat; but he evaded the question and lost both.

Senator Douglas was re-elected to the Senate and to this statesman and orator, let us, in due deference and lasting praise say, that he became part of the Divine plan and materially assisted Mr. Lincoln in the great struggle in the days to come. In the early days of the struggle when the fate of the Union hung in the balance, Senator Douglas took the President by the hand and informed him that the Union cause was right and that from then on, he, Douglas, would assist and support the government and the President in every way possible in the great cause in which they were then engaging. All honor to Stephen A. Douglas, he lived to his promise and loyally and earnestly assisted and supported his bitter opponent, of the early days, to the end.

The year of 1860 was the presidential campaign to choose the successor of Mr. Buchanan, the then Democratic President of the United States. Mr. Lincoln's candidacy for the United States Senate, the Lincoln-Douglas debates and his speeches in Kansas and the west had attracted much attention, yet the east did not know him. He was looked upon by the east as a rough frontiersman, capable of splitting rails and great feats of strength. As to intelligence, refinement, eloquence or character, he was considered a joke. To the effete east, he would be a great source of amusement and merriment. In New York, the younger men of the newly-born new Republican party, which had succeeded the Whig, had organized and were obtaining speakers to appear in New York. These speeches were held in the Cooper Institute in New York City. Mr. Lincoln was engaged to speak on the evening of February 27th, 1860. The poets, bankers, editors and merchants of New York vaguely remembered having read of Daniel Boone, David Crockett, the country of bowie knives, pistols, steamboat explosions and mobs together with the repudiation of state debts and to these Mr. Lincoln belonged and was one of them. These had been recalled by the incidents of the border ruffians violence and the free state gorillas, during the Civil war in Kansas and they wondered what was to be the type, the character, the language of this speaker. Out of curiosity, the culture, refinement and the educated mass of New York, turned out to be amused. Upon the platform was Horace Greeley, the great editor of the New York Tribune; David Dudley Field, the great lawyer, escorted him to the platform and William Cullen Bryant, the great poet, presided over the meeting.

As he stepped forward on the platform, they noted his apparent embarrassment, his tall angular stature, his long arms, his plain features. As he started to speak, he had a high pitched voice and his beginning foreshadowed a dry argument. He used as his text Douglas's words of evasion in the answer to Lincoln's question in the joint debate:

"Our fathers when they framed the government under which we live, understood this question just as well and even better, than we do now."

In a few short moments, his awkwardness had passed away, the figure became more interesting and pleasing; the voice took on a tone of earnestness; his face lighted up with the inspiration of his cause; unconsciously and surely the ear and heart were charmed. How was it done? Because his entire nature rebelled at the injustice of slavery, his soul was in the fight; and his clear logic and argument outlined the history of slavery, its iniquities and dangers as they had never before understood it. The audience for one hour and a half, sat spellbound and entranced until he closed with the words:

"Let us have faith that right makes might and in that faith let us, to the end, dare to do our duty as we understand it."

The interest of the factory man who listened was equal to, perhaps excelled, by the gratifying surprise of the college professors when they found that the western orator could bear the test of their professional criticism and compare with the best examples of their standard textbooks. The next morning, the New York dailies published his speech in full and gave him credit for having taken New York by storm. By this

speech, he had passed from an orator to the rank of a statesman. Even then, it had not dawned upon Abraham Lincoln that he might be the choice as a candidate to succeed Mr. Buchanan. In the pure devotion to the cause in which he was engaged, he failed to recognize in himself anything but an humble servant of the people, reaching out to see the right and to assist them in grasping the truth.

The Republican state convention of Illinois was held at Decatur in May, 1860, with the national convention to be held in Chicago, less than two weeks later. The Decatur convention instructed its delegates to vote as a unit for Abraham Lincoln as a candidate for President of the United States and to use all proper means to secure his nomination.

The Republican national convention, or the Wigwam convention as it was called, opened in a temporary building erected for it at Chicago on May 16th, 1860. The five leading candidates before the convention were William H. Seward, twice governor and United States Senator from New York, Salmon P. Chase, governor and United States Senator from Ohio, Simon Cameron of Pennsylvania, Edward Bates of Missouri and Abraham Lincoln of Illinois.

Lincoln was not considered even a serious candidate. Mr. Seward and Mr. Chase were the leading candidates and both looked upon Mr. Lincoln as incompetent, a weakling with none of the qualifications for the supreme office, and above all, particularly lacking in the moral force to wield a firm hand such as required by the chief executive. Mr. Seward felt himself greatly the superior of Mr. Chase and the only candidate who could lead the Republican party to victory. On the other hand, Mr. Chase looked upon himself as the only candidate before the convention capable of sustaining the high office and looked upon Mr. Seward as only a politician lacking in the high qualifications required for the office. There were 465 ballots in the convention and 233 votes were necessary to a choice. Mr. Seward went into the convention with 173 votes and was so positive of the nomination that he remained on his front lawn, where a large company had assembled, awaiting the happy moment when they might congratulate him on his nomination for President. A cannon loaded, stood at the gate ready to announce the nomination of William H. Seward. On the first ballot Mr. Seward received 173½ votes, Lincoln 102 votes. On the second ballot Mr. Seward had 184½ votes, Mr. Lincoln 181 votes. When the telegram announcing this ballot reached Mr. Seward on his lawn, he announced, "I shall be nominated on the next ballot." The third ballot came swiftly. Mr. Seward had 180 votes and Abraham Lincoln 231 votes. David K. Carter of Ohio sprang upon his chair and changed four of Ohio's votes from Chase to Lincoln. Mr. Evarts, speaking on behalf of New York and Mr. Seward, moved to make the nomination of Abraham Lincoln unanimous. To the everlasting credit of Mr. Seward, it may be said that even in the fact of his defeat, his loyalty to the party was not diminished and he stood loyally by Mr. Lincoln and gave an impetus to the campaign by writing to the Republican Central Committee, his hearty endorsement of the platform and his loyal support of the candidate. Mr. Seward immediately took the stump on behalf of Mr. Lincoln and made his addresses in no half-

hearted manner, but gave both the party and the candidate his good faith and utmost effort.

In the presidential contest of 1860 there were four tickets: the Republican, with Abraham Lincoln of Illinois for President and Hamblin of Maine for Vice President; the Douglas wing of the Democratic party, Stephen A. Douglas of Illinois and H. V. Johnson of Georgia; the Buchanan wing of the Democratic party, John C. Breckenbridge of Kentucky and Joseph Lane of Oregon; Constitutional Union party, John Bell of Tennessee and Edward Everett of Massachusetts. In the electoral college, Mr. Lincoln received 180 votes, Breckenbridge 72, Bell 39, and Stephen A. Douglas 12. Abraham Lincoln had a majority of 57 votes over all others together in the electoral college and was duly elected President of the United States.

As Abraham Lincoln prepared to take the greatest office within the gift of the people, his greatness as a man, a statesman and a diplomat began to develop and show itself in its truest light. As had never been done before by any President in the history of our country and has never been done since, Abraham Lincoln put himself aside and looked only to the service of his country. Mr. Lincoln immediately set about selecting the members of his cabinet. This cabinet was to be his advisor and was to counsel with him upon all questions that were to confront him. He had a right to take the men in whom he had confidence. He had the right to select men of his personal choice who would be pleasing to him, both in friendship and personality. He knew that Mr. Seward and Mr. Chase looked upon him as having usurped the high office to which they were entitled and which they were so eminently qualified to fill and which, they felt, he was so unfitted to hold. They both looked upon Mr. Lincoln as having no firm character which could be depended upon in the hour of crisis. That he would be easily swayed and moulded and would be under the complete domination of the strongest characters that were around him. That he was unable to take a firm stand and maintain it resolutely for the best interests of the country. Mr. Lincoln felt that the country was entitled to the very best advice and judgment that could be obtained in the administration of the national affairs and here, as never before and never since in our history, was the President of the United States big enough and broad enough to put aside his individual preferences and lay aside personal antagonism and personal gratification for the benefit of his country. Mr. Lincoln showed the greatness of his character when he recognized that his opposing candidates before the Wigwam convention were the leading men, not only of the party, but also of the country. Mr. Seward and Mr. Chase had held office of great honor and great responsibility and had rendered great service to their country. Notwithstanding their attitude toward him; knowing that they would be antagonistic to him: That they desired the place which he held and felt that he had cheated them of their just desserts; still he was so animated by the best interests of his country that he put aside prejudice and personal preferences and made William H. Seward of New York, Secretary of State, Salmon P. Chase of Ohio, Secretary of the Treasury, Simon Cameron of Pennsylvania, Secretary of War, and Edward Bates of Missouri, Attorney General.

Of the five leading candidates of the Republican party for the nomination of President, all of them, by the act of Mr. Lincoln, were placed in the cabinet at the head of the government and gave their best services in the great struggles that followed. After this cabinet had been appointed, Mr. Seward said to the President you have placed four Democrats in the cabinet as against three Whigs. Mr. Lincoln replied, and do I not count in the cabinet? Mr. Seward later found that the President did count. When a man can so far rise above self and look only to the good of his country, in such a selection as this, he has passed almost beyond the realm of the human and into the realm of the Divine.

Abraham Lincoln was a man who had a most sublime faith in the Almighty and believed thoroughly in the efficacy of prayer. We may justly assume that it was by the medium of prayer and faith that Mr. Lincoln reached out, under the Divine assistance, and selected these personally antagonistic men to carry on the great struggle that was shadowing the downfall of our government at Washington.

After the nomination, Mr. Lincoln opened his headquarters at the State House in Springfield. As the days came forward, after he was elected, when he was to leave the state where the fruitful years of his life had been spent and from whence he was loath to depart, he went about his work with the conscientious devotion to his duty and the earnest desire that he, as only a weak mortal with the assistance of the Divine Being, might avert the great struggle which the threatening secession of the South was making eminent. Still not realizing that he was a great man; still not realizing how important he was; he went about his task of departure with a sad, fearful heart, and yet with his own hands was making the preparation. With his own hand he placed the ropes about the boxes and trunks that were to accompany him to Washington. With pen in hand he wrote upon simple cards—"Abraham Lincoln, White House, Washington,"—and tacked them upon the boxes and trunks.

Then the eventful 11th day of February, 1861, came and he was leaving for Washington. It was a chilly, damp February morning. His special train, to carry Mr. Lincoln, his family and associates to Washington, was to depart at 7:45. The train was standing at the station. It was still dark and a heavy mist, almost a rain, was falling. Mr. Lincoln stood in the little waiting room by the stove with a few of his friends gathered around and engaged in conversation. Already that wonderful face had begun to take on the lines of responsibility and the heart was heavy. Again he seemed to be looking into the future as he seemed to sense that there was a great seriousness in the occasion of his departure; he felt an awful something, he knew not what, and yet he may have vaguely felt that he might never return. Outside the station, the friends of many years had gathered to watch the train depart. Mr. Lincoln emerged from the station door; slowly walked across the platform and mounted the front steps of the car. Knowing that his many friends would expect a few words at parting, he stood on the platform looking into the faces of the friends of many years. The conductor of the train reached for the bell-cord, but Mr. Lincoln in that quiet way of his, lifted that



beloved voice that had brought fame to Illinois; to be heard for the last time in Springfield, and said:

"My Friends: No one not in my situation can appreciate my feeling of sadness at this parting. To this place and the kindness of these people, I owe everything. Here I have lived a quarter of a century and have passed from a young to an old man. Here my children have been born, and one is buried. I now leave, not knowing when or whether ever I may return. \* \* \* Without the assistance of that Divine Being, who is always with us, I cannot succeed. With that assistance, I cannot fail. Trusting in him who can go with me and remain with you and be everywhere for good, let us confidently hope that all will yet be well. To His care, commending you as I hope in your prayers you will commend me, I bid you an affectionate farewell."

Was there ever a more farseeing foreboding? Was there ever a more sublime faith in the Almighty than was here shown? This was the religion of a man who was not a member of a church, but who believed thoroughly in the Divine principle and the efficacy of humble supplication. These last words, the last time his voice was ever heard in Springfield, were a benediction never to be forgotten by those who heard them and were an utterance almost equal to the Gettysburg Address.

The trip to Washington was disappointing to his political friends. The Baltimore Riot was disheartening. The arrival in Washington was noticeably unfriendly and the President was made to feel a sense of loneliness with the forebodings of the future difficulties due to the secession and the attitude of the South.

In his Inaugural Address of March 4th, 1861, President Lincoln endeavored to impress the South with his earnest intent for an impartial adherence to the constitution and the protection of their property, peace and personal security; that the administration would not interfere with slavery where it then existed and in closing he said:

"We are not enemies but friends.

We must not be enemies."

On April 1st, 1861, less than thirty days after his inauguration, the Secretary of State, Mr. Seward, handed him a note, entitled: "Some thoughts for the President's consideration," in which Mr. Seward practically said, we are at the end of a month's administration and yet without a policy; so far the administration has been a failure; certain policies must be adopted immediately and apparently the President cannot carry on the work; if you cannot do it yourself you must devolve it on some member of the Cabinet. I neither seek to evade nor assume responsibility. Mr. Seward practically said the President is a failure and he, Seward, will now take over the office. This memorandum was unknown until years after Mr. Lincoln's death; but on the same day Mr. Lincoln without rebuking, without taking offense, but putting aside self and looking only to the good of the country, replied in a letter to Mr. Seward, which in closing said: upon points arising in the progress of our duties, I wish, and suppose I am entitled, to have the advice of all of the Cabinet; and signed the letter, Your Obedient Servant, A. Lincoln. Again the

character, the foresight, the understanding of the President surpasses human understanding or even human endurance.

On April 12th, 1861, Fort Sumter was fired upon and on April 14th, Major Anderson surrendered. Mr. Seward advocated demanding an explanation from France, Russia and Spain as to their conduct toward the secession and if satisfactory explanations were not received, convene Congress and declare war. Mr. Seward wrote a dispatch to Mr. Adams for delivery to the British Government which would have insulted that government and immediately brought on war with England at this crucial moment. Mr. Seward, the great statesman, the great diplomat of the Cabinet, the man who deemed himself the real head of the Administration, schooled in diplomatic relations, handed the rail-splitter of Illinois a dispatch which the rail-splitter, in his ignorance, immediately recognizes as bringing on war. Without reflection, without criticism, the President accepted the note and suggested a few changes. Taking his pen in hand, the Frontier Lawyer, in a careful revision of the dispatch, amended and changed the work of the trained and experienced statesman so as to eliminate entirely its offensive crudeness and brought it within the dignity and reserve of the most studied diplomatic courtesy.

It began to dawn upon Mr. Seward that the President was master both of himself and the Administration, with diplomatic judgment surpassing that of anyone associated with him in the Administration. From that day on, Mr. Seward recognized in the President, a statesman, a diplomat and a man of iron and steel. Is it a wonder Abraham Lincoln has been called one of the supreme statesmen of the last three centuries?

With the Civil War breaking upon the Administration, Mr. Lincoln spent his spare time in applying himself to the study of the Art of War. He obtained books upon this subject and with General Scott, he began an intensive study of military strategy, minor tactics and allied subjects with the result that at the close of the war, he was recognized by European military authorities as one of the great soldiers of the Civil War. French, German and English military authorities all recognized him as one of the best strategists. A European military authority has said that Robert E. Lee was the greatest military genius our country has ever produced, but, as a strategist, Abraham Lincoln was his equal. Early in the struggle and after his study, Abraham Lincoln outlined to General George B. McClellan the battle grounds that would be decisive of the war. McClellan would not follow Lincoln's advice and the President did not override the General's authority, but within three years the decisive battles of the war were fought and won upon the very ground that Lincoln had pointed out to McClellan.

General McClellan was in command of the Army of the Potomac and had created a great enthusiasm among his soldiers and the people of Washington; but he would not fight; always over-estimating the strength of the enemy and underestimating the strength of his army. Mr. Cameron resigned as Secretary of War and was made Minister to Russia. Mr. Stanton, the bitter opponent and enemy of Mr. Lincoln, the man who constantly referred to Mr. Lincoln as the "Gorilla" and to his acts as "The imbecility of Lincoln," was appointed Secretary of War because he

had been the strong man, as Attorney General and Secretary of War, in the Cabinet of President Buchanan and was the most competent advisor and statesman to be obtained; a lawyer of ability and a splendid organizer.

Again putting aside personal feelings and preferences, he looked only to the best interests of his country.

Late one evening, the President and Mr. Stanton, the Secretary of War, deemed it important to consult General McClellan upon important matters; but as General McClellan believed that he was destined to be the Savior of his country and the head of the government, the President, knowing McClellan's feeling of supreme importance, the President and the Secretary of War decided to call upon General McClellan at his home. Upon arrival they were informed that General McClellan was out and they consented to wait for his return. Upon General McClellan's return, he was informed that the President and Secretary of War were waiting for him, but the General went to bed. Finally, when the President sent a servant to tell the General who was waiting for him; the General sent back the reply that he had been out to a wedding and had gone to bed. So the Commander-in-Chief of the Army and the next in command went away, Stanton angry, but the great President only pitying the egotism of the man.

General Scott, by reason of his age, had asked to be relieved and General McClellan was placed in command of the Army of the Potomac. General McClellan was 34 years old, of physical vigor and of fine appearance and bearing. He was a graduate of West Point and had served in the Mexican War under General Scott. General McClellan had resigned from the Army and was at one time chief engineer of the Illinois Central Railroad Company and later became its vice-president. During the Lincoln-Douglas campaign, he opposed Lincoln's candidacy and supported Senator Douglas, even to the extent of loaning his private car for the use of Mr. Douglas. At the outbreak of the war, President Lincoln commissioned him a major general in command of the Department of Ohio. Unfortunately General McClellan became greatly impressed with his own importance which was augmented and increased by the admiration of the people of Washington. General McClellan looked upon President Lincoln as incompetent and upon himself as the Saviour of his country.

He assumed command in Washington on July 26th, 1861, and in the first letter to his wife, he says:

"The President, Cabinet, General Scott and all defer to me. By some strange operation of magic, I seem to have become the power of the land."

On July 30th, he wrote to his wife:

"Who would have thought when we were married that I should so soon be called upon to save my country?"

On August 9th, he wrote her:

"I would cheerfully take the dictatorship and agree to lay down my life when the country is saved."

On the other hand, Mr. Lincoln knowing the egotism of General McClellan, made the statement:

"I will hold McClellan's horse for him if he will win victories."

Mr. Lincoln here, as before, took from his opponent's camp, men who were personally antagonistic to him and personally objectionable to him and placed them in positions of high responsibility on account of their eminent qualifications.

By November of 1862, General McClellan, by his inactivity, forced the taking of the command of the Army of the Potomac from him and command was given to General Burnside. There had crept into the army, a freedom to criticize the commanding general by those general officers under him and this had undermined the efficiency of the army. In January of 1863, it became necessary to remove General Burnside and General Hooker was placed in command. President Lincoln recognized the infringement of discipline and on January 25th, 1863, in writing General Hooker of his appointment said:

"I have placed you at the head of the Army of the Potomac. \* \* \* yet I think it best for you to know there are some things in regard to which I am not quite satisfied. I believe you are a brave and skillful soldier which, of course, I like. I also believe you do not mix politics with your profession, in which you are right. You have confidence in yourself which is a valuable, if not, an indispensable quality. You are ambitious, which, within reasonable bounds, does good rather than harm; \* \* \* I have heard, in such a way as to believe it, of your recently saying that both the army and the government need a dictator. Of course, it was not for this, but in spite of it that I have given you the command. Only those generals who gain successes can set up dictators. What I now ask of you is military success and I will risk the dictatorship. \* \* \* I much fear that the spirit which you have aided to infuse into the army of criticising their commander and withholding confidence from him, will now turn upon you."

Could anything be more frank and kindly? The great President desired only to make him most efficient and with that keen, farsighted, intelligence, he knew and called attention to the faults and dangers in the kindest, fatherly way that they might be guarded against.

In July, 1862, the President in the strictest confidence submitted to the Cabinet an Emancipation Proclamation which he had prepared and it was freely discussed. Horace Greeley, the editor of the New York Tribune, who sat upon the platform at the Cooper Institute Speech and who was a foremost abolitionist, was urging the President to free the slaves as a war measure. Mr. Lincoln did not inform Horace Greeley that this matter had been discussed with the Cabinet, nor did he inform him that a Proclamation had been drawn and had been submitted to the Cabinet. August 19th, Mr. Greeley addressed an open letter to the President, which was published in the New York Tribune of August 20th, 1862, criticising him upon his position on the slavery question. On August 22nd, the President, replying in his usual forbearing, kindly way, said:

"Dear Sir: I have just read yours of the 19th addressed to myself through the New York Tribune. If there be in it any statements or assumptions of fact which I may know to be erroneous, I do not now or here contravert them. If there be in it any inferences which I may believe to be falsely drawn, I do not now or here argue against them. If

there be perceptible in it an impatient and dictatorial tone, I waive it in deference to an old friend whose heart I have always supposed to be right. As to the policy I '*seem to be pursuing*' as you say, I have not meant to leave anyone in doubt. I would save the Union. \* \* \* If I could save the Union without freeing any slave, I would do it; if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save the Union and what I forebear, I forebear because I do not believe it would help to save the Union. \* \* \* I intend no modification of my oftexpressed personal wish that all men everywhere could be free. Yours, A. Lincoln."

Again the President was supposed to be a weakling and to be easily influenced, but in this letter of August 22nd after prayer and earnest meditation and earnestly seeking of the Almighty a solution of the great problem, he had made his decision and in that kind, friendly, willing to overlook spirit, he defined his position and left no one in doubt as to where he stood or what he was going to do.

On September 22nd, 1862, the President called a Cabinet meeting and submitted a new draft of the Emancipation Proclamation for consideration as to substance, not subject. Again on December 30th, 1862, he gave each member of the Cabinet a copy of the draft he had made for suggestion as to minor points and said:

"I do not wish your advice about the main matter, for that I have determined for myself."

These copies were returned to him on the next day.

On January 1st, 1863, at three o'clock p. m. he signed and published the Emancipation Proclamation as a war measure and liberated the colored people.

In 1864, Mr. Greeley condemned the President because he did not send a Commission to Canada to negotiate peace with certain parties who claimed to represent the Confederacy. Mr. Lincoln knew that it was not time for peace. He knew that peace could not be obtained without dissolution of the Union and that could not be done until there was no other alternative. In July of 1864, he issued a commission to Mr. Greeley as the chief commissioner to confer with the Confederate commission in Canada, if they were authorized to act on behalf of the Confederacy. Mr. Greeley found that the commissioners, Clay, Thompson, Holcomb and Sanders had no power and that it was simply a self-appointed commission emanating from its own desire, just as Mr. Greeley, without foundation, had deemed himself appointed to stir up the conscience of the President. But again the great statesman and diplomat used the effective method of giving the troublesome party an opportunity to prove himself a failure, yet without venom, without antagonism and without revenge.

Mr. Lincoln's understanding of men and their reasoning seemed to surpass human understanding. When some of the members of the cabinet had become antagonistic to Mr. Blair, the Postmaster General, and had quietly prepared a round robin to present to the President and the cabinet, when Mr. Blair was not present, asking that he be

removed from the cabinet, the President appeared at the cabinet meeting and before calling it to order, in his kindly tone remarked to the cabinet; after the Senate of the United States has confirmed a member of the cabinet, how long he shall remain is a matter purely personal with me. I would be greatly grieved to find that any member of my cabinet was encouraging, counseling or endeavoring to secure the resignation or removal of any member of the cabinet. This matter will not be mentioned again, here or elsewhere, now or hereafter.

Again that superior intuition; that knowledge of men and their conduct; quieting them in that kindly, friendly unoffensive way, and yet so firmly, that it left it open to no further argument.

The year of 1864, Mr. Lincoln would come before the Republican National Convention as a candidate for renomination. Mr. Chase the secretary of treasury, who, from the first, had felt his superiority and his fitness to be the president, and considered Mr. Lincoln a failure, but believed that he could take up the work and carry it out successfully. Therefore, together with some of his western friends, he began a quiet campaign. It finally reached the ears of the president; but he paid no attention to it and when his friends remonstrated with him and urged the removal of Mr. Chase from the Cabinet, he said:

"Mr. Chase makes a good secretary and I shall keep him where he is. If he becomes president all right. I hope we may never have a worse."

Senator Pomeroy of Kansas was managing the campaign of Mr. Chase, as a rival candidate of the president in the Republican Convention to be held at Baltimore in June, 1864. Senator Pomeroy issued a circular on behalf of Mr. Chase and sent it to the enemies of the administration. The circular bitterly assailed the president and extolled Mr. Chase as the only available candidate. Some of these circulars reached the hands of the president. When Mr. Chase learned that the president had knowledge of these circulars, Mr. Chase felt obligated to leave the Cabinet and sent his resignation to the president. In the letter accompanying the resignation, Mr. Chase stated that 'he was not responsible for what his friends did'. Mr. Lincoln replied by letter:

"I was not shocked or surprised by the appearance of your letter. \* \* \* I have known just as little of your candidacy as my friends would allow me to know. \* \* \* Whether you shall remain at the head of the Treasury Department is a question which I will not allow myself to consider from any standpoint other than my judgment of public service, and, in that view, I do not perceive occasion for a change."

Again, the greatness of the president. Even with a member of his Cabinet a candidate against him, still the president saw only the service to the country. After the convention, Mr. Chase submitted his resignation, and insisted upon its acceptance, which was done.

Shortly after, Chief Justice Taney of the United States Supreme Court died. Mr. Lincoln with his own hand wrote out the nomination of the Chief Justice and sent it to the United States Senate for confirmation and within one hour, Mr. Chase, the political antagonist of the president, was confirmed as Chief Justice of the United States Supreme Court. When Mr. Chase returned to his home for dinner that night, he was greeted at the door by his daughter as "Mr. Chief Justice" and to his

surprise his daughter informed him that the president had appointed him Chief Justice of the United States Supreme Court and that he already had been confirmed by the Senate. At the second inauguration of Abraham Lincoln, Chief Justice Chase administered the oath.

Mr. Lincoln stands out as the pre-eminent statesman of our country and of our race. A man whose great kind heart, his love of right, his devotion to his country and the good of his fellow countrymen makes him the greatest that we have known. Mr. Lincoln is the outstanding example of the difference between a statesman and a politician. A statesman is a man who will do anything to himself for the good of his country; a politician is a man who will do anything to his country for the good of himself.

No president has probably been so thoroughly held up to ridicule, hatred and contempt as was Abraham Lincoln. His political opponents ridiculed his appearance, his personality, his habits and his conduct. Even the men who were later associated with him in the Cabinet, used no hesitancy, while opposing him, in hurling ridicule and sarcasm at him. Mr. Stanton referred to him as the "Gorilla" and referred to his acts as the "Imbecility of Lincoln". The newspapers attacked him from almost every angle. In this, the foreign newspapers equally indulged, particularly the London "Punch" whose criticisms were particularly vindictive and sarcastic and being a humorous paper, its humor at his expense was often cutting and bitter. But when his work was finished, Punch was one of the first to recognize his ability and made apology to the country by a beautiful tribute to him in the following words:

Beside this corpse that bears for winding sheet  
The Stars and Stripes he lived to rear anew,  
Between the mourners at his head and feet,  
Say, Scurril-Jester, is there room for you?

Yes, he had lived to shame from me my sneer,  
To lame my pencil and confute my pen—  
To make me own this hind of Princes peer,  
This rail-splitter, a true born King of men. . .

Good Friday, April the 14th, 1865, dawned clear and bright. It was a happy day for the President. Lee had surrendered, the war was practically over and on that very morning General Grant and the President's son, Robert Lincoln, had arrived from the front. A morning of visit with General Grant and his son had been most enjoyable. In the afternoon, Mrs. Lincoln and the President went for a drive. They talked of the days of peace that was to come; the reconstruction; the binding up of the wounds of the war; the healing of the scars; of returning to normal and when his office had ceased and he could lay down the burden of government, to return with wife and family, to a happy peaceful life after the tumultuous years that had just preceded. The evening came and they departed for Ford's theatre. Then as the darkness of night came on, the assassin's bullet stopped all of the kind thoughts and closed the great mind that thought only of his country. As that bullet did its damage, it left the great man still believing that he was only a weak tool in the hands of the Divine Providence. He

never felt that he had been a great man or had done anything wonderful or had any place in history but that he had simply lived a life of service and had simply tried to do the best he could in his feeble way; and therefore he was the greatest. A few hours later, his one-time bitterest antagonist, Edwin M. Stanton, stood beside the couch and as the soul passed out into the great deep of the hereafter, he uttered those prophetic words, "Now he belongs to the ages".

If you will pardon the personal opinion; to me, the life of this lawyer, soldier, great orator, greatest statesman and wonderful Christian character is described in that anonymous verse entitled, "A Prayer".

"Let us do our work each day; and if the  
Darkened hours of despair overcome us,  
May we not forget the strength that comforted us  
In the desolation of other times. May we  
Still remember the bright hours that found us  
Walking over the silent hills of our childhood,  
Or dreaming on the margin of the quiet river,  
When the light glowed within us  
And we promised our early God to have  
Courage amid the tempests of the changing years.  
Spare us from the bitterness and the sharp passion  
Of unguarded moments. May we not forget  
That poverty and riches are of the spirit.  
Though the world knows us not,  
May our thoughts and actions be such  
As shall keep us friendly with ourselves.  
Lift our eyes from the earth and let us  
Not forget the uses of the stars.  
Forbid that we should judge others, lest  
We condemn ourselves.  
Let us not feel the glamour of the world,  
But walk calmly in our path. Give us  
a few friends who will love us for what we are:  
And keep ever burning before our vagrant steps  
The kindly light of hope; and though  
Age and infirmity overtake us, and we  
Come not within sight of the castle of our dreams,  
Teach us still to be thankful for life,  
And for time's olden moments that are  
Good and sweet; and may the evening twilight  
Find us gentle still."

Senator Stoddard of Woodbury moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

The House reconvened, Speaker Johnson in the chair.



On motion of Allen of Pocahontas the House adjourned until 1:00 p. m., today.

### AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows: Hush of Montgomery for the afternoon, on request of Wearin of Mills.

The House resumed consideration of House File No. 154.

Brown 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.

The ayes were, 82.

Allen	Gallagher	Koch	Randolph
Augustine	Garrett	Laughlin	Ratliff
Avery	Gilmore	Lepley	Rawlings
Babcock	Gissel	Lichty	Reed
Bair	Greaser	Long	Reimers
Ballew	Greene	McCreery	Roe
Berry	Hansen of	McLain	Ryder
Bonnstetter	Audubon	Malone	Rylander
Brown	Hansen of	Mathews	Simmer
Byers	Scott	Mayne	Sours
Craven	Hanson of	Mead	Stanzel
Dayton	Winnebago	Millhone	Stiger
Ditto	Hayes	Miller	Tamisiea
Drake of	Helgason	Morton	TePaske
Keokuk	Hesse	Nelson of	Thiessen
Drake of	Hollingsworth	Cherokee	Thompson
Muscatine	Hollis	Nelson of	Torgeson
Durant	Hook	Story	Van Wert
Elliott	Hopkins	Orr	Watts
Ellsworth	Husted	Paisley	Wearin
Fabritz	Johnson of	Pattison	Whiting
Figgins	Marion	Peaco	Witt
Forsling	Kern		

The nays were, 5.

Beath	Randall	Short	Mr. Speaker
Kohler			

Absent or not voting, 21.

Aiken	Hush	McDermott	Shields
Davis	Hutcheon	O'Donnell	Snyder
Donlon	Lamb	Osborn	Strachan
Felter	Langland	Pendray	Van Buren
Finnern	McCaulley	Rutledge	Wamstad
Hunt			

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

Brown of Polk moved that the vote by which House File No. 154 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

#### CHANGE OF SPECIAL ORDER

Johnson of Marion asked and obtained unanimous consent to have the special order on House Joint Resolution No. 4 set for today changed until Friday, February 13th, at 9:45 a. m.

#### CONSIDERATION OF SENATE AMENDMENTS

Allen of Pocahontas called up House Concurrent Resolution No. 8 as amended by the Senate and found in the Journal of February 11th, and moved that the House concur in Senate amendments to House Concurrent Resolution No. 8.

On the question, "Shall the House concur?"

The ayes were, 101.

Aiken	Figgins	Johnson of	Paisley
Allen	Forsling	Marion	Pattison
Augustine	Gallagher	Kern	Peaco
Avery	Garrett	Koch	Pendray
Babcock	Gilmore	Kohler	Randall
Bair	Gissel	Lamb	Randolph
Ballew	Greasier	Langland	Ratliff
Beath	Greene	Laughlin	Rawlings
Berry	Hansen of	Lepley	Reed
Bonnstetter	Audubon	Lichty	Reimers
Brown	Hansen of	Long	Roe
Byers	Scott	McCreery	Ryder
Craven	Hanson of	McDermott	Rylander
Davis	Winnebago	McLain	Shields
Ditto	Hayes	Malone	Short
Donlon	Helgason	Mathews	Simmer
Drake of	Hesse	Mayne	Snyder
Keokuk	Hollingsworth	Mead	Sours
Drake of	Hollis	Millhone	Stanzel
Muscatine	Hook	Morton	Stiger
Durant	Hopkins	Nelson of	Strachan
Elliott	Hunt	Cherokee	Tamisiea
Ellsworth	Husted	O'Donnell	TePaske
Fabritz	Hutcheon	Orr	Thiessen
Felter		Osborn	Thompson

Torgeson  
Van Buren  
Van Wert

Wamstad  
Watts

Wearin  
Whiting

Witt  
Mr. Speaker

The nays were, none.

Absent or not voting, 7.

Dayton  
Finnern  
Hush

McCauley  
Miller

Nelson of  
Story

Rutledge

House concurred in Senate amendments to House Concurrent Resolution No. 8.

### REPORTS OF COMMITTEES

McCreery of Linn, from the committee on compensation of public officers, submitted the following report:

MR. SPEAKER: Your committee on compensation of public officers, to whom was referred House File No. 41, a bill for an act to amend Section fifty-two hundred twenty-eight (5228) of the Code of 1927, fixing the salary of the County Attorney in Counties having a population of more than one hundred twenty-five thousand (125,000), and making such salary the full and only 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:

Amend said bill by striking lines four (4) and five (5) of section one (1), and substituting therefor the following:

"8. Sixty-five thousand (65,000) and under eighty thousand (80,000), thirty-five hundred dollars (\$3,500.00)."

Also amend by striking lines eight (8) and nine (9) of section one (1), and substitute therefor the following:

"9. Eighty thousand (80,000) and under one hundred thousand (100,000), four thousand dollars (\$4,000.00)."

Further amend by adding thereto the following paragraphs:

"10. One hundred thousand (100,000) and under one hundred twenty-five thousand (125,000), four thousand five hundred dollars (\$4,500.00)."

"11. One hundred twenty-five thousand (125,000) and over, five thousand dollars (\$5,000.00)."

Amend said bill by striking from lines four (4) and five (5) of section two (2) the words and figures "one hundred twenty-five thousand (125,000)", and inserting in lieu thereof the words and figures "sixty-five thousand (65,000)".

Amend said bill by striking from lines four (4), five (5) and six (6) of section three (3) the words and figures "one hundred twenty-five thousand (125,000) or over by the latest Federal or State census, the annual salary of six thousand dollars (\$6,000)", and inserting in lieu thereof the following: "sixty-five thousand (65,000) or over by the latest Federal or State census, the annual salaries as herein provided".

Amend section three (3) by striking the words "school fund" in the eleventh (11) line of said section, and substituting therefor the words "court expense fund".

Amend section four (4) by inserting in line three (3) after the word "in", "the Des Moines Daily Record", and after the word "and" in line three (3) of said section, the words, "Mitchellville Index".

D. R. McCREERY, *Chairman*.

Reported adopted.

Also:

MR. SPEAKER: Your committee on compensation of public officers, to whom was referred House File No. 141, a bill for an act to repeal Chapter two (2), Acts of the Forty-third (43rd) General Assembly, relative to salaries of state officials, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

D. R. McCREERY, *Chairman*.

Reported adopted.

Brown of Polk, from the committee on cities and towns, submitted the follownig report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 38, a bill for an act amending section fifty-six hundred ninety-four (5694) of the code, 1927, relating to the chiefs of police and fire departments in cities under the manager plan, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Reported adopted.

Brown of Polk asked and obtained unanimous consent to have Senate File No. 38 substituted for House Files Nos. 104 and 167.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was re-

ferred House File No. 241, a bill for an act to amend section fifty-eight hundred thirty-five (5835) of the code, 1927, relating to municipal bands, and to provide for municipal appropriation of funds therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 96, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-six (5696) of the code of 1927, relating to the giving of examinations to applicants for positions and for promotions by the civil service commission in certain cities so as to authorize the giving of examinations for promotions in cities having a population under fifty thousand (50,000) once in two years instead of annually, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Reported adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 240, a bill for an act authorizing the destruction of weeds and grasses in certain cities and prescribing notices therefor, also to amend chapter one hundred sixteen (116) Acts of the Forty-third General Assembly relating to the destruction of weeds, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 100, a bill for an act providing for the commencement and maintenance of actions in the State of Iowa against the operator or owner of motor vehicles which arise out of an accident or collision occurring in the State of Iowa, in which such motor vehicles are involved, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommenda-

tion that the same be amended as follows, and when so amended the bill do pass:

Amend by adding to paragraph two (2) thereof the following:

It is further provided that on the original notice and all copies hereinbefore provided for there shall be endorsed a reference to the provisions of this act.

L. B. FORSLING, *Chairman*.

Reported adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 101, a bill for an act to repeal section thirteen thousand eight hundred and forty-two (13842) of the code, 1927, relating to the trial of defendants jointly indicted, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Reported adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 177, a bill for an act to amend section thirty-eight hundred seventeen (3817) of the code, 1927, relating to conditions prerequisite to a pardon, beg leave to report they have had 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*.

Reported adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 92, a bill for an act to legalize and validate the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this State, in all cases wherein such a corporation has failed to file Articles of Incorporation or other instrument of similar import with the Secretary of corporations, and/or to renew its corporate existence within the period State or otherwise to comply with the law relating to the organization of limited by law, and has heretofore filed in the office of the Secretary of State its renewal articles of incorporation and a certificate of the adoption thereof and received from the Secretary of State a certificate of renewal, beg leave to report they have had 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.*

Reported adopted.

Reimers of Lyon, from the committee on departmental affairs, submitted the following report:

MR. SPEAKER: Your committee on departmental affairs, to whom was referred House File No. 28, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies 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.

O. J. REIMERS, *Chairman.*

Reported adopted.

Wamstad of Mitchell, from the committee on commerce and trade, submitted the following report:

MR. SPEAKER: Your committee on commerce and trade, to whom was referred House File No. 139, a bill for an act to amend the law as it appears in section eleven hundred seventy-one-b1 (1171-b1) of the code, 1927, relating to the giving of preference by public agencies to domestic products, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend by striking the period (.) at the end of section two (2) thereof, and substituting therefor the following: “, provided, however, that this act shall not apply to skilled mechanics or to engineers.”

2. Amend by striking all of section five (5) thereof, and substituting therefor the following:

“Sec. 5. Any officer or person who is connected with or is a member or agent or representative of, any commission, board, committee, officer or other governing board of this state, or any county, township, school district, city or town, who fails to give preference to Iowa labor and to materials manufactured and/or produced in Iowa as provided by chapter sixty-two-B one (62-B1) of the code, 1927, as amended by this act, shall be guilty of misconduct in office, and upon proof of violation of said chapter sixty-two-B one (62-B1) of the code, 1927, as amended, shall be removed from office. Each separate case of failure to give preference shall constitute a separate offense. The letting of a contract in violation of the

provisions of chapter sixty-two-B one (62-B1) of the code, 1927, as amended, shall invalidate such contract, and such violation shall be a complete defense to any action brought to recover any consideration due or to become due under such contract."

3. Amend by inserting as section six (6) the following:

"Sec. 6. Any person, firm or corporation to whom or which the foregoing preferences do not apply, but which has maintained an office in this state for a period of six (6) months, shall be given a preference, price and quality being equal, over those persons, firms and corporations which donot maintain an office within this state and to which the preferences provided in the preceding sections of this bill do not apply."

4. Amend by renumberating section six (6) of the bill to read "Sec. 7".

BREDE WAMSTAD, *Chairman.*

Reported adopted.

Berry of Monroe, 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. 175, a bill for an act to empower the board of trustees of county public hospitals to submit to the voters of a county a proposition to sell or lease sites and buildings used for such hospitals, and to this end to amend section 5359, Code, 1927, relating to such hospitals, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman.*

Reported adopted.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 77, a bill for an act to authorize the board of supervisors of any county to dispose of by sale or otherwise, lands belonging to the county poor farm, and providing that any funds so realized may be used to purchase, build or maintain an adequate home or institution where persons dependent upon the county may be cared for, or to provide for the crediting of any fund so received to the county poor relief 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.

H. S. BERRY, *Chairman.*

Reported adopted.



Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 82, a bill for an act to amend sections fifty-five hundred eighty-two (5582), fifty-five hundred eighty-three (5583), fifty-five hundred eighty-five (5585), and fifty-five hundred eighty-six (5586), code of 1927, relating to township licenses, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman.*

Reported adopted.

Shields of Clarke, 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. 125, a bill for an act to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the primary road, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LE ROY SHIELDS, *Chairman.*

Reported adopted.

Thompson of Fayette, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor, to whom was referred House File No. 105, a bill for an act to amend section eleven hundred seventy-one-b one (1171-b1) of the code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b three (1171-b3) of the code, 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public works or improvements, and to provide a penalty for violation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

THORE THOMPSON, *Chairman.*

Reported adopted.

Hanson of Winnebago, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture has introduced to the House, House File No. 280, a bill for an act to amend section thirty-two

hundred sixty-seven (3267), code of 1927, relating to inspection fees for the inspection of scales.

The agriculture committee recommends to the House that the bill do pass.

H. N. HANSON, *Chairman*.

Reported adopted.

#### HOUSE FILE NO. 41 ORDERED PRINTED AS AMENDED

Brown of Polk asked and obtained unanimous consent to have House File No. 41 with amendments printed as a bill.

#### INTRODUCTION OF BILLS

House File No. 271, by committee on public libraries, a bill for an act to amend sub-section 20 of Section 6211, Code of 1927, relating to library building funds.

Read first and second times and passed on file.

House File No. 272, by Short and Forsling of Woodbury, a bill for an act to amend chapter three hundred fifty three (353) of the code, 1927, relating to levee and drainage districts by providing for a temporary levee fund and the appointment of a board of temporary levee commissioners, and authorizing the issuance of anticipatory warrants.

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

House File No. 273, by Nelson of Story, a bill for an act to amend section forty-one hundred fifty-two (4152) of the code, 1927, and provide a means of subdivision of independent districts having two centers of population separated by an uninhabited zone two thousand (2000) feet or more in width.

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

House File No. 274, by Miller of Shelby, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon.

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

House File No. 275, by Drake of Muscatine, a bill for an act to amend section sixty-eight hundred thirty (6830) of the code, 1927, defining the powers and duties of the levee improvement commission of special charter cities and providing that said commission shall have and exercise all the powers and duties given to the commissioners of public docks as enumerated and set forth in section fifty-nine hundred two (5902) of the code, 1927, paragraphs one (1) to thirteen (13) both inclusive, as amended by chapters 170, 171 and 172 of the laws of the forty-third (43rd) general assembly of Iowa.

Read first and second times and referred to committee on cities and towns.

House File No. 276, by Hattendorf-Ditto contest committee, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto.

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

House File No. 277, by Aiken of Ida, a bill for an act to create a board of blacksmiths', horseshoers' and wagonmakers' examiners; to provide for the licensing and regulation of such tradesmen; defining an itinerant blacksmith, horseshoer or wagonmaker; providing a penalty for the violation of this act.

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

House File No. 278, by Hayes of Dubuque, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of the code, 1927, relating to the procedure for the abandonment of the city manager plan of government.

Read first and second times and referred to committee on cities and towns.

House File No. 279, by Van Buren of Jones, a bill for an act to authorize the issuance of a patent to certain land in Jones County, Iowa.

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

House File No. 280, by committee on agriculture, a bill for an act to amend section thirty-two hundred sixty-seven (3267), code of 1927, relating to inspection fees for the inspection of scales.

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. 56, a bill for an act relating to the office of Coroner, specifying added duties for the Coroner, fixing his compensation, and authorizing appointment of a Deputy Coroner.

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

House Concurrent Resolution No. 9, relative to memorializing Congress to enact that certain bill now pending known as H. R. 15934, relating to the manufacture and sale of oleomargarine and restricting the use of palm oil in the manufacture thereof.

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

House Concurrent Resolution No. 11, memorializing the Congress of the United States to refrain from enacting a law placing a tariff or embargo on crude petroleum and the refined products thereof.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGE CONSIDERED

Senate File No. 56, a bill for an act to amend the law as it appears in Sections Twenty-Three Hundred Twenty-One (2321), Twenty-Three Hundred Twenty-Two (2322), Fifty-Two Hundred Eighteen (5218), Fifty-Two Hundred Thirty-Seven (5237) and

Fifty-Two Hundred Thirty-Eight (5238), all relating to the office of Coroner, specifying added duties for the Coroner, fixing his compensation to be paid out of the County Treasury, requiring the undertaker to promptly notify the Coroner as to certain suspicious deaths, and authorizing the appointment of a Deputy Coroner.

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

#### BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 6th, approved the following bill:

House File No. 63.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 145.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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. 145.

#### BILL SENT TO THE GOVERNOR

Hesse of O'Brien, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 12th day of February, 1931, sent to the governor for his approval:

House File No. 145.

G. H. HESSE, *Acting Chairman.*

Report adopted.

#### AMENDMENTS FILED

Shields of Clarke filed the following amendment to Senate File No. 77:

Amend Senate File No. 77 by striking from lines one (1) and two (2) of section five (5) thereof, the words: "unusually dangerous places" and inserting in lieu thereof the following: "places deemed by them unusually dangerous."

TePaske of Sioux filed the following amendment to House File No. 32.

Amend House File No. 32 as follows:

Strike all of sections three (3), ten (10), eleven (11) and twelve (12).

On motion of McCaulley of Calhoun 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 13, 1931.

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

Prayer was offered by the Rev. Benj. J. Trickey, pastor of the First Congregational Church, Spencer, Iowa.

Journal of February 12th corrected and approved.

## PETITIONS AND MEMORIALS

McCaulley of Calhoun presented a petition opposing the raising of the tobacco tax.

Referred to committee on tax revision.

McCaulley of Calhoun presented a communication opposing an amusement tax.

Referred to committee on ways and means.

Ellsworth of Hardin presented petitions from the Iowa Falls Community Club and the W. Paul Hymen Post, American Legion, opposing an amusement tax.

Referred to committee on ways and means.

Koch of Bremer presented a petition from the American Legion Auxiliary of Waverly, favoring compulsory military training in the state schools.

Referred to committee on state educational institutions.

Roe of Allamakee presented a petition, favoring House File No. 57.

Referred to committee on judiciary.

## REPORTS OF COMMITTEES

Hopkins of Guthrie, 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. 68, a bill for an act to authorize independent rural school districts to combine for the purpose of establishing and maintaining union high schools, to prescribe the procedure to effect such combination, to provide for the election of directors in such combined districts, to fix the powers and duties of public officers with reference to such combined districts, and to provide for the dissolution of such combined districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman.*

Passed on file.

Shields of Clarke, 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. 214, a bill for an act to repeal sections fifty-seven-a one (57-a1) to fifty-seven-a seven (57-a7), inclusive, of chapter twenty (20), Acts of the Forty-third (43d) General Assembly, and to repeal chapter three hundred eighteen (318) code of 1927, relating to road poll taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

LEROY SHIELDS, *Chairman.*

Passed on file.

Ellsworth of Hardin, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 178, a bill for an act to amend chapter one hundred twenty-four b2 (124-b2) code, 1927, relating to the practice of barbering so as to provide additional qualifications and regulations for applicants for barber's license, beg leave to report they have had 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. O. ELLSWORTH, *Chairman.*

Report adopted.



Also :

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 147, a bill for an act to amend section twenty-two hundred forty-seven (2247) and to repeal section twenty-two hundred sixty-six (2266) of the code, 1927, and to enact a substitute therefor, relating to isolation of persons having communicable diseases and determination of such isolation of quarantine; and to repeal section twenty-two hundred sixty-seven (2267) of the code, 1927, relating to the report of termination of quarantine, and to amend sections twenty-two hundred sixty-eight (2268), twenty-two hundred seventy-four (2274) and twenty-two hundred seventy-five (2275) of the code, 1927, relating to fumigation, beg leave to report they have had 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. O. ELLSWORTH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 190, a bill for an act to amend chapter sixty-four (64), Acts of the Forty-third (43rd) General Assembly, relating to the inspector in the state department of health, and providing for an assistant to said inspector, and compensation and expense of said inspectors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 129, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305) and twenty-three hundred six (2306) of the code, 1927; to repeal sections twenty-two hundred eighty-one (2281) and twenty-two hundred eighty-eight (2288) of the code, 1927, and to enact substitutes therefor, relative to venereal diseases, and the duties of the state and local boards of health, and physicians pertaining to the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Torgeson of Worth, 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. 123, a bill for an act to amend section ninety-two hundred fifty-eight-b one (9258-b1), code of 1927, relating to branch banking, and to provide for the receipts of deposits and paying of checks at a place other than the principal place of business of the 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 be amended as follows, and when so amended the bill do pass:

Amend by striking all of the bill following the enacting clause and inserting in lieu thereof the following:

"Section 1. That section ninety-two hundred fifty-eight-b one (9258-b1) of the Code, 1927, be repealed and the following enacted in lieu thereof:

'9258-b1. No banking institution shall open or maintain any branch bank. However, as may be authorized by and subject to the jurisdiction of the banking department any banking institution may establish an office for the sole and only purposes of receiving deposits and paying checks and performing such other clerical and routine duties not inconsistent with this act. No banking institution may establish any office beyond those counties immediately surrounding the county in which said banking institution is located. No office shall be continued at any place after a new banking institution has actually commenced business at that place. Nothing in this act shall prohibit national banks the privileges of this section whenever they may be so authorized by federal law.'

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Plain Talk and the Daily Record, newspapers published in the city of Des Moines, Iowa."

Also amend the title of said bill to read as follows:

"An act to repeal section ninety-two hundred fifty-eight-b one (9258-b1), of the Code, 1927, and to enact a substitute therefor to prohibit branch banking, but to provide for the establishment of offices for the receipt of deposits, paying of checks and for other clerical duties other than at the principal place of business of a banking institution."

S. R. TORGESON, *Chairman*.

Report adopted.

Van Buren of Jones, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 242, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, such sum or sums as may be necessary to pay the expenses of the investigation of the affairs of the state university of Iowa and other state insti-

tutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8), beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 194, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hall vs. Fabritz, beg leave to report they have had the same 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 said bill by striking from lines three and four the words and figures "one thousand one hundred seventy-one dollars and ninety-six cents (\$1,171.96)" and insert in lieu thereof "four hundred ninety-six dollars and seventy-six cents (\$496.76)".

Also, amend by striking from line 11 the figure "\$400.00" and insert in lieu thereof "\$200.00".

Also, amend by striking from line 12 the figure "609.50" and insert in lieu thereof "200.00".

Also, amend by striking all of line 13.

Further amend said bill by striking from line 24 the figures "\$1,171.96" and insert in lieu thereof "\$496.76".

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 236, a bill for an act to make an appropriation for the expenses incurred in the election contest wherein L. W. Hatter was contestant and J. P. Gallagher was incumbent, beg leave to report they have had the same 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 said bill by striking from line 9 the figures "\$135.00" and inserting in lieu thereof "\$100.00".

Also amend by striking from line 22 the figures "135.00" and inserting in lieu thereof "100.00".

Further amend by striking from line 25 the figures "\$447.80" and inserting in lieu thereof "\$377.80".

Also amend by striking from lines three and four the words and figures "four hundred forty-seven dollars and eighty cents (\$447.80)" and inserting in lieu thereof "three hundred seventy-seven dollars and eighty cents (\$377.80)".

G. J. VAN BUREN, *Chairman*.

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 40, a bill for an act to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties, to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by striking from line four (4) the words and figures "forty thousand (40,000)" and by inserting in lieu thereof the words "one hundred twenty-five thousand".

Also amend by striking all of section fourteen (14) of the bill, and inserting in lieu thereof, the following:

"Sec. 14. Section five thousand two hundred twenty-six (5226), code, 1927, is hereby amended by striking lines twenty (20) and twenty-one (21) thereof, and by inserting in lieu thereof, the following:

"9. Sixty-five thousand (65,000) and less than one hundred twenty-five thousand (125,000), twenty-eight hundred dollars (\$2,800.00), and in counties over one hundred twenty-five thousand (125,000), five thousand dollars (\$5,000.00)."

L. B. FORSLING, *Chairman*.

Report adopted.

Simmer of Wapello called up his motion, found in the Journal of February 12th, to lay the report of the committee on compensation of public officers, House File No. 8, on the table until March 20th, and moved its adoption.

Torgeson of Worth moved the previous question.

Motion prevailed.

On the question "Shall the report be laid on the table until March 20th?" a roll call was demanded.

The ayes were, 55.

Aiken	Garrett	Laughlin	Pattison
Augustine	Gilmore	Lichty	Rawlings
Avery	Gissel	Long	Ryder
Babcock	Hansen of	McCreery	Rylander
Bair	Audubon	Malone	Simmer
Ballew	Hansen of	Mathews	Sours
Berry	Scott	Mayne	Stiger
Byers	Hanson of	Millhone	Strachan
Dayton	Winnebago	Miller	TePaske
Ditto	Hayes	Nelson of	Van Buren
Drake of	Hollingsworth	Story	Van Wert
Keokuk	Hollis	O'Donnell	Wamstad
Drake of	Hunt	Orr	Whiting
Muscatine	Johnson of	Osborn	Witt
Elliott	Marion	Paisley	Mr. Speaker
Figgins	Langland		

The nays were, 53.

Allen	Greaser	McCaulley	Reimers
Beath	Greene	McDermott	Roe
Bonnstetter	Helgason	McLain	Rutledge
Brown	Hesse	Mead	Shields
Craven	Hook	Morton	Short
Davis	Hopkins	Nelson of	Snyder
Donlon	Hush	Cherokee	Stanzel
Durant	Husted	Peaco	Tamisiea
Ellsworth	Hutcheon	Pendray	Thiessen
Fabritz	Kern	Randall	Thompson
Felter	Koch	Randolph	Torgeson
Finnern	Kohler	Ratliff	Watts
Forsling	Lamb	Reed	Wearin
Gallagher	Lepley		

Absent or not voting, none.

Motion to lay on table until March 20th prevailed.

## CONSIDERATION OF BILLS

### Special Order

The hour having arrived for special order, House Joint Resolution No. 4, a joint resolution calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Johnson of Marion the amendment proposed by the committee, found in the Journal of February 11th, was adopted.

Johnson of Marion called up the amendments filed by him and found in the Journal of February 11th and moved their adoption.

Amendments adopted.

Johnson of Marion 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, 91.

Augustine	Forsling	Koch	Peaco
Avery	Gallagher	Kohler	Pendray
Babcock	Garrett	Lamb	Randolph
Bair	Gilmore	Langland	Ratliff
Ballew	Gissel	Laughlin	Reed
Beath	Greaser	Lepley	Reimers
Berry	Greene	Lichty	Roe
Bonnstetter	Hansen of	Long	Rutledge
Brown	Audubon	McCreery	Ryder
Byers	Hansen of	McLain	Rylander
Craven	Scott	Malone	Stiger
Dayton	Hanson of	Mathews	Strachan
Ditto	Winnebago	Mayne	Tamisiea
Donlon	Hayes	Mead	TePaske
Drake of	Helgason	Millhone	Thiessen
Keokuk	Hesse	Miller	Thompson
Drake of	Hollingsworth	Morton	Torgeson
Muscatine	Hollis	Nelson of	Van Wert
Durant	Hook	Cherokee	Wamstad
Elliott	Hopkins	Nelson of	Watts
Ellsworth	Hush	Story	Wearin
Fabritz	Husted	Orr	Whiting
Felter	Johnson of	Osborn	Witt
Figgins	Marion	Paisley	Mr. Speaker
Finnern	Kern	Pattison	

The nays were, 5.

Aiken	Davis	Short	Simmer
Allen			

Absent or not voting, 12.

Hunt	McDermott	Rawlings	Sours
Hutcheon	O'Donnell	Shields	Stanzel
McCaulley	Randall	Snyder	Van Buren

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

Elliott of Scott moved that the vote by which House Joint

Resolution No. 4 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

### RESOLUTION

Pendray of Jackson offered the following resolution:

*Whereas*, The Honorable James W. Ellis, a former member of the House of Representatives from Jackson County during the Thirty-third and Thirty-fourth General Assemblies, died in Maquoketa, April, 1929; therefore

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life.

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

Motion prevailed and the resolution was adopted.

The Speaker appointed as members of such committee: Pendray of Jackson, Thiessen of Clinton, and Finnern of Crawford.

### ADDITIONAL COPIES OF BILLS ORDERED PRINTED

Ellsworth of Hardin asked and obtained unanimous consent to have two hundred additional copies of House Files Nos. 224 and 225 printed.

Wearin of Mills asked and obtained unanimous consent to have one hundred fifty additional copies of House File No. 57 printed.

Gallagher of Iowa asked and obtained unanimous consent to have three hundred additional copies of House File No. 126 printed.

### HOUSE FILE REREFERRED

Allen of Pocahontas moved that House File No. 193 be rereferred to the committee on agriculture.

Motion prevailed.

### INTRODUCTION OF BILLS

House File No. 281, by Gallagher of Iowa, a bill for an act to amend section fifty-two hundred twenty-eight (5228), code of

1927, relative to certain fees provided for county attorneys.

Read first and second times and referred to committee on compensation of public officers.

House File No. 282, by Hanson of Winnebago, a bill for an act to provide the form of distress warrants issued by the county treasurer for the collection of delinquent personal taxes.

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

House File No. 283, by Hopkins of Guthrie, a bill for an act to amend the law as it appears in section forty-one hundred nineteen (4119), code, 1927, relating to the county board of education.

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

House File No. 284, by Forsling of Woodbury, a bill for an act to amend section fifty-six hundred ninety-four (5694), of the code, 1927, relating to employees of cities under the civil service act.

Read first and second times and referred to committee on cities and towns.

House File No. 285, by Hansen of Scott, a bill for an act to amend sections forty-nine hundred eight (4908), and forty-nine hundred ten (4910), Code, 1927, relating to the computation of the annual license fee on motor vehicles.

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

House File No. 286, by Hayes of Dubuque, a bill for an act to amend section seven hundred eighteen-b twenty (718-b20) of the code, 1927, as amended by chapter thirty-seven (37), acts of the forty-third (43rd) general assembly, relating to permanent registration of voters, and certificates of registration.

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

House File No. 287, by Witt of Butler, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-six (4755-b26) of the code, 1927, as amended by chapter one hundred fifty-nine



(159), acts of the forty-third (43rd) general assembly, so as to require the state highway commission to pay a proportionate cost of paving extensions of primary roads through cities and towns under certain conditions.

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

House File No. 288, by Ditto of Osceola, a bill for an act to amend sections twenty-nine hundred twenty-one (2921), code, 1927, and twenty-nine hundred twenty-three (2923), code, 1927, relating to state aid to short courses in counties where no county or district fairs are held.

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

House File No. 289, by Kern and Brown of Polk, a bill for an act providing for the registering and licensing of motor vehicle and air craft mechanics.

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

### CONSIDERATION OF BILLS

House File No. 226, a bill for an act to repeal section thirteen thousand two hundred forty (13240), code, 1927, and to enact a substitute therefor, relating to the sale or keeping for sale or giving away of adulterated or drugged liquor, with report of committee on suppression of intemperance recommending passage, was taken up for consideration.

Forsling of Woodbury offered the following amendments and moved their adoption:

Amend by striking in line six (6) of section one (1) the comma (,) after the word "intoxicating".

Amend, further by striking in line six (6) of section one (1) the comma (,) after the word "malt".

Amendments adopted.

Nelson 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, 92.

Allen	Finnern	Kohler	Ratliff
Augustine	Forsling	Lamb	Rawlings
Avery	Garrett	Langland	Reed
Babcock	Gilmore	Laughlin	Reimers
Bair	Gissel	Lepley	Roe
Ballew	Greaser	Long	Rutledge
Beath	Greene	McCaulley	Rylander
Berry	Hansen of	McCreery	Shields
Bonnstetter	Audubon	McDermott	Simmer
Brown	Hansen of	McLain	Snyder
Byers	Scott	Malone	Sours
Craven	Hanson of	Mathews	Stanzel
Davis	Winnebago	Mayne	Stiger
Dayton	Helgason	Millhone	Strachan
Ditto	Hesse	Morton	Tamisiea
Donlon	Hollingsworth	Nelson of	TePaske
Drake of	Hollis	Cherokee	Thompson
Keokuk	Hook	Nelson of	Torgeson
Drake of	Hopkins	Story	Van Buren
Muscatine	Hunt	Orr	Van Wert
Durant	Hush	Paisley	Wamstad
Elliott	Husted	Pattison	Watts
Ellsworth	Johnson of	Pendray	Wearin
Fabritz	Marion	Randall	Witt
Felter	Kern	Randolph	Mr. Speaker

The nays were, 7.

Gallagher	Osborn	Ryder	Whiting
Hayes	Peaco	Thiessen	

Absent or not voting, 9.

Aiken	Koch	Mead	O'Donnell
Figgins	Lichty	Miller	Short
Hutcheon			

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

### SPECIAL ORDER

The hour having arrived for special order, House File No. 124, a bill for an act relating to Fish, Game, Fur-Bearing Animals and protected birds; Creating a Fish and Game Commission, prescribing its powers and duties, and transferring funds for the use of such Commission, with report of committee recommending passage, was taken up for consideration.

Helgason of Emmet called up the amendment filed by him and found in the Journal of February 11th and moved its adoption.

Amendment adopted.

Helgason of Emmet offered the following amendments and moved their adoption:

Amend House File No. 124 as follows:

Amend by inserting after the word "to" in line thirty-seven (37) of section seven (7) the word "temporarily".

Also, amend by inserting after the word "to" in line forty-eight (48) of section seven (7) the word "temporarily".

Amendments adopted.

Torgeson of Worth offered the following amendment and moved its adoption:

Amend by inserting after the period (.) in line nine (9) of section two (2) the following: "At least three members of the commission shall be actually engaged in farming".

McCaulley of Calhoun moved the previous question.

Motion prevailed.

On the question, "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 71.

Aiken	Gissel	Kohler	Rawlings
Augustine	Greaser	Lamb	Reed
Babcock	Greene	Langland	Roe
Ballew	Hansen of	Laughlin	Rutledge
Beath	Audubon	Lepley	Ryder
Berry	Hansen of	McCaulley	Snyder
Bonnstetter	Scott	McDermott	Sours
Brown	Hanson of	McLain	Stanzel
Craven	Winnebago	Mead	Stiger
Davis	Hayes	Nelson of	Strachan
Ditto	Hesse	Cherokee	Tamisiea
Donlon	Hollingsworth	O'Donnell	TePaske
Drake of	Hollis	Osborn	Thiessen
Keokuk	Hook	Paisley	Thompson
Drake of	Hopkins	Peaco	Torgeson
Muscatine	Hunt	Pendray	Van Buren
Ellsworth	Hush	Randall	Watts
Felter	Husted	Randolph	Wearin
Figgins	Koch	Ratliff	Witt
Finnern			

The nays were, 30.

Allen	Gallagher	Lichty	Pattison
Avery	Garrett	Long	Reimers
Bair	Gilmore	Malone	Rylander
Byers	Helgason	Mathews	Short
Dayton	Hutcheon	Morton	Simmer
Durant	Johnson of	Nelson of	Van Wert
Fabritz	Marion	Story	Whiting
Forsling	Kern	Orr	Mr. Speaker

Absent or not voting, 7.

Elliott	Mayne	Miller	Wamstad
McCreery	Millhone	Srields	

Amendment adopted.

Wearin of Mills offered the following amendment and moved its adoption:

Amend by striking in line eight (8) of section three (3) the period (.) and adding thereto the following: "and shall not exceed six cents per mile actually traveled plus three dollars per day for the time necessarily engaged in the discharge of such official duties".

On the question, "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 63.

Augustine	Garrett	Langland	Reimers
Babcock	Gissel	Lepley	Roe
Beath	Greaser	McDermott	Ryder
Berry	Hansen of	Malone	Shields
Bonnstetter	Scott	Mead	Sours
Craven	Hayes	Morton	Stanzel
Davis	Helgason	Nelson of	Stiger
Dayton	Hesse	Cherokee	Thiessen
Ditto	Hollingsworth	Orr	Thompson
Donlon	Hook	Osborn	Torgeson
Drake of	Hopkins	Paisley	Van Buren
Keokuk	Hunt	Peaco	Watts
Drake of	Husted	Pendray	Wearin
Muscatine	Hutcheon	Randall	Whiting
Figgins	Koch	Randolph	Witt
Finnern	Kohler	Rawlings	Mr. Speaker
Gallagher	Lamb	Reed	

The nays were, 31.

Aiken	Forsling	McLain	Rylander
Allen	Hollis	Mathews	Short
Avery	Johnson of	Mayne	Simmer
Ballew	Marion	Nelson of	Snyder
Brown	Kern	Story	Strachan
Durant	Lichty	Pattison	Tamisiea
Ellsworth	McCauley	Ratliff	Van Wert
Fabritz	McCreery	Rutledge	Wamstad
Felter			

Absent or not voting, 14.

Bair	Greene	Hush	Miller
Byers	Hansen of	Laughlin	O'Donnell
Elliott	Audubon	Long	TePaske
Gilmore	Hanson of	Millhone	
	Winnebago		

Amendment adopted.

Helgason of Emmet asked and obtained unanimous consent that when the House resumed consideration of House File No. 124 it be made a special order for Monday, February 16th, at 10:30 a. m.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 30.

Senate File No. 15.

Senate File No. 28.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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 File No. 30.

Senate File No. 15.

Senate File No. 28.

#### EXPLANATION OF VOTE

The following explanation of vote was filed:

MR. SPEAKER AND MEMBERS OF THE HOUSE: On February 12th, I voted against House File No. 154, "An Act providing the means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment", for the following reasons:

1. House File No. 154 purports to be an effort to require the Supreme Court of the State of Iowa to pass upon the constitutionality of the proposed 13th amendment to the Constitution of the state, the purpose of which proposed amendment is to authorize one hundred million (\$100,000,00.00) dollars of bonds. The Iowa General Assembly is pass-

ing hundreds of laws at every session, with no thought of requiring the Supreme Court to pass upon their constitutionality, before they are enacted into law. The principle of House File No. 154, if carried out, would make the Supreme Court of the State a part of the legislative branch of the Government of the State. The Supreme Court is not designed to be made thus a branch of the legislative department. I do not believe that the Supreme Court will consent to such a procedure.

2. For the last several years, the Iowa General Assembly has been passing the sort of enactments whose constitutionality has been and is questionable. These acts of questionable constitutionality have all been passed under the urge of the desire of some one, either inside or outside the membership of the General Assembly, to profit by these acts of questionable constitutionality. In 1928, there was the hundred million dollar (\$100,000,00.00) road bond act, which was later declared unconstitutional by the Supreme Court. In 1929, there was the act which some of the gentlemen of the House prefer to call the "expense" act and which the people of the state of Iowa call the "salary grab". It would seem that any school child should know that this act is unconstitutional. But in the case of both of these questionable acts, the spirit of the General Assembly has been, "to the junk heap with the law and the Constitution; we have the votes, and we are going to put it through."

3. I believe that the members of this House have the brains to enact measures whose constitutionality are not questionable, just as soon as we rid ourselves of the urge of cupidity on the part of those who are in haste to profit by the expenditure of public money, or on the part of those who are in haste to increase their own compensation for public services.

WALLACE M. SHORT.

Hayes of Dubuque moved that the House now adjourn until 1:15 p. m. today.

Torgeson of Worth moved to amend the motion by changing the hour from 1:15 today until 9:00 a. m. Saturday.

Amendment adopted.

Motion of Hayes of Dubuque 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, FEBRUARY 14, 1931.

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

Prayer was offered by the Rev. Ethel O. McAninch, pastor of the M. E. Church, Kellogg, Iowa.

Journal of February 13th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Mayne of Pottawattamie for the day, on request of Tamisiea of Harrison; Byers of Linn for the day, on request of Tamisiea of Harrison; Helgason of Emmet for the day, on request of Sours of Floyd; Morton of Wright for the day, on request of Snyder of Hamilton; Paisley of Lee for the day, on request of Pattison of Jefferson; Stiger of Tama for the day, on request of Garrett of Wayne; Figgins of Union for the day, on request of Millhone of Page; Whiting of Johnson for the day, on request of Ryder of Dubuque; Orr of Clayton for the day, on request of Avery of Clay; Bonnstetter of Kossuth for the day, on request of Donlon of Palo Alto; Van Buren of Jones for the day, on request of Langland of Winneshiek; Hansen of Scott for the day, on request of Langland of Winneshiek; Lichty of Black Hawk for the day, on request of Langland of Winneshiek; McCreery of Linn for the day, on request of Langland of Winneshiek; Babcock of Chickasaw indefinitely, on request of Mead of Howard; Hutcheon of Greene for the day, on request of Hayes of Dubuque; Thiessen of Clinton for the day, on request of Peaco of Clinton; Husted of Madison for the day, on request of Wamstad of Mitchell; Gilmore of Cedar for the day, on request of Mathews of Des Moines.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Rutledge of Webster county, from the Chamber of Com-

merce, Fort Dodge, opposing the enactment of Senate File No. 3. Tax revision.

By Nelson of Story county, from the Ames post of the American Legion, favoring compulsory military training. Military.

By Kohler of Plymouth county, from farmers of Plymouth county, opposing the county assessor plan. Tax revision.

By Kohler of Plymouth county, opposing the amusement tax, and the raising of the tobacco tax. Tax revision.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Sours of Floyd asked and obtained unanimous consent to have five hundred additional copies of House File No. 204 printed.

#### REPORTS OF COMMITTEES

Wearin of Mills, 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. 36, a bill for an act to amend sections fifty-two hundred sixty-one (5261) and fifty-two hundred sixty-three (5263) of the code, 1927, relating to the submission to the voters of a county of the question of borrowing money for the purpose of erecting and equipping public buildings as to extend said provisions to authorize the borrowing of money for the purpose of building additions or extensions to, or the remodeling or the reconstruction of, any such public buildings, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

OTHA D. WEARIN, *Chairman.*

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 72, a bill for an act to repeal section two hundred thirty-seven (237) of the code and to enact a substitute therefor, relating to the distribution of early laws, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman.*

Report adopted.



Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 279, a bill for an act to authorize the issuance of a patent to certain land in Jones 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 121, a bill for an act to provide legal help in court actions to which the state highway commission is a party, to authorize payment from the primary road fund of attorneys' compensation and court costs in connection with legal work of the state highway commission, and to relieve the general revenue of the state 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 86, a bill for an act to amend section ten thousand eight hundred forty-three (10843), code of 1927, relating to exemptions from jury service, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 247, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the county of Humboldt, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 248, a bill for an act to amend section ten thousand three hundred forty-eight (10348), code, 1927, pertaining to the hotel keeper's lien, beg leave to report they have had 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 judiciary, to whom was referred House File No. 216, a bill for an act to amend section ten thousand four hundred twenty-nine (10429) of the code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof, beg leave to report they have had the same under consideration and have authorized 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 by inserting in lieu thereof, the following:

"Section 1. No license shall be issued until the fifth day after application has been made therefor, which application shall be in writing and filed with the clerk, unless a judge of the district court of the county wherein the marriage is to be solemnized, or referee appointed by him for that purpose, shall find that public policy requires that the marriage be solemnized without delay, in which case he shall file an order to that effect with the clerk, who shall issue the license at once. The clerk shall keep a record of all applications made and all orders in reference thereto."

L. B. FORSLING, *Chairman*.

Report adopted.

Hollingsworth of Boone, from the committee on public utilities, submitted the following report:

MR. SPEAKER: Your committee on public utilities, to whom was referred House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions 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 by adding after subsection two-a (2-a) of section one (1) the following:

"2-B. Such contract shall not constitute a general obligation or be payable in any manner by taxation.

2-C. Nothing contained in the last two preceding paragraphs shall be construed as authorizing the establishment of a plant without an election as required by Section Sixty-one Hundred Thirty-one (6131) of this chapter.

2-D. Before any municipality shall enter into such contract as provided in Section 2-A hereof to cost five thousand dollars or more, the governing body proposing to make such contract shall adopt proposed plans and specifications and proposed form of contract therefor, fixing the time and place for hearing thereon at such municipality affected thereby, and give notice thereof by publication in at least one newspaper of general circulation in such municipality at least ten days before hearing. 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 and against the same, and enter on record its decision thereon."

F. HOLLINGSWORTH, *Chairman*.

Report adopted.

Bair of Buena Vista, 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. 255, a bill for an act to amend chapter one hundred twenty-nine (129), Acts of the Forty-third (43rd) General Assembly, relating to regulation of motor trucks, so as to provide for the levy and collection of a tax for the maintenance and repair of the highways, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. PARK BAIR, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 169, a bill for an act requiring all horse drawn vehicles and all other vehicles not now required to have lights, when on the highways of this state, to provide a light on said vehicles which can be seen for a radius of two hundred (200) feet, beg leave to report they have had 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. PARK BAIR, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 254, a bill for an act to amend chapter one hundred twenty-nine (129) of the Acts of the Forty-third (43rd) General Assembly, relating to regulation of motor trucks and making said chapter applicable to carriers of freight under contract for compensation for hire, beg leave to report they have 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. PARK BAIR, *Chairman.*

Passed on file.

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 258, a bill for an act to amend chapter three hundred twenty-two (322), code, 1927, relating to disabled and retired firemen and policemen; to provide a pension and retirement fund for employees of municipally-owned waterworks; to provide the manner in which said fund may be created, including a levy of taxes for said fund; to prescribe the terms and conditions on which said employees may share in said fund; and to empower cities and towns to provide medical services to such employees under certain conditions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 146, a bill for an act to provide for the making of delinquent water meter rentals and charges due cities and towns owning and operating their own water plants a lien against the real estate where said meters were located or water furnished and to provide for the collection of said rentals and charges in the same manner as other taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 35, a bill for an act to make chapter one hundred

ninety-five (195) of the laws of the Forty-third General Assembly conferring certain powers and imposing certain duties upon cities in relation to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman.*

Report adopted.

Elliott of Scott asked and obtained unanimous consent to have Senate File No. 35 substituted for House File No. 12.

Also:

MR. SPEAKER: Your committee on cities and towns introduce to the House, House File No. 302, a bill for an act creating a park board in cities having a population of one hundred twenty-five thousand (125,000) or more and providing the powers and duties of such board.

The committee on cities and towns recommends to the House that the bill do pass.

Report adopted.

ED. R. BROWN, *Chairman.*

#### HOUSE FILE NO. 258 RE-REFERRED

Brown of Polk asked unanimous consent to have House File No. 258 rereferred to the committee on cities and towns.

Objection was made.

Brown of Polk moved that House File No. 258 be rereferred to the committee on cities and towns.

Motion prevailed.

#### SPECIAL ORDERS MADE

Ballew of Appanoose asked and obtained unanimous consent to have House File No. 139 made a special order for Tuesday, February 17, at 10:00 a. m.

Shinner of Wapello asked and obtained unanimous consent to have House File No. 151 made a special order for Wednesday, February 18th, at 10:00 a. m.

## INTRODUCTION OF BILLS

House File No. 290, by Helgason of Emmet, a bill for an act to amend the law as it appears in section forty-seven hundred forty-six (4746) of the code, 1927, relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads.

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

House File No. 291, by Short of Woodbury and Aiken of Ida, a bill for an act to repeal chapter four hundred fifty-six (456) of the code, 1927, and to enact a substitute therefor, relating to artisans' liens, their recording and enforcement.

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

House File No. 292, by Mayne of Pottawattamie, a bill for an act to repeal section fifty-six hundred ninety-nine (5699), code of 1927, relating to appointments of chiefs of police and chiefs of fire departments in cities having police and fire departments under civil service, and to enact a substitute therefor.

Read first and second times and referred to committee on cities and towns.

House File No. 293, by Hansen of Scott, a bill for an act to amend chapter fifty-seven (57) of the acts of the forty-third (43rd) general assembly, relating to regulations of the shipment of fish or animals.

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

House File No. 294, by Laughlin of Fremont and Wearin of Mills, a bill for an act to establish and maintain a two year State Teacher's College at Tabor, Iowa, and to provide for the transfer of certain property to the State of Iowa for the use of said College.

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

House File No. 295, by Gallagher of Iowa, a bill for an act to amend section forty-seven (47), code of 1927, prescribing the

form in which amendatory offerings for any section of the code of Iowa must appear in the bill.

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

House File No. 296, by Rutledge of Webster, a bill for an act to amend section eleven thousand forty-two (11042) of the code, 1927, relating to actions against public utilities.

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

House File No. 297, by Durant of Hancock, a bill for an act to amend section fifty-four hundred twenty-five (5425), code, 1927, relating to the license fee on dogs.

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

House File No. 298, by Malone of Cass, a bill for an act to amend chapter one hundred forty-two (142), acts of the forty-third (43rd) general assembly, relating to marginal assignments or releases.

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

House File No. 299, by Hopkins of Guthrie, a bill for an act to repeal sections thirty-eight hundred eighty-one (3881) and thirty-eight hundred eighty-nine (3889), code, 1927, relating to teachers' certificates.

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

House File No. 300, by Durant of Hancock, a bill for an act to repeal sections forty-four hundred fifty-six (4456), forty-four hundred fifty-seven (4457) and forty-four hundred fifty-eight (4458) of the code, 1927, and to enact a substitute therefor relating to county uniformity of textbooks.

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

House File No. 301, by Simmer of Wapello, a bill for an act to amend chapter three hundred twelve (312) of the code, 1927,

by adding thereto as section sixty-one hundred forty-nine-d one (6149-d1) relating to bonding powers of trustees of city heating plants, water or gas works and electric plants in cities having a population in excess of twenty-five thousand (25,000) and less than seventy-five thousand (75,000).

Read first and second times and referred to committee on cities and towns.

House File No. 302, by committee on cities and towns, a bill for an act creating a park board in cities having a population of one hundred twenty-five thousand (125,000) or more and providing the powers and duties of such board.

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 159, a bill for an act to amend sections twenty-five hundred seventy-eight (2578) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof.

Millhone of Page called up the amendment offered by him and found in the Journal of February 11th and moved its adoption.

Amendment adopted.

Torgeson of Worth moved that House File No. 159 be rereferred to the committee on pharmacy.

Motion prevailed.

House File No. 227, a bill for an act to amend section nineteen hundred sixty-four (1964), code, 1927; to repeal section nineteen hundred sixty-five (1965), code, 1927, and to enact a substitute therefor, relating to second and subsequent convictions of violations of laws relating to intoxicating liquors; to broaden the present provisions of law relative to such convictions; and to prescribe the duties of county attorneys and of the courts with reference to said subject matter, with report of committee on



suppression of intemperance recommending passage, was taken up for consideration.

Mathews of Des Moines offered the following amendment and moved its adoption:

Amend by adding in line fifteen (15 ) of section two (2), after the word "men's" the words "or women's".

Amendment adopted.

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

On the question "Shall the bill pass?"

The ayes were, 72.

Augustine	Greaser	McDermott	Roe
Avery	Greene	McLain	Rutledge
Bair	Hansen of	Malone	Rylander
Ballew	Audubon	Mathews	Shields
Beath	Hanson of	Mead	Simmer
Brown	Winnebago	Millhone	Snyder
Craven	Hollis	Nelson of	Sours
Davis	Hook	Cherokee	Stanzel
Ditto	Hopkins	Nelson of Story	Strachan
Donlon	Hush	Osborn	Tamislea
Drake of	Kern	Pattison	Thiessen
Muscatine	Koch	Peaco	Thompson
Durant	Kohler	Pendray	Torgeson
Fabritz	Lamb	Randall	Van Wert
Felter	Langland	Randolph	Wamstad
Finnern	Laughlin	Ratliff	Watts
Forsling	Lepley	Rawlings	Wearin
Garrett	Long	Reed	Witt
Gissel	McCaulley	Reimers	Mr. Speaker

The nays were, 6.

Elliott	Hayes	Ryder	Short
Gallagher	O'Donnell		

Absent or not voting, 30.

Aiken	Ellsworth	Hunt	Miller
Allen	Figgins	Husted	Morton
Babcock	Gilmore	Hutcheon	Orr
Berry	Hansen of	Johnson of	Paisley
Bonnstetter	Scott	Marion	Stiger
Byers	Helgason	Lichty	TePaske
Dayton	Hesse	McCreery	Van Buren
Drake of	Hollingsworth	Mayne	Whiting
Keokuk			

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

House File No. 184, a bill for an act to amend section twenty-nine hundred two (2902), code of 1927, relating to state aid for county and district fair associations so as to correct the form of the section, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 65.

Augustine	Greaser	McDermott	Ryder
Bair	Greene	McLain	Rylander
Ballew	Hansen of	Malone	Snyder
Beath	Audubon	Mathews	Sours
Brown	Hayes	Mead	Stanzel
Craven	Hesse	Millhone	Strachan
Ditto	Hollis	Nelson of Story	Tamisiea
Donlon	Hunt	Osborn	TePaske
Drake of	Hush	Pattison	Thiessen
Muscatine	Kern	Peaco	Tompson
Durant	Koch	Pendray	Torgeson
Elliott	Kohler	Randolph	Van Wert
Felter	Lamb	Rawlings	Wamstad
Finnern	Langland	Reed	Wearin
Gallagher	Laughlin	Reimers	Witt
Garrett	Lepley	Roe	Mr. Speaker
Gissel	McCaulley	Rutledge	

The nays were, 3.

Allen	Avery	Hopkins
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Absent or not voting, 40.

Aiken	Forsling	Johnson of	Orr
Babcock	Gilmore	Marion	Paisley
Berry	Hansen of Scott	Lichty	Randall
Bonnstetter	Hanson of	Long	Ratliff
Byers	Winnebago	McCreery	Shields
Davis	Helsingson	Mayne	Short
Dayton	Hollingsworth	Miller	Simmer
Drake of Keokuk	Hook	Morton	Stiger
Ellsworth	Husted	Nelson of	Van Buren
Fabritz	Hutcheon	Cherokee	Watts
Figgins		O'Donnell	Whiting

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

House File No. 242, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, of such sum or sums as may be necessary to pay the

expenses of the investigation of the affairs of the state university of Iowa and other state institutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8), with report of committee on state educational institutions recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 80.

Allen	Gissel	Long	Rutledge
Augustine	Greaser	McCaulley	Ryder
Avery	Greene	McDermott	Rylander
Bair	Hansen	McLain	Shields
Ballew	of Audubon	Malone	Short
Beath	Hanson	Mathews	Simmer
Brown	of Winnebago	Mead	Snyder
Craven	Hayes	Millhone	Sours
Davis	Hesse	Nelson	Stanzel
Ditto	Hollis	of Story	Strachan
Donlon	Hook	O'Donnell	Tamisiea
Drake	Hopkins	Pattison	TePaske
of Muscatine	Hunt	Peaco	Thiessen
Durant	Hush	Pendray	Thompson
Elliott	Kern	Randall	Torgeson
Fabritz	Koch	Randolph	Van Wert
Felter	Kohler	Ratliff	Wamstad
Finnern	Lamb	Rawlings	Watts
Forsling	Langland	Reed	Wearin
Gallagher	Laughlin	Reimers	Witt
Garrett	Lepley	Roe	Mr. Speaker

The nays were, 1.

Osborn

Absent or not voting, 27.

Aiken	Ellsworth	Johnson	Nelson
Babcock	Figgins	of Marion	of Cherokee
Berry	Gilmore	Lichty	Orr
Bonnstetter	Hansen of Scott	McCreery	Paisley
Byers	Helgason	Mayne	Stiger
Dayton	Hollingsworth	Miller	Van Buren
Drake	Husted	Morton	Whiting
of Keokuk	Hutcheon		

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

House File No. 158, a bill for an act to provide and designate the ninth day of October of each year as Leif Erikson Day, and to provide for memorials in the public schools of the State, with report of committee recommending passage, was taken up for consideration.

Brown of Polk moved the previous question.

Motion prevailed.

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

On the question "Shall the bill pass?"

The ayes were, 42.

Augustine	Hanson of	Nelson of Story	Strachan
Brown	Winnebago	Osborn	TePaske
Craven	Hayes	Pendray	Thiessen
Davis	Hesse	Randolph	Thompson
Ditto	Hollis	Rawlings	Torgeson
Donlon	Hook	Reimers	Van Wert
Drake of	Hunt	Roe	Wamstad
Muscatine	Hush	Rutledge	Watts
Durant	Kern	Ryder	Wearin
Gallagher	Langland	Snyder	Mr. Speaker
Garrett	Mathews	Stanzel	
Gissel			

The nays were, 31.

Allen	Greaser	McDermott	Ratliff
Avery	Greene	McLain	Reed
Bair	Hopkins	Malone	Shields
Ballew	Koch	Mead	Short
Beath	Kohler	Millhone	Sours
Elliott	Lamb	Miller	Tamisiea
Felter	Lepley	Peaco	Witt
Forsling	Long	Randall	

Absent or not voting, 35.

Aiken	Finnern	Johnson of	O'Donnell
Babcock	Gilmore	Marion	Orr
Berry	Hansen of	Laughlin	Paisley
Bonnstetter	Audubon	Lichty	Pattison
Byers	Hansen of Scott	McCaulley	Rylander
Dayton	Helgason	McCreery	Simmer
Drake of Keokuk	Hollingsworth	Mayne	Stiger
Ellsworth	Husted	Morton	Van Buren
Fabritz	Hutcheon	Nelson of	Whiting
Figgins		Cherokee	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

House File No. 70, a bill for an act to amend section sixty-two hundred seventy-eight-b1 (6278-b1), Code of 1927, governing approval of plats in cities having by the latest state or federal census a population of twenty-five thousand (25,000) or over, and to prescribe conditions of such approval, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brown of Polk the amendment proposed by the committee, found in the Journal of February 7th, was adopted.

Brown 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, 47.

Augustine	Gallagher	Langland	Shields
Avery	Garrett	Laughlin	Stanzel
Ballew	Gissel	McDermott	Tamisiea
Beath	Greene	McLain	TePaske
Brown	Hanson	Millhone	Thiessen
Davis	of Winnebago	Osborn	Thompson
Ditto	Hayes	Pattison	Torgeson
Donlon	Hollis	Peaco	Van Wert
Drake	Hopkins	Randolph	Wamstad
of Muscatine	Hunt	Reimers	Watts
Durant	Kern	Rutledge	Witt
Fabritz	Lamb	Ryder	Mr. Speaker
Felter			

The nays were, 29.

Allen	Hook	Nelson	Roe
Bair	Hush	of Cherokee	Rylander
Craven	Kohler	O'Donnell	Short
Elliott	Long	Pendray	Snyder
Finnern	Malone	Randall	Sours
Forsling	Mathews	Rawlings	Strachan
Greaser	Mead	Reed	Wearin
Hesse	Miller		

Absent or not voting, 32.

Aiken	Gilmore	Johnson	Nelson of Story
Babcock	Hansen	of Marion	Orr
Berry	of Audubon	Koch	Paisley
Bonnstetter	Hansen of Scott	Lepley	Ratliff
Byers	Helgason	Lichty	Simmer
Dayton	Hollingsworth	McCaulley	Stiger
Drake of Keokuk	Husted	McCreery	Van Buren
Ellsworth	Hutcheon	Mayne	Whiting
Figgins		Morton	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

House File No. 234, a bill for an act to amend section five thousand thirteen (5013), Code, 1927, and chapter one hundred twenty-seven (127), acts of the forty-third (43rd) general assembly, relating to the motor vehicle department and the funds and records thereof, with report of committee on judiciary 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, 76.

Allen	Hanson of	Malone	Rylander
Augustine	Winnebago	Mathews	Shields
Avery	Hayes	Mead	Short
Bair	Hesse	Millhone	Simmer
Ballew	Hollis	Miller	Snyder
Beath	Hook	Nelson of	Sours
Brown	Hopkins	Cherokee	Stanzel
Davis	Hunt	Osborn	Strachan
Donlon	Hush	Pattison	Tamisiea
Durant	Kern	Peaco	TePaske
Elliott	Koch	Pendray	Thiessen
Felter	Kohler	Randall	Thompson
Finnern	Lamb	Randolph	Torgeson
Forsling	Langland	Rawlings	Van Wert
Gallagher	Laughlin	Reed	Wamstad
Garrett	Lepley	Reimers	Watts
Gissel	Long	Roe	Wearin
Greaser	McCaulley	Rutledge	Witt
Greene	McDermott	Ryder	Mr. Speaker
Hansen of	McLain		
Audubon			

The nays were, none.

Absent or not voting, 32.

Aiken	Drake of	Husted	Nelson of Story
Babcock	Muscatine	Hutcheon	O'Donnell
Berry	Ellsworth	Johnson of	Orr
Bonnstetter	Fabritz	Marion	Paisley
Byers	Figgins	Lichty	Ratliff
Craven	Gilmore	McCreery	Stiger
Dayton	Hansen of Scott	Mayne	Van Buren
Ditto	Helgason	Morton	Whiting
Drake of	Hollingsworth		
Keokuk			

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

House File No. 235, a bill for an act to amend section two hundred thirty-nine (239), Code, 1927, relating to the free distribution of the reports of the supreme court, with report of committee on judiciary recommending passage, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by striking in line three (3) of section one (1) the period (.) and inserting in lieu thereof a semi-colon (;) and adding thereto the following: "also by striking from paragraph six (6) the figure "1" and by inserting in lieu thereof the figure "2"; also by adding at the end of said section the following:

14. To supreme court consultation room..... 10 copies.
15. To the Governor..... 1 copy"

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, 70.

Allen	Gissel	Lepley	Roe
Augustine	Greene	Long	Shields
Avery	Hansen of	McCaulley	Short
Bair	Audubon	McDermott	Snyder
Ballew	Hanson of	McLain	Sours
Beath	Winnebago	Malone	Stanzel
Brown	Hesse	Mathews	Strachan
Ditto	Hollis	Mead	Tamisiea
Donlon	Hook	Millhone	TePaske
Drake of	Hopkins	Miller	Thiessen
Muscatine	Hunt	Osborn	Thompson
Durant	Hush	Pattison	Torgeson
Elliott	Kern	Peaco	Van Wert
Fabritz	Koch	Pendray	Wamstad
Felter	Kohler	Randolph	Watts
Finnern	Lamb	Rawlings	Wearin
Forsling	Langland	Reed	Witt
Gallagher	Laughlin	Reimers	Mr. Speaker
Garrett			

The nays were, 1.

Greaser

Absent or not voting, 37.

Aiken	Ellsworth	Lichty	Randall
Babcock	Figgins	McCreery	Ratliff
Berry	Gilmore	Mayne	Rutledge
Bonstetter	Hansen of Scott	Morton	Ryder
Byers	Hayes	Nelson of	Rylander
Craven	Helgason	Cherokee	Simmer
Davis	Hollingsworth	Nelson of Story	Stiger
Dayton	Husted	O'Donnell	Van Buren
Drake of	Hutcheon	Orr	Whiting
Keokuk	Johnson of Marion	Paisley	

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 make chapter one hundred ninety-five (195) of the Laws of the Forty-third General Assembly conferring certain powers and imposing certain duties upon cities in relating to interstate bridges and the issuance of bonds for the acquisition or construction thereof, applicable to cities acting under special charter, with report of committee recommending passage, 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?"

The ayes were, 70.

Allen	Greaser	Lepley	Shields
Augustine	Greene	McCaulley	Short
Avery	Hansen of	McDermott	Simmer
Bair	Audubon	McLain	Snyder
Ballew	Hanson of	Mathews	Sours
Beath	Winnebago	Mead	Stanzel
Brown	Hesse	Millhone	Strachan
Davis	Hollis	O'Donnell	Tamisiea
Ditto	Hook	Osborn	TePaske
Donlon	Hopkins	Pattison	Thiessen
Drake of	Hunt	Peaco	Thompson
Muscatine	Hush	Pendray	Torgeson
Durant	Kern	Randolph	Van Wert
Elliott	Koch	Rawlings	Wamstad
Felter	Kohler	Reed	Watts
Finnern	Lamb	Reimers	Wearin
Gallagher	Langland	Roe	Witt
Garrett	Laughlin	Rutledge	Mr. Speaker
Gissel			

The nays were, none.



Absent or not voting, 38.

Aiken	Fabritz	Johnson of	Nelson of Story
Babcock	Figgins	Marion	Orr
Berry	Forsling	Lichty	Paisley
Bonnstetter	Gilmore	Long	Randall
Byers	Hansen of Scott	McCreery	Ratliff
Craven	Hayes	Malone	Ryder
Dayton	Helgason	Mayne	Rylander
Drake of	Hollingsworth	Miller	Stiger
Keokuk	Husted	Morton	Van Buren
Ellsworth	Hutcheon	Nelson of	Whiting
		Cherokee	

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

House File No. 263, a bill for an act to amend, revise, and codify section twelve thousand eight hundred ninety (12890) of the Code, 1927, relating to the definition of a felony, with report of committee on judiciary 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, 64.

Allen	Gissel	McCaulley	Rylander
Augustine	Greaser	McDermott	Shields
Avery	Greene	McLain	Short
Bair	Hanson of	Malone	Simmer
Beath	Winnebago	Mathews	Snyder
Brown	Hayes	Mead	Sours
Davis	Hesse	Osborn	Strachan
Ditto	Hollis	Pattison	Tamisiea
Drake of	Hopkins	Randall	TePaske
Muscatine	Hunt	Randolph	Thiessen
Durant	Hush	Rawlings	Thompson
Elliott	Koch	Reed	Torgeson
Felter	Kohler	Reimers	Van Wert
Finnern	Lamb	Roe	Wamstad
Forsling	Langland	Rutledge	Wearin
Gallagher	Laughlin	Ryder	Mr. Speaker
Garrett	Lepley		

The nays were, none.

Absent or not voting, 44.

Aiken	Bonnstetter	Donlon	Fabritz
Babcock	Byers	Drake of	Figgins
Ballew	Craven	Keokuk	Gilmore
Berry	Dayton	Ellsworth	

Hansen of Audubon	Johnson of Marion	Morton Nelson of Cherokee	Ratliff Stanzel Stiger
Hansen of Scott	Kern	Nelson of Story	Van Buren
Helgason	Lichty	O'Donnell	Watts
Hollingsworth	Long	Orr	Whiting
Hook	McCreery	Paisley	Witt
Husted	Mayne	Peaco	
Hutcheon	Millhone	Pendray	
	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. 22, a bill for an act to amend section seventy-five hundred thirty-two (7532), Code, 1927, relating to publication of notice of hearing of completion of public drainage improvements, with report of committee recommending passage, was taken up for consideration.

Durant 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, 72.

Allen	Gissel	Lepley	Rylander
Augustine	Greaser	Long	Shields
Avery	Greene	McDermott	Short
Bair	Hansen of	McLain	Simmer
Ballew	Audubon	Malone	Snyder
Beath	Hanson of	Mead	Sours
Brown	Winnebago	Millhone	Stanzel
Davis	Hayes	Osborn	Strachan
Ditto	Hesse	Pattison	Tamisiea
Donlon	Hollis	Peaco	TePaske
Drake of	Hook	Pendray	Thiessen
Muscatine	Hopkins	Randall	Thompson
Durant	Hunt	Randolph	Torgeson
Elliott	Kern	Rawlings	Van Wert
Felter	Koch	Reed	Wamstad
Finnern	Kohler	Reimers	Wearin
Forsling	Lamb	Roe	Witt
Gallagher	Langland	Rutledge	Mr. Speaker
Garrett	Laughlin	Ryder	

The nays were, none.

Absent or not voting, 36.

Aiken	Drake of Keokuk	Hollingsworth	McCaulley
Babcock	Ellsworth	Hush	McCreery
Berry	Fabritz	Husted	Mathews
Bonnstetter	Figgins	Hutcheon	Mayne
Byers	Gilmore	Johnson of	Miller
Craven	Hansen of Scott	Marion	Morton
Dayton	Helgason	Lichty	

Nelson of Cherokee	O'Donnell Orr	Ratliff Stiger	Watts Whiting
Nelson of Story	Paisley	Van Buren	

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

House File No. 280, a bill for an act to amend section thirty-two hundred sixty-seven (3267), code of 1927, relating to inspection fees for the inspection of scales, with report of committee on agriculture recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 58.

Allen	Hanson of	McDermott	Roe
Augustine	Winnebago	McLain	Rutledge
Avery	Hesse	Malone	Rylander
Bair	Hollis	Mead	Short
Ballew	Hopkins	Millhone	Simmer
Beath	Hunt	Nelson of	Sours
Brown	Hush	Cherokee	Strachan
Davis	Kern	O'Donnell	Tamisiea
Ditto	Koch	Osborn	TePaske
Donlon	Kohler	Pattison	Thiessen
Durant	Lamb	Randall	Thompson
Felter	Langland	Randolph	Torgeson
Gallagher	Lepley	Rawlings	Van Wert
Gissel	Long	Reed	Wamstad
Greene	McCaulley	Reimers	Mr. Speaker

The nays were, 12.

Elliott	Garrett	Mathews	Shields
Finnern	Greaser	Peaco	Stanzel
Forsling	Hook	Pendray	Wearin

Absent or not voting, 38.

Aiken	Ellsworth	Husted	Orr
Babcock	Fabritz	Hutcheon	Paisley
Berry	Figgins	Johnson of	Ratliff
Bonnstetter	Gilmore	Marion	Ryder
Byers	Hansen of	Laughlin	Snyder
Craven	Audubon	Lichty	Stiger
Dayton	Hansen of Scott	McCreery	Van Buren
Drake of	Hayes	Mayne	Watts
Keokuk	Helgason	Miller	Whiting
Drake of	Hollingsworth	Morton	Witt
Muscatine		Nelson of Story	

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

Long of Cerro Gordo asked and obtained unanimous consent to withdraw Senate File No. 31 from the committee on public lands and buildings and substitute it for House File No. 36, the report of the committee recommending passage having been adopted.

Senate File No. 31, a bill for an act to amend the law as it appears in section fifty-two hundred sixty-one (5261) and section fifty-two hundred sixty-three (5263) of the Code of 1927, relating to the submission to the voters of a county the question of borrowing money for the purpose of erecting and equipping public buildings so as to extend said provisions so as to authorize the borrowing of money for the purpose of building additions or extensions to, or the remodeling or the reconstruction of any such public buildings, was taken up for consideration.

Long 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, 61.

Allen	Gallagher	Long	Rutledge
Augustine	Garrett	McDermott	Rylander
Avery	Gissel	McLain	Shields
Bair	Greene	Malone	Short
Beath	Hansen of	Mathews	Sours
Brown	Audubon	Mead	Stanzel
Davis	Hanson of	Miller	Strachan
Ditto	Winnebago	O'Donnell	Tamisiea
Donlon	Hopkins	Osborn	TePaske
Drake of	Hunt	Pattison	Thiessen
Muscatine	Hush	Pendray	Thompson
Durant	Kern	Randolph	Torgeson
Elliott	Koch	Ratliff	Van Wert
Felter	Langland	Rawlings	Wamstad
Finnern	Laughlin	Reed	Wearin
Forsling	Lepley	Reimers	Mr. Speaker

The nays were, 4.

Lamb	McCaulley	Watts	Witt
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Absent or not voting, 43.

Aiken	Berry	Craven	Drake of
Babcock	Bonnstetter	Dayton	Keokuk
Ballew	Byers		

Ellsworth	Hollingsworth	McCreery	Peaco
Fabritz	Hollis	Mayne	Randall
Figgins	Hook	Millhone	Roe
Gilmore	Husted	Morton	Ryder
Greaser	Hutcheon	Nelson of	Simmer
Hansen of Scott	Johnson of	Cherokee	Snyder
Hayes	Marion	Nelson of Story	Stiger
Helgason	Kohler	Orr	Van Buren
Hesse	Lichty	Paisley	Whiting

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

Simmer of Wapello asked and obtained unanimous consent to consider at this time House File No. 151, which had previously been made a special order for Wednesday, February 18th.

House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the Code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof, with report of committee recommending amendment and passage, was taken up for consideration.

#### 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. 68, a bill for an act relating to the commitment and discharge of neglected, dependent, and delinquent children.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 20, a bill for an act relating to tax levy for park purposes.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 193, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon.

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

Senate Joint Resolution No. 2, proposing an amendment to article three (3) of the Constitution of the State of Iowa, by striking therefrom sec-

tion twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 74, a bill for an act relating to licenses for the use of seines or nets in the Mississippi River.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 106, a bill for an act relating to the issuance by trust companies of debentures or bonds.

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 relating to larceny of domestic animals.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 35, a bill for an act relating to high school tuition.

WALTER H. BEAM, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 20, a bill for an act to amend Section one (1) of Chapter one hundred twenty-one (121) of the laws of the Fortieth General Assembly relating to tax levy for park purposes, for the improvement of lakes by dredging or otherwise deepening of same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes.

Read first and second times and referred to committee on cities and towns.

Senate File No. 68, a bill for an act to amend section thirty-six hundred forty-nine (3649), Code, 1927, relating to the commitment and discharge of neglected, dependent, and delinquent children.

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

Senate File No. 193, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon.

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

Senate File No. 47, a bill for an act to amend section thirteen thousand fifteen (13015) chapter five hundred seventy-seven (577) of the code of 1927, relating to larceny of domestic animals.

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

Senate File No. 106, a bill for an act to amend section twenty (20) of chapter thirty (30), acts of the forty-third (43rd) general assembly relating to the issuance by trust companies of debentures or bonds.

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

Senate File No. 74, a bill for an act to amend section 1748, Code 1927, relating to licenses for the use of seines or nets in the Mississippi River.

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

Senate Joint Resolution No. 2, a joint resolution proposing an amendment to article three (3) of the Constitution of the State of Iowa, by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor.

Read first and second times and referred to committee on constitutional amendments.

#### SPEAKER ANNOUNCES COMMITTEE

In pursuance of House Concurrent Resolution No. 8, the Speaker announces the appointment of the following committee:

Allen of Pocahontas, Byers of Linn and Miller of Shelby.

## MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which House File No. 70 failed to pass the House.

FRANK W. ELLIOTT.

## AMENDMENTS FILED

Reimers of Lyon, Hush of Montgomery and Nelson of Story filed on February 11th a substitute amendment to House File No. 2, which was by virtue of Rule 56 ordered printed in bill form to be filed in the bill file of the members of the House next to the original bill.

Fabritz of Wapello filed the following amendment to House File No. 200:

Amend House File No. 200 by striking all after the enactment and substituting therefor the following:

Section 1. Section seventeen (17), chapter fifty-seven (57), Acts of the 43rd General Assembly, is hereby amended, by striking from line fourteen (14) the word "may" and substituting therefor the word "shall".

Garrett of Wayne filed the following amendment to the amendment to House File No. 155:

I move that the proposed amendment to House File No. 155 be amended as follows:

"Amend by striking from line one (1) of paragraph Fifteen (15) of said proposed amendment the word "four" and inserting in lieu thereof, the word "two".

Davis of Delaware filed the following amendment to House File No. 170:

Amend by striking out section three (3) of the bill.

Brown of Polk filed the following amendments to House File No. 139:

Amend House File No. 139 as follows:

That after the word "preference" in line eleven (11) section three (3), there be inserted the words, "price and quality being equal;" and by striking out the word "material" in the seventeenth (17) line of section three (3) and inserting in lieu thereof, the word "additional".



That said House File No. 139 be further amended by striking out all of section five (5) thereof as amended.

Torgeson of Worth filed the following amendments to House File No. 124:

Amend House File No. 124 as follows:

1. Strike from section seven (7) line thirty-seven (37) the word "open,"; and
2. Strike from section seven (7) line forty-eight (48) the word ", open"; and
3. Strike from section seven (7) line fifty (50) the word "open,"; and
4. Strike from section nine (9) line six (6) the word "migratory"; and
5. Insert in section nine (9) after the word "prescribed" in line six (6) the following words: "by the laws of the State of Iowa or".

On motion of Felter of Warren the House adjourned until 9:30 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 16, 1931.

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

Prayer was offered by the Rev. G. S. Nichols, pastor of the Methodist Church, Audubon, Iowa.

Journal of February 14th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Berry of Monroe for the day, on request of Ratliff of Henry; Augustine of Ringgold for the day, on request of Lepley of Grundy.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Hopkins of Guthrie county, from citizens of Casey, favoring a diversion of the primary road fund. Roads and highways.

By Laughlin of Fremont county, from the county board of education of Fremont county, favoring the establishment of a State Normal College at Tabor, Iowa. State educational institutions.

By Van Buren of Jones county, from residents of Jones county, opposing House File No. 124. Fish and game.

## REPORT OF COMMITTEE

Hunt of Louisa, from the committee on drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage, to whom was referred House File No. 76, a bill for an act to amend section seventy-seven hun-

dred seventy-one (7771), of the Code of 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water 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.

RALPH R. HUNT, *Chairman*.

Report adopted.

#### RESOLUTION

McCaulley-of Calhoun offered the following resolution:

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly:* No public hearings shall be held in the House Chamber after the adoption of this resolution; and after March 9, 1931, there shall be no public hearings.

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

Torgeson of Worth moved that the resolution be referred to the committee on rules.

Motion prevailed.

#### MOTION TO RECONSIDER WITHDRAWN

Wearin of Mills asked and obtained unanimous consent to have his motion to reconsider House File No. 223, filed by him and found in the Journal of February 11th, withdrawn.

#### ADDITIONAL COPIES OF BILLS ORDERED PRINTED

Mayne of Pottawattamie asked and obtained unanimous consent to have five hundred additional copies each of House Files Nos. 254 and 255 printed.

#### HOUSE FILES REREFERRED

Mayne of Pottawattamie asked and obtained unanimous consent to have House Files Nos. 254 and 255 rereferred to committee on motor vehicles and transportation.

#### INTRODUCTION OF BILLS

House File No. 303, by Long of Cerro Gordo, a bill for an act

to amend section five thousand thirty-three (5033) of the code, 1927, relating to the turning to right or left into highways.

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

House File No. 304, by Avery of Clay, a bill for an act to amend section eleven thousand eighty-one (11081) of the code, 1927, relating to publication of notice in civil actions.

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

House File No. 305, by McCaulley of Calhoun, a bill for an act to amend section ten thousand nine hundred thirty-four-b nine (10934-b9) of the code, 1927, relating to the costs and expenses incident to disbarment proceedings.

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

House File No. 306, by Allen of Pocahontas, a bill for an act to require cities and towns maintaining police or fire departments to provide for the indemnifying of its police or fire employees against liability or loss because of any claims for bodily injuries, death, or property damage by any such employee resulting from his operation of a vehicle while in the performance of his duties, and/or to require said city or town to defend said employee in any action brought against him on account of any such a claim and in case of a judgment, to pay same.

Read first and second times and referred to committee on cities and towns.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the Code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof.

Simmer of Wapello moved that the amendments proposed by the committee, found in the Journal of February 14th, be adopted.

Gilmore of Cedar moved that action on House File No. 151 be deferred.

Wearin of Mills moved the previous question.

Motion prevailed.

On the question, "Shall action be deferred?" a roll call was demanded.

The ayes were, 21.

Avery	Ellsworth	Husted	Millhone
Ballew	Gilmore	Hutcheon	Rutledge
Byers	Hansen of	Kern	Stiger
Drake of	Audubon	Lichty	Tamisiea
Keokuk	Hansen of Scott	Long	Witt
Elliott	Hollis	Mathews	

The nays were, 77.

Aiken	Greene	McDermott	Reimers
Allen	Hanson of	McLain	Roe
Bair	Winnebago	Malone	Rylander
Beath	Hayes	Mead	Shields
Bonnstetter	Helgason	Miller	Short
Craven	Hollingsworth	Morton	Simmer
Davis	Hook	Nelson of	Snyder
Dayton	Hopkins	Cherokee	Sours
Ditto	Hunt	Nelson of Story	Stanzel
Donlon	Hush	Orr	Strachan
Drake of	Johnson of	Osborn	TePaske
Muscatine	Marion	Paisley	Thiessen
Durant	Koch	Pattison	Thompson
Felter	Kohler	Peaco	Torgeson
Figgins	Lamb	Pendray	Van Wert
Finnern	Langland	Randall	Wamstad
Forsling	Laughlin	Randolph	Watts
Gallagher	Lepley	Ratliff	Wearin
Garrett	McCaulley	Rawlings	Whiting
Gissel	McCreery	Reed	Mr. Speaker
Greaser			

Absent or not voting, 10.

Augustine	Brown	Mayne	Ryder
Babcock	Fabritz	O'Donnell	Van Buren
Berry	Hesse		

Motion to defer action lost.

Reed of Mahaska offered the following amendment to the committee amendment:

Amend House File No. 151, by striking out Section 2-C of the committee amendment and substituting in lieu thereof the following:

"Section 2-C. Nothing herein contained shall be construed as author-

izing such contract, until the contract has been submitted to and approved by a majority of the electors at an election, as provided in Section 6131 of the Code."

Reimers of Lyon moved the previous question.

Motion prevailed.

On the question, "Shall the amendment to the committee amendment be adopted?" a roll call was demanded.

The ayes were, 36.

Aiken	Greene	Lichty	Orr
Ballew	Hansen of Scott	Long	Pattison
Byers	Hayes	McCaulley	Reed
Donlon	Hesse	McLain	Ryder
Drake of	Hollis	Mathews	Shields
Keokuk	Husted	Mayne	Tamisiea
Elliott	Johnson of	Millhone	TePaske
Ellsworth	Marion	Miller	Wearin
Forsling	Kern	Nelson of	Witt
Gilmore	Kohler	Cherokee	

The nays were, 64.

Allen	Greaser	McDermott	Short
Avery	Hansen of	Malone	Simmer
Bair	Audubon	Mead	Snyder
Beath	Hanson of	Morton	Sours
Bonnstetter	Winnebago	Nelson of Story	Stanzel
Craven	Helgason	O'Donnell	Stiger
Davis	Hollingsworth	Osborn	Strachan
Dayton	Hook	Paisley	Thiessen
Ditto	Hopkins	Peaco	Thompson
Drake of	Hunt	Pendray	Torgeson
Muscatine	Hush	Randall	Van Buren
Durant	Hutcheon	Randolph	Van Wert
Figgins	Lamb	Ratliff	Wamstad
Finnern	Langland	Rawlings	Watts
Gallagher	Laughlin	Reimers	Whiting
Garrett	Lepley	Roe	Mr. Speaker
Gissel	McCreery	Rylander	

Absent or not voting, 8.

Augustine	Berry	Fabritz	Koch
Babcock	Brown	Felter	Rutledge

Amendment to committee amendment lost.

The hour having arrived for special order, House File No. 124, a bill for an act relating to Fish, Game, Fur-Bearing Animals and protected birds; Creating a Fish and Game Commission, prescribing its powers and duties, and transferring funds for the use of such Commission, with report of committee recommending passage, was taken up for consideration.

Torgeson of Worth called up the amendment filed by him and found in the Journal of February 14th and moved its adoption.

Amendment adopted.

Van Wert of Franklin offered the following amendment and moved its adoption:

Amend House File No. 124, by striking the period (.) following the word "commission" in line seven (7) of section ten (10) and adding thereto the following: "but not to exceed four thousand (\$4,000.00) dollars per annum."

Amendment adopted.

Torgeson of Worth offered the following amendment and moved its adoption:

Amend House File No. 124 by striking therefrom Section nine (9) and substituting in lieu thereof the following:

"Sec. 9. Interpretation and limitations. The foregoing sections shall not be construed as authorizing the Commission to change any penalty for violating any game law or regulation, or change the amount of any license established by the legislature, or to promulgate any open season on any fish, animal or bird contrary to the laws of the State of Iowa, or to extend any open season or bag limit on any kind of fish, game, fur-bearing animal or of any birds prescribed by the laws of the State of Iowa or by federal laws or regulations, or to contract any indebtedness or obligation beyond the funds to which they are lawfully entitled."

Strachan of Humboldt moved the previous question.

Motion prevailed.

Amendment adopted.

Reimers of Lyon moved the previous question.

Motion prevailed.

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

On the question "Shall the bill pass?"

The ayes were, 73.

Aiken  
Allen  
Avery  
Bair

Bonnstetter  
Brown  
Byers  
Craven

Davis  
Dayton  
Ditto  
Donlon

Drake of Keokuk  
Drake of  
Durant  
Muscatine

Ellsworth	Hopkins	Millhone	Rylander
Felter	Hunt	Morton	Short
Finnern	Hush	Nelson of	Simmer
Forsling	Hutcheon	Cherokee	Snyder
Gallagher	Kern	Nelson of Story	Sours
Gilmore	Koch	O'Donnell	Stanzel
Gissel	Kohler	Osborn	Stiger
Greaser	Lamb	Pattison	Strachan
Hanson of	Langland	Randolph	Tamisiea
Winnebago	Lepley	Ratliff	TePaske
Helgason	Lichty	Rawlings	Torgeson
Hesse	Long	Reed	Van Wert
Hollingsworth	McCaulley	Reimers	Wamstad
Hollis	McLain	Roe	Whiting
Hook	Mathews	Rutledge	Mr. Speaker

The nays were, 27.

Ballew	Hayes	Orr	Thiessen
Beath	Husted	Paisley	Thompson
Figgins	Johnson of	Peaco	Van Buren
Garrett	Marion	Pendray	Watts
Greene	McCreery	Randall	Wearin
Hansen of	Malone	Ryder	Witt
Audubon	Mayne	Shields	
Hansen of Scott	Mead		

Absent or not voting, 8.

Augustine	Berry	Fabritz	McDermott
Babcock	Elliott	Laughlin	Miller

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

Simmer of Wapello moved that the vote by which House File No. 124 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

#### AMENDMENTS FILED

Johnson of Marion filed the following amendment to House File No. 151:

Amend House File No. 151 by adding thereto as section three (3) the following:

"Sec. 3. This act shall not apply to pending litigation."

Also amend by renumbering section three (3) of the bill as section four (4).

Stiger of Tama filed the following amendment to House File No. 151:



Amend House File No. 151 as amended by adding after Section 2-d the following: "but nothing herein contained shall be construed to authorize the making of such contract, if the total indebtedness of such municipality, including the unpaid balance of such contract shall be in excess of the limit of indebtedness provided in Section 3, Article 11, of the Constitution of Iowa."

Elliott of Scott filed the following amendment to House File No. 151:

Amend House File No. 151 by adding the following paragraphs to-wit:

2-E. "All contracts for the erection of said plant improvement or extension shall be let to the lowest responsible bidder or bidders in the manner and upon the notice provided in Sections 6004 and 6005 of the Code of Iowa, 1927, relating to letting contracts for street improvements.

All plans, specifications and form of contract so adopted shall be drafted and prepared to permit of competitive bidding by and between the manufacturers of engines, generators, and other equipment, and between contractors."

2-F. The rates charged for service of any such plant shall not exceed a just and reasonable rate therefor and all contracts entered into under authorization of this act shall be subject to this provision, anything in the contract notwithstanding.

Van Buren of Jones filed the following amendment to House File No. 279:

Amend House File No. 279 by striking all of section 2 of said bill.

Davis of Delaware filed the following amendments to House File No. 170:

Amend House File No. 170 as follows:

By striking Section three (3) of the bill.

Also, amend the title by striking from line two (2) thereof after the word "shells" the ",", and inserting therein the word "and".

Also, amend the title by striking from lines two (2), three (3) and four (4) the words and figures, "and to amend chapter eighty-four (84), Acts Forty-third (43rd) General Assembly."

Johnson of Marion filed the following amendments to House File No. 125:

Amend House File No. 125 by adding after the period in line three (3) of section five (5), the following:

"Any person owning land abutting a road which it is proposed to vacate shall have the right to file a claim for damages at any time on or before the date fixed for hearing."

Also further amend by striking out the period at the end of line two (2) of section six (6) and adding the following:

", except as to the amount of damages."

Also further amend by adding section seven (7) as follows:

"Sec. 7. All damages allowed shall be paid from the primary road fund. Any claimant, within thirty (30) days after the award of damages by the state highway commission, may appeal to the district court of the county in which the land is located. The procedure provided in chapter three sixty-six (366) of the code, 1927, shall govern said appeal.

On motion of Ditto of Osceola 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, FEBRUARY 17, 1931.

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

Prayer was offered by the Rev. L. W. Hauter, pastor of the First Presbyterian Church, Oelwein, Iowa.

Journal of February 16th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Fabritz of Wapello for the day, on request of Hutcheon of Greene; Berry of Monroe for the day, on request of Long of Cerro Gordo.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Hansen of Audubon, from citizens of Iowa, favoring regulation of size of motor vehicles. Motor vehicles and transportation.

By Kohler of Plymouth, from citizens of Le Mars, opposing a tobacco and amusement tax. Tax revision.

By Craven of Jasper, from citizens of Baxter, favoring a diversion of the primary road fund. Roads and highways.

By Garrett of Wayne, from citizens of Promise City, favoring a diversion of the primary road fund. Roads and highways.

By Greene of Pottawattamie, from the Council Bluffs Chamber of Commerce, opposing tax on outdoor advertising. Ways and means.

By Simmer of Wapello, from Barbers' International Union of

America, Local No. 133 of Wapello county, Ottumwa, Iowa, opposing House File No. 140 and supporting House File No. 178 and Senate File No. 49. Public health.

By Hesse of O'Brien, from the American Legion of Sheldon, opposing an amusement tax. Referred to committee on tax revision.

By Hesse of O'Brien, from the American Legion of Sheldon, favoring compulsory military training in the state schools. Referred to committee on state educational institutions.

### REPORTS OF COMMITTEES

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 195, a bill for an act to amend chapter three hundred five (305) and sections five thousand nine hundred ten (5910), five thousand nine hundred fourteen (5914) and five thousand nine hundred fifteen (5915) of the code, 1927, relating to the powers of the board of railroad commissioners and cities in the matter of viaducts on streets and proposed streets, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 269, a bill for an act to amend paragraph ten (10) of section sixty-two hundred eleven (6211), code, 1927, relating to the levy of taxes in cities and towns for gas light, electric light, heat or power, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 278, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of the code, 1927 relating to the procedure for the abandonment of the city manager plan 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 indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 237, a bill for an act to legalize the corporate acts and proceedings of the Portsmouth livestock shipping association of Portsmouth, Iowa, and to provide for the reinstatement of said corporation, thereby entitling said corporation to continue to act as a corporation for the unexpired portion of its corporate period as fixed by the articles of incorporation and limitations prescribed 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 do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 277, a bill for an act to create a board of blacksmiths', horseshoers' and wagonmakers' examiners; to provide for the licensing and regulation of such tradesmen; defining an itinerant blacksmith, horseshoer or wagonmaker; providing a penalty for the violation of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 97, a bill for an act to prohibit, in certain cases, appropriation of state funds to defray the expenses incurred in contests relative to the election of members of the General Assembly, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 204, a bill for an act to amend section eleven hundred sixty-

six (1166) of the code, 1927, relating to nepotism, beg leave to report they have 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. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 17, a bill for an act to amend section Ten thousand seven hundred ninety-four (10794), Code of Iowa, 1927, relating to jurisdiction of district judges, beg leave to report they have had the same 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 inserting in lieu thereof, the following:

"Section 1. When a judge of the district court is authorized to sign orders in vacation, he may do so outside his judicial district, if done within the State."

Further amend the title by making it read as follows:

"An Act to amend the law relating to the signing of orders by judges of the district court in vacation."

L. B. FORSLING, *Chairman*.

Report adopted.

Shields of Clarke, 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. 243, an act to amend, revise and codify sections 4999 and 5011, code of 1927, relating to the disposition of the proceeds from automobile license fees, providing for the allocation thereof and defining the duty and liability of county treasurers in the collection thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

LEROY SHIELDS, *Chairman*.

Passed on file.

Shields of Clarke asked and obtained unanimous consent to have House File No. 243 rereferred to the committee on roads and highways.

#### HOUSE CONCURRENT RESOLUTION NO. 12

Allen of Pocahontas offered the following concurrent resolution:

Approving and endorsing the proposed Sparks-Capper Act now before the congress of the United States, which act provides that only American citizens are to be counted in apportioning of congressional districts by congress, and urging immediate passage of said act.

*Whereas*, There is now before the congress of the United States of America for consideration an act known as the Sparks-Capper Act, which act provides that in future apportioning of congressional districts only American citizens shall be counted in determining representation in the house of representatives of the United States of America among the several states, and

*Whereas*, It was the intention and purpose of the founders of this country to provide for representation in the lawmaking bodies of this country for the citizens of this country solely, and

*Whereas*, The said Sparks-Capper Act makes provision for representation of American citizens solely,

*Therefore, Be It Resolved by the House, the Senate concurring:*

Section 1. That said Sparks-Capper Act be and the same is hereby approved and endorsed by the General Assembly of the State of Iowa.

Sec. 2. That the several representatives of the several congressional districts of this state now in congress and the United States senators of this state now in congress, be and they are hereby urged by the General Assembly of the State of Iowa to support said act and to aid in its passage by their respective votes and otherwise.

Sec. 3. That the chief clerk of the house of representatives of the state of Iowa be and he is hereby authorized and directed to forward a true copy of this resolution to each of said representatives in said congress and to each of said United States senators in said congress.

Laid over under Rule 34.

#### AMENDMENTS WITHDRAWN

Davis of Delaware asked and obtained unanimous consent to withdraw the amendment filed by him to House File No. 170, and found in the Journal of February 14th.

Witt of Butler asked and obtained unanimous consent to withdraw the amendment filed by him to House File No. 139, and found in the Journal of February 10th.

#### RESOLUTION

Ellsworth of Hardin offered the following resolution:

*Whereas*, The Honorable Luther V. Carter, who was a member of the House of Representatives in the Thirty-ninth, Fortieth, Fortieth Extra, Forty-first General Assemblies, and who presided as Speaker of the House over the Forty-second General Assembly from Hardin County, died on the 30th day of December, 1929; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Ellsworth of Hardin, Lepley of Grundy and Hollis of Black Hawk.

#### RESOLUTION

Stanzel of Sac offered the following resolution:

*Whereas*, The Honorable Asa B. Smith, who was a member of the House of Representatives in the Twenty-Third General Assembly from Sac County, died on the 25th day of July, 1930; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this state and nation.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Stanzel of Sac, Bair of Buena Vista and Aiken of Ida.

#### INTRODUCTION OF BILLS

House File No. 307, by Tamisiea of Harrison, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public improvements.



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

House File No. 308, by Helgason of Emmet, a bill for an act to amend chapter sixty-six (66), acts of the forty-third (43rd) general assembly, relating to sterilization of certain persons, and creating a state board of eugenics, and providing for the employment of a secretary, and making an appropriation for the carrying out of the eugenics law.

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

House File No. 309, by Allen of Pocahontas and Hanson of Winnebago, a bill for an act to regulate the buying for the market, or the transportation for hire by any means other than by railroad, of certain livestock, by requiring the making and preservation of record tickets thereof, and providing penalties for violations.

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

House File No. 310, by Short of Woodbury, a bill for an act to amend section fifty-three hundred ninety-eight (5398) of the code, 1927, pertaining to the selection of official newspapers in the respective counties.

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

House File No. 311, by Brown of Polk, a bill for an act to amend section seventy-two hundred seventy-nine (7279) code, 1927, relative to the service of notice of the right of redemption, and to provide for the service of notice on a municipality in event of a lien on real property.

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

House File No. 312, by Brown of Polk, a bill for an act to amend section seventy-two hundred eighty-six (7286) code, 1927, relating to the execution and effect of a tax deed, and providing that said deed under certain circumstances shall be subject to special assessments.

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

House File No. 313, by Brown of Polk, a bill for an act to amend section seventy-two hundred ninety (7290) code, 1927, relating to the limitation of actions as to questioning tax deeds, and prohibiting the destruction of rights of persons.

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

House File No. 314, by Brown of Polk, a bill for an act to amend section eleven thousand eight hundred eighty-three (11883), code, 1927, relating to the appointment of administrators of estates.

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

House File No. 315, by Brown of Polk, a bill for an act to amend sections fifty-six hundred ninety-five (5695), and fifty-six hundred ninety-eight (5698), code of 1927, relating to civil service.

Read first and second times and referred to committee on cities and towns.

House File No. 316, by Garrett of Wayne, a bill for an act to amend chapter fifty-eight (58) acts of the forty-third (43rd) general assembly, relating to the buying and selling of the skins or hides of fur-bearing animals.

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

House File No. 317, by Drake of Keokuk and Hopkins of Guthrie, a bill for an act requiring that persons employed as teachers in the public schools or state institutions of learning and education of this state shall subscribe to an oath of allegiance to the constitution of the United States and of the state of Iowa, and providing for a penalty for wilful violation of said oath.

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

House File No. 318, by Malone of Cass and Reed of Mahaska, a bill for an act to repeal section one (1), chapter one hundred ninety-seven (197), Acts forty-third (43rd) general assembly,

relating to an emergency fund in municipalities and to the power to levy taxes for such fund.

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

House File No. 319, by committee on claims, a bill for an act to make appropriation to Emmet L. Morris, Marquette, Iowa, A. L. Wood, Hampton, Iowa, and Albert L. Sharp, Arnolds Park, Iowa, for which former appropriation has not been made.

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

House File No. 320, by committee on claims, a bill for an act to make appropriation to Mrs. K. E. Anderson for services rendered to the state by her deceased husband.

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

House File No. 321, by committee on claims, a bill for an act to make appropriation to the Metz Construction Company, Springfield, Nebr., for legal services incurred in defending suit brought against the said company and the Iowa State Highway Commission.

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

House File No. 322, by committee on claims, a bill for an act to make an appropriation to Adolph Griesinger, Roselle, N. J., for military service as a member of Company A, forty-ninth Infantry, Iowa Volunteers, Spanish American War.

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

House File No. 323, by committee on claims, a bill for an act to make an appropriation to W. F. Dollen and Sons of Neola, Iowa, for damages incurred by the failure of the Iowa State Highway Commission to have a bridge completed in time for the performance of a contract by the claimant.

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

House Joint Resolution No. 6, by Tamisiea of Harrison and Garrett of Wayne, a joint resolution providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the general assembly of the state of Iowa, and providing an appropriation therefor.

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

### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the Code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof.

Elliott of Scott offered the following amendment as a substitute for all pending amendments and moved its adoption:

Amend House File No. 151, by striking out all after the enacting clause, and substituting in lieu thereof, the following:

"Section 1. That Chapter three hundred twelve (312) of the Code, 1927, is amended by inserting as a new section immediately following section six thousand one hundred twenty-seven (6127) thereof, the following:

"They may pay for any such plant, improvement or extension thereof out of the past earnings of the plant and/or out of the future earnings and/or may contract for the payment of all or part of the cost of such plant, improvement or extension out of the future earnings from such plant, and may secure such contract by the pledge of the property purchased and the earnings of the plant. Such contract shall not constitute a general obligation or be payable in any manner by taxation. Nothing contained herein shall be construed as authorizing the establishment of a plant without an election as required by Section sixty-one hundred thirty-one (6131), at which election the contract including the prices of the plant, improvement or extension, together with terms of payment, proposed rates, and the question of advisability shall all be submitted as one proposition. This act shall apply to cities acting under special charter.'"

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

Wapello Republican, a newspaper published at Wapello, Iowa, and The Blakesburg Excelsior, a newspaper published at Blakesburg, Iowa.

The hour having arrived for special order, House File No. 139, a bill for an act to amend the law as it appears in section eleven hundred seventy-one-b1 (1171-b1) of the code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b3 (1171-b3) of the code, 1927, and to further provide for the giving of preference to domestic products and to Iowa labor in all public works or improvements and in the purchase of all materials for use in connection with public institutions, with report of committee recommending amendment and passage, was taken up for consideration.

Peaco of Clinton offered the following amendment as a substitute for all pending amendments:

Amend House File No. 139 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section eleven hundred seventy-one-b one (1171-b1) of the code, 1927, be amended by adding at the end thereof, the following:

"Provided, however, that the provisions hereof shall not apply to the purchase of materials and supplies to be used in the construction of any road or highway."

Sec. 2. That section eleven hundred seventy-one-b three (1171-b3) of the code, 1927, be repealed.

Sec. 3. Every commission, board, committee, officer or other governing body of the state, or of any county, township, school district, city or town, and every person acting as contracting agent for any such commission, board, committee, officer or other governing body of the state, or of any county, township, school district, city or town, shall give preference to Iowa labor in the constructing or building of any public improvement or works.

Sec. 4. A person shall be deemed to be a domestic laborer of this state if he is a citizen and has resided in this state for more than six (6) months.

Sec. 5. Any officer or person who is connected with, or is a member or agent or representative of any commission, board, committee, officer or other governing body of this state, or of any county, township, school district, city or town, who fails to give preference to Iowa labor as required in the two preceding sections, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not to exceed one hundred dollars (\$100.00), or by imprisonment in the county jail for not to

exceed thirty (30) days. Each separate case of failure to give preference to Iowa labor shall constitute a separate offense.

Sec. 6. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Clinton Herald, a newspaper published at Clinton, Iowa, and in the Wheatland Gazette, a newspaper published at Wheatland, Iowa."

Ditto of Osceola moved that action on House File No. 139 be deferred.

On the question, "Shall action be deferred?" a roll call was demanded.

The ayes were, 18.

Avery	Hansen of Scott	Mayne	Rutledge
Ditto	Hesse	Mead	Short
Durant	Hush	Pendray	Van Wert
Greene	Hoch	Randall	Witt
Hansen of Audubon		Rawlings	

The nays were, 74.

Allen	Greaser	McCaulley	Roe
Bair	Hanson of	McCreery	Ryder
Ballew	Winnebago	McDermott	Shields
Beath	Hayes	McLain	Simmer
Bonnstetter	Helgason	Mathews	Snyder
Brown	Hollingsworth	Millhone	Sours
Byers	Hollis	Miller	Stiger
Davis	Hook	Morton	Strachan
Dayton	Hopkins	Nelson of	Tamisiea
Donlon	Husted	Cherokee	TePaske
Drake of Keokuk	Hutcheon	Nelson of Story	Thiessen
Drake of	Johnson of	Orr	Thompson
Muscatine	Marion	Osborn	Torgeson
Ellsworth	Kern	Paisley	Van Buren
Felter	Kohler	Pattison	Wamstad
Figgins	Langland	Peaco	Watts
Forsling	Laughlin	Randolph	Whiting
Garrett	Lepley	Ratliff	Mr. Speaker
Gilmore	Lichty	Reed	
Gissel	Long	Reimers	

Absent or not voting, 16.

Aiken	Craven	Gallagher	O'Donnell
Augustine	Elliott	Hunt	Rylander
Babcock	Fabritz	Lamb	Stanzel
Berry	Finnern	Malone	Wearin

Motion to defer action lost.

Johnson of Marion moved that the House proceed with the consideration of House File No. 105 instead of House File No. 139,

and that the consideration of House File No. 139 follow the consideration of House File No. 105.

Motion prevailed.

House File No. 105, a bill for an act to amend section eleven hundred seventy-one-b-one (1171-b1) of the Code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b three (1171-b3) of the Code, 1927, and to further provide for the giving of preference to domestic or Iowa labor in all public work or improvements, and to provide a penalty for violation, with report of committee recommending passage, was taken up for consideration.

Byers of Linn offered the following amendments and moved their adoption:

Amend by striking the period (.) at the end of section three (3) and inserting a comma (,) in lieu thereof and by adding thereto the following: "and every contract entered into by any such commission, board, committee, officer or other governing body of the State for the construction or building of any public improvement or works shall contain a provision requiring that preference shall be given to Iowa domestic labor in the constructing or building of such public improvement or works.

Also, amend by inserting in line five (5) of section five (5) after the word "town" the words "or contractor".

Amendments adopted.

Simmer of Wapello offered the following amendment and moved its adoption:

Amend by striking section one (1).

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 67.

Allen	Elliott	Husted	Nelson of
Augustine	Felter	Johnson of	Cherokee
Ballew	Figgins	Marion	Nelson of Story
Beath	Finnern	Kern	Osborn
Bonnstetter	Gissel	Koch	Pattison
Brown	Greaser	Kohler	Peaco
Byers	Hansen of	Lamb	Pendray
Craven	Audubon	Langland	Randall
Davis	Hanson of	Lepley	Randolph
Dayton	Winnebago	Malone	Ratliff
Donlon	Hesse	Mead	Rawlings
Drake of Keokuk	Hollingsworth	Millhone	Reed
Durant	Hopkins	Morton	Reimers

Roe	Sours	Thompson	Watts
Shields	Stanzel	Torgeson	Wearin
Short	Stiger	Van Buren	Witt
Simmer	Strachan	Van Wert	Mr. Speaker
Snyder	Tamisia	Wamstad	

The nays were, 18.

Avery	Hayes	Mathews	TePaske
Ditto	Hollis	Orr	Thiessen
Ellsworth	Hutcheon	Paisley	Whiting
Gallagher	Lichty	Rutledge	
Hansen of Scott	McLain	Ryder	

Absent or not voting, 23.

Aiken	Forsling	Hunt	McDermott
Babcock	Garrett	Hush	Mayne
Bair	Gilmore	Laughlin	Miller
Berry	Greene	Long	O'Donnell
Drake of	Helgason	McCaulley	Rylander
Muscatine	Hook	McCreery	
Fabritz			

Amendment by Simmer of Wapello adopted.

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

On the question "Shall the bill pass?"

The ayes were, 100.

Aiken	Gissel	Lichty	Reed
Allen	Greaser	Long	Reimers
Augustine	Greene	McCaulley	Roe
Avery	Hansen of	McCreery	Rutledge
Bair	Audubon	McDermott	Ryder
Ballew	Hansen of Scott	McLain	Rylander
Beath	Hanson of	Malone	Short
Bonnstetter	Winnebago	Mathews	Simmer
Brown	Hayes	Mayne	Snyder
Byers	Helgason	Mead	Sours
Craven	Hesse	Millhone	Stanzel
Davis	Hollingsworth	Morton	Stiger
Dayton	Hollis	Nelson of	Strachan
Ditto	Hopkins	Cherokee	Tamisia
Donlon	Hush	Nelson of Story	TePaske
Drake of Keokuk	Husted	O'Donnell	Thiessen
Durant	Hutcheon	Orr	Thompson
Elliott	Johnson of	Osborn	Torgeson
Ellsworth	Marion	Paisley	Van Buren
Felter	Kern	Pattison	Van Wert
Figgins	Koch	Peaco	Wamstad
Finnern	Kohler	Pendray	Watts
Forsling	Lamb	Randall	Wearin
Gallagher	Langland	Randolph	Whiting
Garrett	Laughlin	Ratliff	Witt
Gilmore	Lepley	Kawlings	Mr. Speaker



The nays were, none.

Absent or not voting, 8.

Babcock  
Berry

Drake of  
Muscataine  
Fabritz

Hook  
Hunt

Miller  
Shields

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

Peaco of Clinton offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 105 by striking from lines one (1), two (2) and three (3) the following words: "to amend section eleven hundred seventy-one-b one (1171-b1) of the code, 1927, relating to the giving of preference by public agencies to domestic products, and".

Amendment adopted, and the title as amended was agreed to.

Simmer of Wapello moved that the vote by which House File No. 105 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

The House resumed consideration of House File No. 139.

Peaco of Clinton asked and obtained unanimous consent to withdraw the substitute amendment offered by him.

Johnson of Marion offered the following amendments and moved their adoption:

Amend House File No. 139 as follows:

By striking out all of section two (2) and four (4).

Also, amend by striking from line five (5) of section five (5) the following: "to Iowa labor and/or".

Amend further by striking in lines fourteen (14) and fifteen (15) of section three (3) the words "and by Iowa labor as herein defined".

Amendments adopted.

Reimers of Lyon asked and obtained unanimous consent to withdraw amendment No. 1 of the committee amendments, found in the Journal of February 12th, from further consideration of the House.

Johnson of Marion moved to amend committee amendment No. 2

found in the Journal of February 12 by striking in line four (4) of section five (5) thereof the words "to Iowa labor and".

Amendment adopted.

On motion of Ballew of Appanoose the committee amendments found in the Journal of February 12th, as amended, were adopted.

Brown of Polk called up the amendments filed by him and found in the Journal of February 14th, and moved the adoption of the amendment found on page 505 of the Journal.

Amend further by striking in line sixteen (16) of section three (3) the word "reasonably".

Amendments adopted.

Brown of Polk moved the adoption of the amendment filed by him and found on page 506 of the Journal of February 14th, and moved its adoption.

Reimers of Lyon raised the point of order that section five (5) of House File No. 139 was already adopted by vote of the House in adopting the report of the committee amendments, and the gentleman from Polk was thereby out of order in raising any question as to the merits of section five (5) and attempting further amendment.

The Speaker held the point of order well taken.

Rutledge of Webster moved that the vote by which committee amendment No. 2, found in the Journal of February 12th, was adopted be reconsidered.

Simmer of Wapello moved that the motion to reconsider be laid on the table.

On the question, "Shall the motion to reconsider be laid on the table?" a roll call was demanded.

The ayes were, 14.

Avery	Drake of	Hansen of Scott	Orr
Brown	Muscatine	Hayes	Rutledge
Ditto	Figgins	Laughlin	TePaske
	Greene	McLain	Wearin

The nays were, 76.

Allen	Ballew	Craven	Drake of Keokuk
Augustine	Beath	Dayton	Durant
Bair	Bonnstetter	Donlon	Elliott

Ellsworth	Husted	Miller	Ryder
Felter	Hutcheon	Morton	Shields
Finnern	Johnson of	Nelson of	Short
Forsling	Marion	Cherokee	Simmer
Gallagher	Kohler	Nelson of Story	Snyder
Garrett	Lamb	Osborn	Sours
Gissel	Langland	Paisley	Stanzel
Greaser	Lepley	Pattison	Stiger
Hanson of	Lichty	Peaco	Thiessen
Winnebago	Long	Pendray	Thompson
Helgason	McCreery	Randall	Torgeson
Hesse	McDermott	Randolph	Wamstad
Hollingsworth	Malone	Ratliff	Watts
Hook	Mathews	Rawlings	Whiting
Hopkins	Mayne	Reed	Witt
Hunt	Mead	Reimers	Mr. Speaker
Hush	Millhone	Roe	

Absent or not voting, 18.

Aiken	Fabritz	Kern	Strachan
Babcock	Gilmore	Koch	Tamisiea
Berry	Hansen of	McCaulley	Van Buren
Byers	Audubon	O'Donnell	Van Wert
Davis	Hollis	Rylander	

Motion to lay on table was lost.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 76.

Avery	Hanson of	Lichty	Roe
Beath	Winnebago	Long	Rutledge
Bonnstetter	Hayes	McCreery	Ryder
Brown	Helgason	McDermott	Rylander
Byers	Hesse	McLain	Shields
Ditto	Hollingsworth	Malone	Snyder
Donlon	Hollis	Mathews	Sours
Drake of Keokuk	Hook	Mayne	Stiger
Durant	Hopkins	Morton	Tamisiea
Elliott	Hunt	Nelson of	TePaske
Ellsworth	Hush	Cherokee	Thiessen
Felter	Husted	Orr	Thompson
Figgins	Hutcheon	Osborn	Torgeson
Forsling	Kern	Paisley	Van Buren
Gallagher	Kohler	Pattison	Wamstad
Gilmore	Lamb	Peaco	Watts
Gissel	Langland	Randolph	Wearin
Greaser	Laughlin	Ratliff	Whiting
Greene	Lepley	Rawlings	Mr. Speaker
Hansen of Scott		Reed	

The nays were, 11.

Allen	Garrett	Nelson of Story	Reimers
Ballew	Johnson of	Pendray	Simmer
Craven	Marion	Randall	Stanzel

Absent or not voting, 21.

Aiken	Dayton	Hansen of	Miller
Augustine	Drake of	Audubon	O'Donnell
Babcock	Muscatine	Koch	Short
Bair	Fabritz	McCaulley	Strachan
Berry	Finnern	Mead	Van Wert
Davis		Millhone	Witt

Motion to reconsider prevailed.

Brown of Polk offered the following amendment as a substitute for the committee amendment to section five (5).

Amend by striking section five (5).

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 58.

Avery	Greene	Lichty	Sours
Beath	Hansen of	Long	Stiger
Bonnstetter	Audubon	McCreery	Strachan
Brown	Hansen of Scott	McDermott	Tamisiea
Byers	Hayes	McLain	TePaske
Davis	Helgason	Mathews	Thiessen
Ditto	Hesse	Mayne	Thompson
Donlon	Hollingsworth	Mead	Van Buren
Drake of Keokuk	Hollis	Morton	Van Wert
Elliott	Hunt	Nelson of	Wamstad
Ellsworth	Husted	Cherokee	Watts
Felter	Hutcheon	Orr	Whiting
Finnern	Kern	Paisley	
Forsling	Kohler	Ryder	
Gilmore	Lamb	Shields	
Greaser	Laughlin	Snyder	

The nays were, 34.

Allen	Hanson of	Nelson of Story	Reed
Ballew	Winnebago	Osborn	Reimers
Craven	Hook	Pattison	Roe
Dayton	Hopkins	Peaco	Rylander
Durant	Hush	Pendray	Short
Figgins	Johnson of	Randall	Simmer
Gallagher	Marion	Randolph	Stanzel
Garrett	Lepley	Ratliff	Torgeson
Gissel	Malone	Rawlings	Mr. Speaker

Absent or not voting, 16.

Aiken	Drake of	McCaulley	Wearin
Augustine	Muscatine	Millhone	Witt
Babcock	Fabritz	Miller	
Bair	Koch	O'Donnell	
Berry	Langland	Rutledge	

Motion prevailed and substitution was made.

Kern of Polk moved the previous question on the substitute amendment by Brown of Polk.

Motion prevailed.

On the question "Shall the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 71.

Augustine	Gilmore	Lamb	Randolph
Avery	Gissel	Langland	Reed
Beath	Greaser	Lichty	Rutledge
Bonnstetter	Greene	Long	Ryder
Brown	Hansen of	McCaulley	Shields
Byers	Audubon	McCreery	Short
Dayton	Hansen of Scott	McDermott	Snyder
Ditto	Hanson of	McLain	Stiger
Donlon	Winnebago	Mathews	Strachan
Drake of Keokuk	Hayes	Mayne	Tamisiea
Drake of	Helgason	Mead	TePaske
Muscataine	Hesse	Millhone	Thiessen
Elliott	Hollingsworth	Morton	Thompson
Ellsworth	Hollis	Nelson of	Van Wert
Felter	Hook	Cherokee	Wamstad
Figgins	Hopkins	O'Donnell	Wearin
Finnern	Husted	Orr	Whiting
Forsling	Hutcheon	Paisley	Mr. Speaker
Gallagher	Kern	Pendray	

The nays were, 21.

Allen	Hush	Nelson of Story	Rylander
Ballew	Johnson of	Osborn	Simmer
Craven	Marion	Pattison	Stanzel
Durant	Lepley	Ratliff	Torgeson
Garrett	Malone	Reimers	
Hunt	Miller	Roe	

Absent or not voting, 16.

Aiken	Davis	Laughlin	Sours
Babcock	Fabritz	Peaco	Van Buren
Bair	Koch	Randall	Watts
Berry	Kohler	Rawlings	Witt

Substitute amendment adopted.

Rutledge of Webster offered the following amendment and moved its adoption:

Amend by striking in lines fifteen (15) and sixteen (16) of section three (3) the words "marketable quantity in the State and or" and by adding after the word "quality" in line sixteen (16) the words "and in a quantity".

Brown of Polk moved as a substitute for all pending amendments that the enacting clause be stricken from the bill.

Forsling of Woodbury asked and obtained unanimous consent to withdraw Senate File No. 193 from the committee on judiciary and be considered at this time.

Senate File No. 193, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by striking from line seven (7) of section one (1) the words "thereto including" and inserting in lieu thereof the word "to".

Amendment adopted.

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, 88.

Allen	Greaser	Lepley	Randolph
Augustine	Greene	Long	Rawlings
Avery	Hansen of	McCreery	Reed
Bair	Audubon	McDermott	Reimers
Ballew	Hansen of Scott	McLain	Roe
Beath	Hanson of	Malone	Rutledge
Bonnstetter	Winnebago	Mathews	Ryder
Brown	Hayes	Mayne	Rylander
Byers	Helgason	Mead	Short
Davis	Hesse	Millhone	Snyder
Dayton	Hollingsworth	Miller	Sours
Ditto	Hollis	Morton	Stiger
Donlon	Hook	Nelson of	Strachan
Durant	Hopkins	Cherokee	Tamisiea
Elliott	Hunt	Nelson of Story	TePaske
Ellsworth	Hush	O'Donnell	Thiessen
Felter	Husted	Orr	Thompson
Figgins	Hutcheon	Osborn	Torgeson
Finnern	Hanson of	Paisley	Van Buren
Forsling	Marion	Pattison	Wamstad
Garrett	Kern	Peaco	Wearin
Gilmore	Koch	Pendray	Whiting
Gissel	Langland	Randall	Mr. Speaker

The nays were, 1.

Stanzel

Absent or not voting, 19.

Aiken	Drake of	Lamb	Shields
Babcock	Muscatine	Laughlin	Simmer
Berry	Fabritz	Lichty	Van Wert
Craven	Gallagher	McCaulley	Watts
Drake of Keokuk	Kohler	Ratliff	Witt

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

Simmer of Wapello moved that the House adjourn until 9:00 a. m. Wednesday.

On the question "Shall the House adjourn?" a roll call was demanded.

The ayes were, 32.

Allen	Hansen of	Hush	Roe
Bair	Audubon	Husted	Rylander
Beath	Hansen of Scott	Lamb	Sours
Durant	Hanson of	Lepley	Torgeson
Finnern	Winnebago	Morton	Wamstad
Forsling	Hollingsworth	Nelson of Story	Watts
Garrett	Hook	Osborn	Wearin
Gilmore	Hunt	Pendray	Mr. Speaker
Gissel		Rawlings	

The nays were, 41.

Avery	Hayes	Long	Rutledge
Brown	Helgason	McCaulley	Ryder
Byers	Hesse	McCreery	Shields
Ditto	Hollis	Mathews	Stanzel
Drake of	Hopkins	Mayne	Stiger
Muscatine	Hutcheon	Mead	Strachan
Elliott	Kern	O'Donnell	Tamisiea
Ellsworth	Koch	Orr	Thiessen
Felter	Langland	Pattison	Thompson
Figgins	Lichty	Peaco	Whiting
Greene		Reed	

Absent or not voting, 35.

Aiken	Drake of Keokuk	McLain	Reimers
Augustine	Fabritz	Malone	Short
Babcock	Gallagher	Millhone	Simmer
Ballew	Greaser	Miller	Snyder
Berry	Johnson of	Nelson of	TePaske
Bonnstetter	Marion	Cherokee	Van Buren
Craven	Kohler	Paisley	Van Wert
Davis	Laughlin	Randall	Witt
Dayton	McDermott	Randolph	
Donlon		Ratliff	

Motion to adjourn lost.

The House resumed consideration of House File No. 139.

Allen of Pocahontas moved that action on the motion to strike

the enacting clause be made a special order for 9:30 a. m. Wednesday.

Hutcheon of Greene moved the previous question on all pending motions.

Motion prevailed.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned demand a call of the House on the motion by Brown of Polk:

BYRON G. ALLEN  
FRANK BYERS  
GEO. H. MAYNE  
H. N. HANSON  
S. B. DURANT

Hayes of Dubuque moved that the call of the House be now raised.

On the question "Shall the call be raised?" a roll call was demanded.

The ayes were, 48.

Avery	Greene	McLain	Shields
Beath	Hansen of	Mead	Snyder
Brown	Audubon	Millhone	Sours
Dayton	Hayes	Morton	Stanzel
Ditto	Hesse	O'Donnell	Stiger
Donlon	Hollis	Orr	Strachan
Elliott	Hook	Paisley	Tamisiea
Ellsworth	Hutcheon	Peaco	Thiessen
Figgins	Kern	Pendray	Wearin
Forsling	Lamb	Randall	Whiting
Gilmore	Lichty	Reed	
Gissel	Long	Rutledge	
Greaser	McCaulley	Ryder	

The nays were, 35.

Allen	Hanson of	McDermott	Rylander
Bair	Winnebago	Mathews	Short
Byers	Hollingsworth	Mayne	Thompson
Drake of	Hopkins	Nelson of	Torgeson
Muscatine	Hunt	Cherokee	Van Buren
Durant	Husted	Nelson of Story	Wamstad
Felter	Koch	Osborn	Watts
Finnern	Langland	Pattison	Mr. Speaker
Garrett	Lepley	Rawlings	
Hansen of Scott	McCreery	Roe	



Absent or not voting, 25.

Aiken	Craven	Johnson of	Ratliff
Augustine	Davis	Marion	Reimers
Babcock	Drake of Keokuk	Kohler	Simmer
Ballew	Fabritz	Laughlin	TePaske
Berry	Gallagher	Malone	Van Wert
Bonnstetter	Helgason	Miller	Witt
	Hush	Randolph	

Motion prevailed and the call was raised.

On the question "Shall the motion by Brown of Polk be made a special order?" a roll call was demanded.

The ayes were, 42.

Allen	Gissel	Langland	Rylander
Bair	Hansen of	Lepley	Short
Beath	Audubon	McLain	Snyder
Davis	Hanson of	Millhone	Sours
Dayton	Winnebago	Morton	Stanzel
Donlon	Helgason	Nelson of Story	TePaske
Drake of	Hollingsworth	Osborn	Torgeson
Muscatine	Hunt	Pattison	Wamstad
Durant	Hush	Pendray	Watts
Finnern	Johnson of	Randall	Wearin
Forsling	Marion	Rawlings	Mr. Speaker
Garrett		Reed	

The nays were, 42.

Avery	Hayes	Long	Peaco
Byers	Hesse	McCaulley	Roe
Ditto	Hollis	McDermott	Rutledge
Elliott	Hook	Mathews	Ryder
Ellsworth	Hopkins	Mayne	Shields
Felter	Husted	Mead	Stiger
Figgins	Hutcheon	Nelson of	Strachan
Gilmore	Kern	Cherokee	Tamisia
Greaser	Koch	O'Donnell	Thompson
Greene	Lamb	Orr	Whiting
Hansen of Scott	Lichty	Paisley	

Absent or not voting, 24.

Aiken	Brown	Laughlin	Reimers
Augustine	Craven	McCreery	Simmer
Babcock	Drake of Keokuk	Malone	Thiessen
Ballew	Fabritz	Miller	Van Buren
Berry	Gallagher	Randolph	Van Wert
Bonnstetter	Kohler	Ratliff	Witt

Motion lost.

#### HOUSE FILES WITHDRAWN

Hayes of Dubuque asked and obtained unanimous consent to

have House File No. 278 withdrawn from further consideration of the House.

Rutledge of Webster asked and obtained unanimous consent to have House File No. 258 withdrawn from the committee on cities and towns and from further consideration of the House.

Forsling of Woodbury asked and obtained unanimous consent to have House File No. 274 withdrawn from the committee on judiciary and from further consideration of the House.

Peaco of Clinton asked and obtained unanimous consent to have five hundred additional copies of House File No. 105, as amended, printed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 31, 35 and 75.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 31, 35 and 75.

#### BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had on February 13th, approved the following bill:

House File No. 145.

On request of Wearin of Mills, the following resolution was ordered printed in the Journal:

## RESOLUTION

Hollingsworth of Boone, Van Buren of Jones and Bair of Buena Vista offered the following resolution:

*Whereas*, Changed economic conditions, stagnation in all commercial lines, large and growing urban unemployment and general dissatisfaction with everything done and to be done, has created a trend toward paternalism and a movement back to the soil, which is having a tendency toward displacing real, honest-to-goodness dirt farmers with careless, indifferent and incompetent city chaps who will surely bring the ancient and honorable vocation of farming into disrepute and ridicule; therefore

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly of Iowa*, That on and after the taking effect of this Act no person shall perform the work of a farmer within this state unless he has first procured a license. to be procured as hereinafter provided.

*Resolved*, That within the meaning of this Act, the work of a farmer shall constitute any and all disturbances of the soil by plow, shovel, spade, cultivator, disk or any other instrument by which the surface of the ground is broken for the purpose of raising any crop of corn, oats, wheat, rye, barley or any other crop requiring cultivation; or feeding or otherwise giving aid or comfort to horses, cows, hogs, sheep or any other domestic animal, provided that for the purpose of this Act dogs and cats shall not be considered domestic animals; or giving Wall Street, the Federal Reserve Bank, the railroads and the money power generally the proper and necessary oral chastisement for puncturing the balloon of Middle West prosperity.

*Resolved*, That a license board is hereby created in each county. The board shall consist of the president of the Chamber of Commerce of the largest town in the county, and two others of the county to be selected by lot among those who were either born on a farm or who have had at least three weeks experience in farm work.

*Resolved*, That the board shall prescribe the necessary rules and regulations for such examinations as it may require before granting of licenses, provided that any applicant for a license will be required to furnish evidence of good moral character, certified by his township justice of the peace or constable and provided further, that the applicant must be able to pass an examination in each and all of the following subjects, to-wit: Theology, law, medicine, social service, plumbing, blacksmithing, cosmetology, teaching, banking, and such other subjects as the board may prescribe.

*Resolved*, That except as otherwise provided, each person issued a license must pay an annual fee of one dollar (\$1.00).

*Resolved*, That no fee shall be required of land owners, who shall be conclusively presumed to be unable to pay it. No fee shall be required

of a farm hand, who shows by affidavit that he drove his automobile at least ten thousand (10,000) miles during the preceding twelve (12) months.

*Resolved*, That nothing herein contained shall be construed as requiring a farmer who builds or repairs political fences only to procure a license on account of such necessary work.

*Resolved*, That any person violating any of the provisions of this Resolution shall be punished by a fine of not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00), or by imprisonment in the county jail not exceeding thirty (30) days, or by both such fine and imprisonment. Fines may be paid in grain or produce at the market price, and thus reduce the agricultural surplus.

*Now Therefore*, In the event doubts may arise as to the constitutionality of the foregoing resolution;

*Be It Further Resolved*, That the attorney general be and he is hereby requested to give his opinion on the constitutionality thereof.

*Be It Further Resolved*, That we pay no attention to the opinion of the attorney general when given.

#### 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. 16, a bill for an act relating to the powers of the state board of education and the board of control of state institutions to make contracts with municipal corporations for fire protection.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 107, a bill for an act relating to motor vehicle fuel.

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

Senate Joint Resolution No. 5, proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to contracting of debt by the State and the payment thereof.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 44, a bill for an act to amend chapter 197 of the Code, 1927, entitled "Psychopathic Hospital".

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 relating to the minimum wages paid to public school teachers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 54, a bill for an act relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water therefrom.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 156, a bill for an act relating to the levying of a tax to pay pensions to widowed mothers.

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 relating to the transfer of powers and duties of the Board of Supervisors with respect to primary roads, to the State Highway Commission.

WALTER H. BEAM, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 44, a bill for an act to amend chapter 197 of the Code, 1927, entitled "Psychopathic Hospital".

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

Senate File No. 156, a bill for an act to amend chapter ninety-two (92) Acts of the Forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers.

Read first and second times and referred to committee on cities and towns.

Senate File No. 85, a bill for an act to amend section forty-seven hundred fifty-five b thirty-six (4755-b36) of the Code, relating to the transfer of powers and duties of the Board of Supervisors with respect to primary roads, to the State Highway Commission.

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

Senate File No. 39, a bill for an act to repeal section forty-three hundred forty-one (4341), and section forty-three hundred forty-two (4342) Code, 1927, and to enact a substitute therefor, relating to the minimum wages paid to public school teachers.

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

Senate File No. 107, a bill for an act to amend the law as it appears in chapter two hundred fifty-one a one (251-a1) and section forty-seven hundred fifty-five b thirty-eight (4755-b38) of the code of Iowa 1927 by striking the word "gasoline" wherever it appears and substituting the words "motor vehicle fuel", and defining the words "motor vehicle fuel".

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

Senate Joint Resolution No. 5, a joint resolution proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to contracting of debt by the State and the payment thereof.

Read first and second times and referred to committee on constitutional amendments.

Senate File No. 54, a bill for an act to amend Section seventy-seven hundred seventy-one (7771), of the Code of 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water therefrom.

Drake of Muscatine asked and obtained unanimous consent to have Senate File No. 54 substituted for House File No. 76.

#### MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which the amendment to the committee amendment to House File No. 151, offered by Reed of Mahaska, failed to pass the House.

A. H. AVERY.

## AMENDMENTS FILED

Greaser of Benton filed the following amendment to House File No. 170:

Amend House File No. 170 by adding at the end of Section two (2) thereof the following:

"3114-d2. Noxious weeds prohibited. Any commercial feed containing noxious weed seed shall be prohibited from sale unless the feed is so finely ground, heated to a temperature, or otherwise treated, so that the weed seed will not germinate."

Ballew of Appanoose filed the following amendment to House File No. 139:

Amend House File No. 139 by adding the following as Section 5:

Sec. 5. Any officer or person who is connected with, or is a member or agent or representative of any commission, board, committee, officer or other governing body of this state, or of any county, township, school district, city or town, who fails to give preference, as provided in Section 1171-b as amended, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not to exceed one hundred dollars (\$100.00), or by imprisonment in the county jail for not to exceed thirty (30) days. Each separate case of failure to give preference to Iowa materials shall constitute a separate offense.

Dayton of Washington filed the following amendment to House File No. 2.

Amend House File No. 2 by adding to section eight (8) as paragraph three (3) the following:

8. Installment Basis.

(a) Dealers in personal property. Under regulations prescribed by the Board with the approval of the Secretary, a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

(b) Sales of realty and casual sales of personalty. In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1,000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the selling price, the income may, under regulations prescribed by the Board be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the pay-

ments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

(c) Change from accrual to installment basis. If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any year on account of sales or other dispositions of property made in any prior year shall not be excluded.

(d) Gain or loss upon disposition of installment obligations. If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

Simmer of Wapello filed the following amendment to House File No. 151.

Amend House File 151 by substituting for all pending amendments the following:

1. Amend the title by striking all of said title and substituting in lieu thereof the following, "An act to amend Section Six Thousand One Hundred Thirty-four (6134) of Chapter Three Hundred and eleven (311) of the Code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extension thereof".

2. Amend section one (1) by striking all of the first three (3) lines of said section and inserting in lieu thereof the following: "Section six thousand one hundred thirty-four (6134) of the code, 1927, is hereby amended by inserting at the end of sub-section two the following:"

3. By adding after Section two-a (2-a) of the bill the following:

"Sec. 2-b. Such contract shall not constitute a general obligation or be payable in any manner by taxation.

Sec. 2-c. Nothing contained in the last two preceding sub-sections shall be construed as authorizing an establishment of a plant without an election as required by Section sixty-one hundred thirty-one (6131) of this chapter.



Sec. 2-d. Before any municipality shall enter into any such contract as provided in Sec. 2-a hereof, for the establishment of a plant, or for the extension or improvement of an existing plant, to cost \$5000.00 or more, the governing body proposing to make such contract shall give thirty (30) days notice of its intention to adopt proposed plans and specifications and proposed form of contract therefor, by publication once each week for two (2) consecutive weeks in some newspaper of general circulation in the municipality and also in some newspaper of general circulation in the State of Iowa, the first publication of which shall be at least thirty (30) days prior to the time of hearing fixed in said notice. Pursuant to said notice and at such time and place as is fixed therein the governing body shall consider the said plans and specifications, form of contract, and offers and propositions submitted in connection therewith, together with any objections thereto by an interested party, and at such hearing or any adjournment thereof, shall have the power to adopt such offer or offers, propositions, or bids, and enter into such contract or contracts, as they shall deem to be to the best interest of the municipality, with such changes and modifications therein, as may be agreed upon.

Sec. 2-e. The Clerk or Recorder of said municipality shall keep a written record of the proceedings which shall contain a record of the bids or propositions offered, the names of the persons submitting the same, the names of any person or persons appearing as objectors thereto, with a brief statement of such obligations, and a record of all actions of the governing body with relation to such proceedings.

Sec. 2-f. This act shall not affect any pending litigation.

Helgason of Emmet moved that the House adjourn until 9:30 a. m. Wednesday.

Kern of Polk raised the point of order that the motion to adjourn is out of order in as much as the previous question was ordered on all pending motions.

The Speaker held the point of order not well taken.

McCaulley of Calhoun moved to amend the motion by changing the hour from 9:30 a. m. Wednesday to 1:45 p. m. today.

Forsling of Woodbury moved as a substitute that the House do now adjourn until 9:00 a. m. Wednesday.

Motion prevailed and the substitution was made.

Substitute motion prevailed, and 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, FEBRUARY 18, 1931.

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

Prayer was offered by the Rev. A. P. Blough, pastor of the Church of the Brethren, Waterloo, Iowa.

Journal of February 17th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Ditto of Osceola for the day, on request of Hesse of O'Brien.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Gissel of Buchanan, from citizens of Buchanan county, favoring excise tax on butter substitutes. Agriculture.

By Greene of Pottawattamie, from painters and paperhangers of Iowa, favoring a law to be known as the Iowa State Masters House Painter and Paperhanger and Decorators Act. Judiciary.

By Garrett of Wayne, from citizens of Lineville, favoring a diversion of the primary road fund. Roads and highways.

By Hesse of O'Brien, from citizens of O'Brien county, favoring a diversion of the primary road fund. Roads and highways.

By Miller of Shelby, from citizens of Shelby, favoring a diversion of the primary road fund. Roads and highways.

By Stanzel of Sac, from citizens of Early, favoring a diversion of the primary road fund. Roads and highways.

By Hopkins of Guthrie, from citizens of Menlo, favoring a diversion of the primary road fund. Roads and highways.

By Nelson of Cherokee, from citizens of Meriden, favoring a diversion of the primary road fund. Roads and highways.

By Gilmore of Cedar, from citizens of Lowden, favoring House File No. 243. Roads and highways.

By Miller of Shelby, from citizens of Harlan, opposing an amusement tax. Tax revision.

By Hayes of Dubuque, from the city council of Dubuque, opposing the county assessor plan. Tax revision.

By Ellsworth of Hardin, from the W. C. T. U. of Ackley, opposing compulsory military training. State educational institutions.

By Kern of Polk, from the Polk county members of the Journeyman Barbers' International Union of America and the Polk county members of the Associated Master Barbers of America, opposing House File No. 140 and favoring Senate File No. 49 and House File No. 178. Public health.

By Ratliff of Henry, from citizens of Salem, opposing the county assessor plan. Tax revision.

By Mead of Howard, from the 20th Century Club of Cresco, and the Iowa Federation of Women's Clubs of Howard county, favoring House File No. 87. Ways and means.

By Mead of Howard, from the Cresco post of the American Legion, favoring compulsory military training in the state schools. State educational institutions.

#### AMENDMENT WITHDRAWN

Stiger of Tama asked and obtained unanimous consent to withdraw the amendment filed by him to House File No. 151, and found in the Journal of February 16th.

#### HOUSE JOINT RESOLUTION NO. 6 REREFERRED

Tamisiea of Harrison asked and obtained unanimous consent to have House Joint Resolution No. 6 withdrawn from the committee on private corporations and referred to the committee on judiciary.

## REPORTS OF COMMITTEES

Shields of Clarke, 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. 220, a bill for an act to amend sections seven (7), twelve (12) and fifteen-a one (15-a1) of chapter twenty (20), Acts of the Forty-third (43d) General Assembly and to repeal sections thirteen (13) and sixteen (16) of chapter twenty (20) Acts of the Forty-third (43d) General Assembly, relating to tax levies for secondary road purposes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

LEROY SHIELDS, *Chairman.*

Passed on file.

Hush of Montgomery, 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. 33, a bill for an act to repeal the law as it appears in chapter two hundred fifteen-B one (215-B1), code, 1927, as amended by chapter one hundred seven (107), Acts of the Forty-third General Assembly and also chapter one hundred fifteen (115), Acts of the Forty-third General Assembly relating to tax free lands; and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

HOMER HUSH, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 89, a bill for an act relating to assessment of mortgaged property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

HOMER HUSH, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 114, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164) of the code, 1927, so as to provide for the distribution of the tax realized on money and credits to district school 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.

HOMER HUSH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 38, a bill for an act to amend section six thousand nine hundred fifty-one (6951), code, 1927, relating to the suspension, cancellation or remission of taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking from line four (4) of section one (1) the following: " , cancel or remit".

Also, amend by striking the publication clause.

HOMER HUSH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 106, a bill for an act to regulate the sale of oleo-margarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary 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:

HOMER HUSH, *Chairman*.

Report adopted.

Hopkins of Guthrie, 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. 230, a bill for an act to repeal section fifty-three hundred forty-six (5346) of the code, 1927, and to enact a substitute therefor, requiring the board of supervisors of the county to pay the proportional cost of educating the children residing at the county farm, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

## HOUSE FILES WITHDRAWN

Short of Woodbury asked and obtained unanimous consent to have House File No. 188 withdrawn from the committee on county and township organization and from further consideration of the House.

Helgason of Emmet asked and obtained unanimous consent to have House File No. 74 withdrawn from the committee on ways and means and from further consideration of the House.

## INTRODUCTION OF BILLS

House File No. 324, by Brown of Polk, a bill for an act to amend section thirty-six hundred forty-three (3643), code, 1927, relating to the care of neglected, dependent and delinquent children.

Read first and second times and referred to committee on child welfare.

House File No. 325, by Johnson of Marion, a bill for an act to repeal chapter one hundred two (102), acts of the forty-third (43rd) general assembly, relating to attaching and detaching territory; to amend section four thousand one hundred fifty-two (4152), code, 1927, relating to the subdivision of independent districts, and to enact a law fixing a minimum limitation upon the size of independent school districts.

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

House File No. 326, by Rutledge of Webster, a bill for an act to permit cities and towns to provide a pension system for aged and disabled waterworks employees.

Read first and second times and referred to committee on cities and towns.

## COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

February 17, 1931.

*Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:*

In my Inaugural Message I brought to you what I believe to be a strong

conviction with the people of Iowa regarding taxation and the expenditure of public money. I gathered this information from personal contact with the people in every section of our state. In that message I said to you:

"The day of retrenchment is at hand. Not a dollar should be appropriated out of the State Treasury unless deemed by you indispensable in carrying on the state's business. Every demand on the State Treasury should be rejected unless backed by reasons based on necessity."

I feel it imperative on me by reason of some proposed legislation to again bring the subject of economy in public expenditures to your attention. No appropriation should be made, increasing a public expenditure unless it can be positively shown that the increase is saved by retrenchment in another direction. The askings this year are more than in any past session. As a matter of sound public policy, the appropriations must be definitely reduced.

Furthermore no new sources of revenue should be added simply for the purpose of raising additional money to be spent. If new sources of revenue are found by you the revenue so derived should replace revenue now derived from direct taxation. This applies not only to the proposed Income Tax but to all other form of new taxes to the end that the burden of taxation may be equalized, with expenditures reduced, rather than increased.

The people not only expect, but are demanding that these principles be applied in our conduct of government and I ask that in all your deliberations you keep them in mind.

Respectfully submitted,

DAN W. TURNER, *Governor.*

### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 139, a bill for an act to amend the law as it appears in section eleven hundred seventy-one-b1 (1171-b1) of the code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b3 (1171-b3) of the code, 1927, and to further provide for the giving of preference to domestic products and to Iowa labor in all public works or improvements and in the purchase of all materials for use in connection with public institutions.

Ballew of Appanoose moved that action on House File No. 139 be deferred and retain its place on the calendar.

Rutledge of Webster raised the point of order that the previous question had been ordered.

Speaker held that action could be deferred by two-thirds vote.

On the question, "Shall action be deferred?" a roll call was demanded.

The ayes were, 35.

Augustine	Hanson of	Osborn	Short
Ballew	Winnebago	Pattison	Simmer
Bonnstetter	Hush	Pendray	TePaske
Figgins	Johnson of	Randall	Torgeson
Forsling	Marion	Randolph	Van Wert
Garrett	Langland	Rawlings	Wamstad
Gilmore	Laughlin	Reimers	Wearin
Gissel	McCreery	Roe	Witt
Greaser	McLain	Rylander	Mr. Speaker
	Nelson of Story		

The nays were, 49.

Avery	Greene	Lepley	Reed
Brown	Hansen of	Lichty	Rutledge
Byers	Audubon	Mathews	Ryder
Craven	Hayes	Mayne	Shields
Dayton	Helgason	Mead	Sours
Drake of	Hesse	Miller	Stanzel
Muscatine	Hollis	Nelson of	Stiger
Durant	Hopkins	Cherokee	Strachan
Elliott	Hutcheon	O'Donnell	Tamisiea
Ellsworth	Kern	Orr	Thiessen
Felter	Koch	Paisley	Thompson
Finnern	Kohler	Peaco	Watts
Gallagher	Lamb	Ratliff	Whiting

Absent or not voting, 24.

Aiken	Davis	Hollingsworth	McDermott
Allen	Ditto	Hook	Malone
Babcock	Donlon	Hunt	Millhone
Bair	Drake of Keokuk	Husted	Morton
Beath	Fabritz	Long	Snyder
Berry	Hansen of Scott	McCaulley	Van Buren

Motion to defer action lost.

Brown of Polk called up his motion striking the enacting clause in House File No. 139, offered by him and found in the Journal of February 17th.

Brown of Polk asked and obtained unanimous consent to withdraw his motion.

Rutledge of Webster called up the amendment offered by him and found in the Journal of February 17th and moved its adoption.

Amendment adopted.

Ballew of Appanoose called up the amendment filed by him



and found in the Journal of February 17th, and moved its adoption.

Amendment lost.

Ballew 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, 41.

Augustine	Greaser	Kohler	Simmer
Berry	Hanson of	Langland	Snyder
Bonnstetter	Winnebago	Laughlin	Sours
Davis	Helgason	Lichty	TePaske
Donlon	Hesse	McCreery	Torgeson
Durant	Hollingsworth	Millhone	Van Buren
Elliott	Hook	Morton	Wamstad
Figgins	Hush	Osborn	Watts
Forsling	Johnson of	Pendray	Witt
Garrett	Marion	Randall	Mr. Speaker
Gilmore	Kern	Randolph	

The nays were, 54.

Avery	Hansen of	Malone	Reed
Ballew	Audubon	Mathews	Rutledge
Beath	Hansen of Scott	Mayne	Ryder
Brown	Hayes	Mead	Rylander
Byers	Hollis	Miller	Shields
Craven	Hopkins	Nelson of	Short
Drake of Keokuk	Hutcheon	Cherokee	Stanzel
Drake of	Koch	Nelson of Story	Stiger
Muscatine	Lamb	O'Donnell	Tamisiea
Ellsworth	Lepley	Orr	Thiessen
Felter	Long	Paisley	Thompson
Finnern	McCaulley	Peaco	Van Wert
Gallagher	McDermott	Ratliff	Wearin
Gissel	McLain	Rawlings	Whiting
Greene			

Absent or not voting, 13.

Aiken	Dayton	Hunt	Reimers
Allen	Ditto	Husted	Roe
Babcock	Fabritz	Pattison	Strachan
Bair			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Helgason of Emmet moved that the vote by which House File No. 139 failed to pass the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

The House resumed consideration of House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the Code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof.

Elliott of Scott called up the substitute amendment offered by him and found on page 525 of the Journal of February 17th and moved its adoption.

Wearin of Mills moved the previous question on the question of substitution.

Motion prevailed.

On the question, "Shall substitution be made?" a roll call was demanded.

The ayes were, 38.

Avery	Gilmore	Kern	Peaco
Ballew	Greene	Koch	Reed
Brown	Hansen of	Long	Roe
Byers	Audubon	McCaulley	Rutledge
Drake of Keokuk	Hansen of Scott	McCreery	Ryder
Elliott	Hayes	McLain	Stiger
Ellsworth	Hesse	Mayne	Tamisiea
Forsling	Husted	Millhone	Thiessen
Gallagher	Hutcheon	Orr	Witt
Garrett	Johnson of	Paisley	
	Marion		

The nays were, 60.

Allen	Greaser	Mathews	Short
Augustine	Hanson of	Mead	Simmer
Bair	Winnebago	Morton	Snyder
Beath	Helgason	Nelson of	Sours
Berry	Hollingsworth	Cherokee	Stanzel
Bonnstetter	Hook	Nelson of Story	Strachan
Craven	Hopkins	O'Donnell	TePaske
Davis	Hunt	Osborn	Thompson
Donlon	Hush	Pendray	Torgeson
Drake of	Kohler	Randall	Van Buren
Muscatine	Lamb	Randolph	Van Wert
Durant	Langland	Ratliff	Wamstad
Felter	Laughlin	Rawlings	Wearin
Figgins	Lepley	Reimers	Whiting
Finnern	McDermott	Rylander	Mr. Speaker
Gissel	Malone	Shields	

Absent or not voting, 10.

Aiken	Ditto	Lichty	Pattison
Babcock	Fabritz	Miller	Watts
Dayton	Hollis		

Motion to substitute lost.

Simmer of Wapello called up the substitute amendment for all pending amendments, filed by him and found in the Journal of February 17th, and moved its adoption.

Reimers of Lyon moved the previous question on the question of substitution.

Motion prevailed.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 59.

Allen	Hanson of	McLain	Short
Augustine	Winnebago	Malone	Simmer
Bair	Helgason	Mead	Snyder
Beath	Hollingsworth	Morton	Sours
Berry	Hook	Nelson of Story	Stanzel
Bonnstetter	Hopkins	O'Donnell	Strachan
Craven	Hunt	Osborn	TePaske
Davis	Hush	Pendray	Thompson
Donlon	Kohler	Randall	Torgeson
Drake of	Lamb	Randolph	Van Buren
Muscatine	Langland	Ratliff	Van Wert
Durant	Laughlin	Rawlings	Wamstad
Felter	Lepley	Reimers	Wearin
Figgins	McCreery	Rylander	Whiting
Gissel	McDermott	Shields	Mr. Speaker
Greaser			

The nays were, 39.

Avery	Garrett	Johnson of	Orr
Ballew	Gilmore	Marion	Paisley
Brown	Greene	Kern	Peaco
Byers	Hansen of	Koch	Reed
Drake of Keokuk	Audubon	Lichty	Rutledge
Elliott	Hayes	Long	Ryder
Ellsworth	Hesse	McCaulley	Stiger
Finnern	Hollis	Mathews	Tamisiea
Forsling	Husted	Mayne	Thiessen
Gallagher	Hutcheon	Millhone	Witt
		Miller	

Absent or not voting, 10.

Aiken	Ditto	Nelson of	Roe
Babcock	Fabritz	Cherokee	Watts
Dayton	Hansen of Scott	Pattison	

Motion prevailed and the substitution was made.

Hutcheon of Greene moved that House File No. 151 be committed to the judiciary committee with all amendments and that the bill be redrafted and submitted to the House Monday, February 23rd.

Torgeson of Worth moved the previous question on the pending motion, all motions and the main bill.

Motion prevailed.

On the question "Shall House File No. 151 be committed to judiciary committee?" a roll call was demanded.

The ayes were, 43.

Avery	Greene	Lichty	Peaco
Ballew	Hansen of	Long	Reed
Brown	Audubon	McCaulley	Rutledge
Byers	Hansen of Scott	McLain	Ryder
Drake of Keokuk	Hayes	Mathews	Shields
Drake of	Hesse	Millhone	Short
Muscatine	Hollis	Nelson of	Stiger
Elliott	Husted	Cherokee	Tamisiea
Ellsworth	Hutcheon	Nelson of Story	Thiessen
Forsling	Johnson of	Orr	Watts
Gallagher	Marion	Osborn	Witt
Gilmore	Kern	Paisley	

The nays were, 57.

Allen	Hanson of	McCreery	Simmer
Augustine	Winnebago	McDermott	Snyder
Beath	Helgason	Malone	Sours
Berry	Hollingsworth	Mayne	Stanzel
Bonnstetter	Hook	Mead	Strachan
Craven	Hopkins	Miller	TePaske
Davis	Hunt	Morton	Thompson
Donlon	Hush	O'Donnell	Torgeson
Durant	Koch	Pendray	Van Buren
Felter	Kohler	Randall	Van Wert
Figgins	Lamb	Randolph	Wamstad
Finnern	Langland	Ratliff	Wearin
Garrett	Laughlin	Rawlings	Whiting
Gissel	Lepley	Reimers	Mr. Speaker
Greaser		Roe	

Absent or not voting, 8.

Aiken	Bair	Ditto	Pattison
Babcock	Dayton	Fabritz	Rylander

Motion lost.

On the question "Shall the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 66.

Allen	Craven	Durant	Gissel
Augustine	Davis	Felter	Greaser
Bair	Donlon	Figgins	Hanson of
Beath	Drake of Keokuk	Finnern	Winnebago
Berry	Drake of	Forsling	Helgason
Bonnstetter	Muscatine	Gilmore	Hesse

Hollingsworth	McDermott	Randolph	Strachan
Hook	McLain	Ratliff	Tamisiea
Hopkins	Malone	Rawlings	TePaske
Hunt	Mathews	Reimers	Thompson
Hush	Mead	Roe	Torgeson
Kohler	Miller	Shields	Van Buren
Lamb	Morton	Short	Van Wert
Langland	O'Donnell	Simmer	Wamstad
Laughlin	Osborn	Snyder	Wearin
Lepley	Pendray	Sours	Whiting
McCreery	Randall	Stanzel	Mr. Speaker

The nays were, 29.

Avery	Hansen of	Kern	Paisley
Bailew	Audubon	Lichty	Peaco
Brown	Hansen of Scott	Long	Reed
Byers	Hayes	McCaulley	Ryder
Elliott	Hollis	Mayne	Stiger
Ellsworth	Hutcheon	Nelson of	Thiessen
Gallagher	Johnson of	Cherokee	Witt
Garrett	Marion	Orr	
Greene			

Absent or not voting, 13.

Aiken	Fabritz	Millhone	Rylander
Babcock	Husted	Nelson of Story	Watts
Dayton	Koch	Pattison	
Ditto		Rutledge	

Substitute amendment adopted.

Simmer 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, 76.

Allen	Greaser	Lepley	Roe
Augustine	Greene	Lichty	Shields
Bair	Hansen of	McCreery	Short
Beath	Audubon	McDermott	Simmer
Berry	Hanson of	McLain	Snyder
Bonnstetter	Winnebago	Malone	Sours
Craven	Helgason	Mathews	Stanzel
Davis	Hesse	Mead	Strachan
Donlon	Hollingsworth	Millhone	Tamisiea
Drake of Keokuk	Hollis	Miller	TePaske
Drake of	Hook	Morton	Thompson
Muscatine	Hopkins	O'Donnell	Torgeson
Durant	Hunt	Osborn	Van Buren
Ellsworth	Hush	Pendray	Van Wert
Felter	Hutcheon	Randall	Wamstad
Figgins	Koch	Randolph	Watts
Finnern	Kohler	Ratliff	Wearin
Forsling	Lamb	Rawlings	Whiting
Gilmore	Langland	Reed	Mr. Speaker
Gissel	Laughlin	Reimers	

The nays were, 23.

Avery	Hayes	McCaulley	Peaco
Ballew	Husted	Mayne	Rutledge
Brown	Johnson of	Nelson of	Ryder
Elliott	Marion	Cherokee	Stiger
Gallagher	Kern	Orr	Thiessen
Garrett	Long	Paisley	Witt
Hansen of Scott			

Absent or not voting, 9.

Aiken	Dayton	Fabritz	Pattison
Babcock	Ditto	Nelson of Story	Rylander
Byers			

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

Hush of Montgomery moved that the vote by which House File No. 151 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 155, a bill for an act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions, with report of committee recommending amendment and passage, was taken up for consideration.

Morton of Wright called up the amendments filed by him and found in the Journal of February 10th and moved their adoption.

Forsling of Woodbury moved that House File No. 155 be referred to the committee on judiciary.

Motion prevailed.

House File No. 170, a bill for an act to amend section thirty-one hundred fourteen (3114), code, 1927; to provide for the classifying and labeling of poultry shells, and to amend chapter eighty-four (84), acts Forty-third (43rd) General Assembly, relating to the labeling of commercial feeds and stock tonics, with report of committee recommending passage, was taken up for consideration.

Greaser of Benton called up the amendment filed by him and found in the Journal of February 17th, and moved its adoption.

Amendment adopted.

Davis of Delaware called up the amendment filed by him and found in the Journal of February 16th, and moved its adoption.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 62.

Augustine	Hansen of	Langland	Reed
Avery	Audubon	Laughlin	Reimers
Beath	Hansen of Scott	Lepley	Roe
Berry	Hanson of	Lichty	Ryder
Brown	Winnebago	Long	Rylander
Byers	Helgason	McLain	Shields
Craven	Hollingsworth	Mathews	Snyder
Davis	Hook	Mayne	Stanzel
Donlon	Hunt	Mead	Strachan
Drake of Keokuk	Husted	Millhone	TePaske
Durant	Johnson of	Miller	Thiessen
Elliott	Marion	Morton	Thompson
Forsling	Kern	Nelson of	Torgeson
Gallagher	Koch	Cherokee	Wamstad
Gilmore	Kohler	Peaco	Wearin
Gissel	Lamb	Pendray	Whiting
Greene		Randolph	

The nays were, 23.

Bair	Garrett	Malone	Stiger
Ballew	Greaser	Osborn	Van Buren
Bonnstetter	Hopkins	Paisley	Van Wert
Ellsworth	Hush	Rawlings	Witt
Felter	McCreery	Short	Mr. Speaker
Figgins	McDermott	Sours	

Absent or not voting, 23.

Aiken	Drake of	Hutcheon	Pattison
Allen	Muscatine	McCaulley	Randall
Babcock	Fabritz	Nelson of Story	Ratliff
Dayton	Finnern	O'Donnell	Rutledge
Ditto	Hayes	Orr	Simmer
	Hesse		Tamisia
	Hollis		Watts

Amendment adopted.

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

On the question "Shall the bill pass?"

The ayes were, 86.

Augustine	Ballew	Bonnstetter	Craven
Avery	Beath	Brown	Davis
Bair	Berry	Byers	Donlon

Drake of Keokuk	Hook	Mathews	Short
Durant	Hopkins	Mayne	Snyder
Elliott	Hunt	Mead	Sours
Ellsworth	Hush	Millhone	Stiger
Felter	Husted	Miller	Strachan
Figgins	Hutcheon	Morton	Tamisiea
Finnern	Johnson of	Nelson of	TePaske
Forsling	Marion	Cherokee	Thiessen
Gallagher	Kern	Osborn	Thompson
Garrett	Koch	Paisley	Torgeson
Gilmore	Kohler	Peaco	Van Buren
Gissel	Lamb	Pendray	Van Wert
Greaser	Langland	Randall	Wamstad
Greene	Laughlin	Randolph	Wearin
Hansen of Scott	Lepley	Rawlings	Whiting
Hanson of	Lichty	Reed	Witt
Winnebago	Long	Reimers	Mr. Speaker
Helgason	McCreery	Roe	
Hollingsworth	McLain	Ryder	
Hollis	Malone	Rylander	

The nays were, 1.

Watts

Absent or not voting, 21.

Aiken	Drake of	Hesse	Pattison
Allen	Muscatine	McCaulley	Ratliff
Babcock	Fabritz	McDermott	Rutledge
Dayton	Hansen of	Nelson of Story	Shields
Ditto	Audubon	O'Donnell	Simmer
	Hayes	Orr	Stanzel

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

Reed of Mahaska moved that the vote by which House File No. 170 passed the House be reconsidered and the motion to be laid on the table.

Motion prevailed.

House File No. 102, a bill for an act to amend chapter fifty-seven (57), Acts of the Forty-third (43d) General Assembly, relating to the fees received for fishing and hunting licenses, with report of committee recommending amendment and passage, was taken up for consideration.

Millhone of Page moved the amendment proposed by the committee, found in the Journal of February 7th, be adopted.

Torgeson of Worth moved to amend the committee amendment by striking the word and figure "ten (10)" and inserting in lieu thereof the word and figure "fifteen (15)".



Hush of Montgomery moved the previous question.

Motion prevailed.

Amendment to the committee amendment lost.

Committee amendment adopted.

Malone of Cass moved the previous question.

Motion prevailed.

Millhone 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, 89.

Aiken	Greaser	McCauley	Roe
Bair	Greene	McCreery	Ryder
Ballew	Hansen of	McDermott	Rylander
Beath	Audubon	McLain	Shields
Berry	Hansen of Scott	Malone	Snyder
Bonnstetter	Hanson of	Mathews	Sours
Brown	Winnebago	Mayne	Stanzel
Byers	Hayes	Mead	Stiger
Craven	Hollingsworth	Millhone	Strachan
Davis	Hollis	Miller	Tamisiea
Donlon	Hook	Morton	TePaske
Drake of Keokuk	Hopkins	Nelson of	Thiessen
Drake of	Hunt	Cherokee	Thompson
Muscatine	Hush	O'Donnell	Torgeson
Durant	Hutcheon	Osborn	Van Buren
Elliott	Kern	Paisley	Van Wert
Ellsworth	Koch	Peaco	Wamstad
Felter	Kohler	Pendray	Watts
Figgins	Lamb	Randall	Wearin
Finnern	Langland	Randolph	Whiting
Gallagher	Laughlin	Ratliff	Witt
Garrett	Lichty	Rawlings	Mr. Speaker
Gilmore	Long	Reed	
Gissel		Reimers	

The nays were, 8.

Allen	Forsling	Hesse	Short
Avery	Helgason	Lepley	Simmer

Absent or not voting, 11.

Augustine	Ditto	Johnson of	Orr
Babcock	Fabritz	Marion	Pattison
Dayton	Husted	Nelson of Story	Rutledge

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

Whiting of Johnson moved that the vote by which House File No. 102 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### HOUSE CONCURRENT RESOLUTION NO. 12 CALLED UP

Allen of Pocahontas called up House Concurrent Resolution No. 12 found in the Journal of February 17th and moved its adoption.

Motion prevailed and the concurrent resolution was adopted.

On motion of Bair of Buena Vista the House adjourned until 1:45 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

Hunt of Louisa moved that a committee of three be appointed to notify the Senate that the House was ready to receive them in joint session.

Motion prevailed and the Speaker appointed as such committee: Hunt of Louisa, Morton of Wright and O'Donnell of Carroll.

Hunt of Louisa, from the committee appointed to notify the Senate that the House was ready to receive them in joint session, reported that they had performed their duty. 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 honorable 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 in the west side of the chamber.

#### JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor McFarlane, President of the Senate, presiding.

President McFarlane announced a quorum present and the joint convention duly organized.

Senator Clearman of Johnson moved that a committee of three be appointed, one from the Senate and two from the House, to notify the Iowa Pioneer Lawmakers' Association that the joint convention was ready to receive them.

Motion prevailed and the President appointed as such committee: Senator Clearman of Johnson, Donlon of Palo Alto and Torgeson of Worth.

Senator Clearman from the committee appointed to notify the Iowa Pioneer Lawmakers' Association that the joint convention was ready to receive them, appeared with the visiting guests.

The program was then carried out as arranged by the Iowa Pioneer Lawmakers' Association, Hon. George M. Titus, President of the Association, in charge.

Addresses of welcome were delivered by Hon. Geo. M. Hopkins on the part of the House and Hon. L. H. Doran on the part of the Senate.

President Titus then introduced Hon. Irving Richman of Muscatine, a member of the twenty-third and twenty-fourth general assemblies, who addressed the joint convention.

Senator Hicklin moved that the remarks of the speakers be printed in the Journal, which motion prevailed.

Hon. L. E. Francis, a former member of the Senate in the Thirty-third, Thirty-fourth, Thirty-fifth, and Thirty-sixth General Assemblies, also addressed the Joint Convention.

Craven of Jasper moved the joint convention be dissolved.

Motion prevailed.

The House reconvened, Hon. Joe H. Johnson in the chair.

#### REPORTS OF COMMITTEES

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 47, a bill for an act to amend section thirteen thousand fifteen (13015) chapter five hundred seventy-seven (577) of the Code of 1927, relating to larceny of domestic 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 same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 282, a bill for an act to provide the form of distress warrants issued by the county treasurer for the collection of delinquent personal taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 47, a bill for an act to amend the law as it appears in Section nine (9) and ten (10) of chapter one hundred ninety-four (194) of the laws of the Forty-third General Assembly relating to interest on special assessments and to advertising for bids for street improvements, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 118, a bill for an act requiring state peace officers making arrests of persons charged with violating the liquor prohibition laws to file information against such violators before the state magistrate having jurisdiction of such 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 be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

#### EXPLANATION OF VOTE

The following explanation of vote was filed:

MR. SPEAKER AND MEMBERS OF THE HOUSE: In voting for the Elliott amendment to House File No. 151 and against the Simmer amendment, I am not opposed to the principle of House File No. 151 but I favor the submission of the proposed contract to the electors.

W. E. S. HUTCHEON.

## AMENDMENTS FILED

Wamstad of Mitchell filed the following amendment to House File No. 155:

I move that the proposed amendment to House File No. 155 by Morton of Wright be amended by inserting after the word "automobile" in line one (1) of paragraph fifteen (15) the following: "not to exceed in value six hundred fifty (\$650.00) dollars." Also, insert after the word "horses" the words "or mules".

Van Wert of Franklin filed the following amendment:

I move to amend the amendment to House File No. 2, by striking from Section 4, lines 5 to 17, inclusive, and by substituting in lieu of said stricken lines the following, to-wit:

"The State Board shall, not later than June 30th of each year, commencing with the year 1931, levy on a percentage basis for the ensuing year on all net incomes in excess of the exemptions in this bill provided, a tax, which in the opinion of the Board, will produce revenues sufficient (together with the revenues which the State will probably receive in its general fund during said tax year from sources other than taxes on property) to defray the total expenditures authorized by law to be made from the general fund of the state, during its ensuing fiscal year. Such tax shall first be collected and paid in the year 1932 with a respect to the net income received during the calendar year 1931, or during any tax year ending during the year 1931; provided, however, that the amount of tax so levied for the year 1931 shall not exceed by more than 10 per cent the amount raised by the general State levy for the year 1930, nor shall the amount so levied for any succeeding year exceed by more than 10 per cent the amount levied for the preceding year;"

McCreery of Linn, chairman of the contest committee, filed the following amendment to House File No. 194:

MR. SPEAKER: Your election contest committee in the Hall-Fabritz contest moves to amend House File No. 194 as follows:

By striking Section two (2), and inserting in lieu thereof the following:

Section 2. This act being deemed of immediate importance shall be in full force and effect from and after publication on the Des Moines Daily Record, a newspaper published at Des Moines, Iowa, and the Mitchellville Index, a newspaper published at Mitchellville, Iowa.

McCreery of Linn filed the following amendment to House File No. 1.

Amend House File No. 1 by striking Sections fifteen (15) and sixteen (16), and inserting in lieu thereof the following:

Section 15. Listing property. The county assessor shall appoint one

field man for each township from the qualified electors thereof, who shall list and fix the assessable value on all property within said township including towns of one thousand population.

He shall also appoint one or more field men for each city or town of more than one thousand population to be chosen from the qualified electors thereof, who shall list and fix the assessable value of all property within said city or town.

The field men shall be furnished suitable blanks by the county assessor and shall thereon list and value each item of property separately, together with any debts the taxpayer claims as offsets against moneys and credits, giving the name and address of each creditor and any other information the assessor may require.

These blanks shall be made out in triplicate, each of which shall be signed by the taxpayer under oath. One copy shall be left with the taxpayer and the other two shall be returned to the county assessor not later than April first of each year.

Section 16. Assessment equalization. Upon receipt of such return the county assessor shall proceed to equalize valuations in the county, always considering the information gathered by the field men. Any taxpayer whose valuations have been increased shall be notified not later than June first either in person or by mail. Deposit of such notice in the post office shall constitute delivery and due notice of increase in valuation. Nothing in this or the preceding section shall prevent the county assessor from employing expert help for any assessment district, or from naming general field men.

I also move to amend Section seventeen (17) by striking from line three (3) the words "assessment roll", and inserting in lieu thereof the words "notice of increased valuation".

Strike from line four (4) the words "copy of assessment" and insert in lieu thereof the word "notice".

Also amend by striking from line six (6) of said section seventeen (17) the word "assessment" and insert in lieu thereof the word "valuation".

On motion of Hutcheon of Greene 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, FEBRUARY 19, 1931.

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

Prayer was offered by the Rev. Walter Barlow, pastor of the Collegiate Presbyterian Church, Ames, Iowa.

Journal of February 18th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Fabritz of Wapello for the day, on request of Hutcheon of Greene; Rutledge of Webster for the day, on request of Hayes of Dubuque.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Gissel of Buchanan, from citizens of Buchanan county, demanding the repeal of the T. B. law. Agriculture.

By Tamisiea of Harrison, from citizens of Harrison county, opposing the county assessor plan. Tax revision.

By Felter of Warren, from citizens of Warren county, favoring optional military training at the state schools. State educational institutions.

By Ratliff of Henry, from citizens of New London, favoring a diversion of the primary road fund. Roads and highways.

By TePaske of Sioux, from citizens of Hull, favoring a diversion of the primary road fund. Roads and highways.

By Reimers of Lyon, from citizens of Little Rock, favoring a diversion of the primary road fund. Roads and highways.

By Reimers of Lyon, TePaske of Sioux, Hesse of O'Brien and Ditto of Osceola, from Luncheon Club at Sheldon, Iowa, opposing amusement tax. Tax revision.

By Allen of Pocahontas, from the American Legion of Pocahontas county, favoring compulsory military training. State educational institutions.

By Thompson of Fayette, from the Hannah Lee Chapter of the Daughters of the American Revolution, West Union, favoring compulsory military training. State educational institutions.

By Peaco of Clinton, from the city council of Clinton, favoring regulation of trucks. Motor vehicles and transportation.

By Hanson of Winnebago, from truck owners, favoring a replacement of the present overloading license system. Motor vehicles and transportation.

By Thompson of Fayette, from citizens of Arlington, favoring a diversion of the primary road fund. Roads and highways.

By Thompson of Fayette, from citizens of Elgin, favoring a diversion of the primary road fund. Roads and highways.

By Ballew of Appanoose, from citizens of Centerville, favoring a diversion of the primary road fund. Roads and highways.

By Hanson of Winnebago, from citizens of Thompson, favoring a diversion of the primary road fund. Roads and highways.

By Craven of Jasper, from citizens of Kellogg and Colfax, favoring a diversion of the primary road fund. Roads and highways.

By Hollingsworth of Boone, from citizens of Pilot Mound, favoring a diversion of the primary road fund. Roads and highways.

#### HOUSE FILE NO. 35 RETURNED TO SENATE FOR CORRECTION OF TITLE

Langland of Winneshiek asked and obtained unanimous consent to have House File No. 35 returned to the Senate for correction of title.



## HOUSE FILES WITHDRAWN

Millhone of Page asked and obtained unanimous consent to have House File No. 159 withdrawn from the committee on pharmacy and from further consideration of the House.

Ryder of Dubuque asked and obtained unanimous consent to have House File No. 179 withdrawn from the committee on compensation of public officers and from further consideration of the House.

## CHIEF CLERK AUTHORIZED TO CORRECT HOUSE FILE NO. 151

Simmer of Wapello asked and obtained unanimous consent authorizing the chief clerk to correct the title and any typographical errors to House File No. 151.

## REPORTS OF COMMITTEES

Byers of Linn, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 107, a bill for an act to amend section seven hundred thirty-two (732) of the code, 1927, relating to appointment of election judges, beg leave to report they have had the same 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 "election" in the last line of the bill the following: "from the electors of such precinct".

FRANK C. BYERS, *Chairman.*

Report adopted.

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks has introduced to the House, House File No. 328, a bill for an act to repeal sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), code, 1927, relating to school census and to enact substitutes therefor, to provide for a biennial school census, and to amend section forty-three hundred thirteen (4313), code, 1927, relating to reporting school census.

The committee on schools and textbooks recommends to the House that the bill do pass.

GEO. M. HOPKINS, *Chairman*.

Passed on file.

Hanson of Winnebago, from the committee on agriculture, submitted the following reports:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 201, a bill for an act to repeal sections eighteen hundred forty-six (1846) and eighteen hundred forty-eight (1848) of the code, 1927, and to enact substitutes therefor, relating to the defining of a lawful fence, beg leave to report they have 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.

H. N. HANSON, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 288, a bill for an act to amend sections twenty-nine hundred twenty-one (2921), code, 1927, and twenty-nine hundred twenty-three (2923), code, 1927, relating to state aid to short courses in counties where no county or district fairs are held, beg leave to report they have had the same 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 the word "six" and insertitng in lieu thereof, the word "four".

H. N. HANSON, *Chairman*.

Report adopted.

Brown of Polk, from the committee on cities and towns, submitted the following reports:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 270, a bill for an act to amend section forty-four hundred thirty-three (4433) and section fifty-eight hundred forty-seven (5847) of the code, 1927, relating to recreation places and 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 indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was re-

ferred House File No. 253, a bill for an act to amend sections sixty-five hundred eighty-eight (6588) and sixty-five hundred ninety-two (6592) of the code, 1927, relating to levies by cities, acting under the commission form of government, and to the limitation on such levies, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 284, a bill for an act to amend section fifty-six hundred ninety-four (5694) of the code, 1927, relating to employees of cities under the civil service act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports :

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 334, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1927, relating to the refunding of the tax on gasoline.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 335, a bill for an act to repeal chapter one hundred sixty-two (162), Acts of the Forty-third (43rd) General Asesmbly, and to enact a substitute therefor, relating to the election and appointment of city and town officers, and to amend section fifty-six hundred thirty-nine (5639), Code, 1927, relating to the power of a mayor to hold police court.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Johnson of Marion, from the committee on police regulations and suppression of crime, submitted the following report:

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred House File No. 109, a bill for an act to repeal sections twelve thousand nine hundred thirty-six (12936) and twelve thousand nine hundred thirty-eight (12938) and to enact substitutes therefor, and to amend sections twelve thousand nine hundred thirty-nine (12939), twelve thousand nine hundred forty-one (12941), twelve thousand nine hundred forty-six (12946), twelve thousand nine hundred forty-seven (12947), twelve thousand nine hundred forty-nine (12949), twelve thousand nine hundred fifty-one (12951), twelve thousand nine hundred fifty-two (12952), twelve thousand nine hundred fifty-three (12953), and twelve thousand nine hundred fifty-five (12955), all of the Code, 1927, relating to the carrying of certain weapons on the person, or having said weapons in or about vehicles, and regulating permits pertaining 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.

J. H. JONSON, *Chairman.*

Report adopted.

Berry, of Monroe, 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. 203, a bill for an act to amend section fifty-five hundred seventy-six (5576) of the code, 1927, relating to transfer of township 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 by striking sub-division two (2) of section one (1) and substituting in lieu thereof as sub-division two (2) the following:

"2. By striking the word "township" after the word "any" in line six (6) and substituting in lieu thereof the words, "school district or districts".

H. S. BERRY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 168, a bill for an act to relieve the county general fund from the payment of certain expenses, and to this end to authorize bills by members of the board of supervisors for certain committee work to be paid from the secondary road funds; also to authorize the expense of the office of the county superintendent of schools to be

paid from school levy required by section forty-three hundred ninety-five (4395), code, 1927; also to authorize the expense attending the making of the annual assessment of property and the preparation of the tax list to be ratably apportioned among and charged to the various funds as shown by the tax list, beg leave to report they have 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.

H. S. BERRY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 191, a bill for an act to authorize the establishment, maintenance and improvement of township parks, to authorize the levy of taxes therefor, to regulate the expenditure of such funds, to authorize the acceptance of gifts, devises, and bequests of property for such purposes, and to grant the power of eminent domain for said purpose, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

H. S. BERRY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 218, a bill for an act to amend section fifty-one hundred thirty-nine (5139) of the code, 1927, relating to the power of the board of supervisors to order the destruction of certain papers and records, beg leave to report they have had the same 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 the word "cancelled" between the words "and" and "county" in the sixth line of section one (1).

H. S. BERRY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 219, a bill for an act to amend chapter ninety-two (92) laws of the forty-third general assembly, relating to the levying of a tax to pay pensions to widowed mothers, beg leave to report they have had the same under consideration and have

instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 250, a bill for an act to amend sections fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10637) of the code, 1927, and chapter twenty (20) acts of the forty-third (43rd) general assembly, relating to the mileage of boards of supervisors, sheriffs, county superintendents, coroners, constables and county engineers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Gilmore of Cedar, 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. 2, a joint resolution proposing an amendment to the Constitution of the State of Iowa by repealing section twenty-two (22) of Article four (IV), and section twelve (12) of Article five (V) of the said constitution, relating to the election of certain state officers, and adopting a substitute for said sections, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

WM. T. GILMORE, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on constitutional amendments, to whom was referred House Joint Resolution No. 5, a joint resolution Proposing an amendment to the constitution of the state of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks playgrounds sites for public buildings, relocation and improvement of waterways, and reservations in and about and along and leading to any or all of the same, with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use 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.

WM. T. GILMORE, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 327, by Finnern of Crawford, a bill for an act to amend the law as it appears in paragraph twenty-eight (28) of section ten thousand eight hundred thirty-seven (10837) of the code of 1927, pertaining to the fee for the issuance of marriage licenses, and creating a fund to be used by the vital statistics division of the state department of health from said marriage license fees.

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

House File No. 328, by committee on schools and textbooks, a bill for an act to repeal sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), code, 1927, relating to school census and to enact substitutes therefor, to provide for a biennial school census, and to amend section forty-three hundred thirteen (4313), code, 1927, relating to reporting school census.

Read first and second times and passed on file.

House File No. 329, by Byers of Linn, a bill for an act to amend section seventy-two hundred eighty-four (7284) of the code, 1927, so as to require county treasurers to record tax sale certificates and assignments thereof, together with the notices required in sections seventy-two hundred seventy-nine (7279) and seventy-two hundred eighty (7280) of the code, 1927, and the affidavit required by section seventy-two hundred eighty-two (7282) of the code, 1927.

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

House File No. 330, by Byers of Linn, a bill for an act to amend section eleven thousand seven hundred forty-four (11744) of the code, 1927, so as to require the recording of assignments of sheriffs' certificates of sale, and providing a fee for making such record.

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

House File No. 331, by Ellsworth of Hardin, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1927, as amended by chapter one hundred eighty-eight (188), acts of the forty-third (43rd) general assembly, relating to taxes for particular purposes in cities and towns, and providing for a levy of two (2) mills for park purposes.

Read first and second times and referred to committee on cities and towns.

House File No. 332, by Ellsworth of Hardin, a bill for an act to repeal section twenty-two hundred thirty-three (2233), code of 1927, and to enact a substitute therefor, relating to meetings of the local board of health.

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

House File No. 333, by Ellsworth of Hardin, a bill for an act to amend section fifty-five hundred forty-three (5543), code of 1927, relating to meetings of the township trustees.

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

House File No. 334, by committee on judiciary, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1927, relating to the refunding of the tax on gasoline.

Read first and second times and passed on file.

House File No. 335, by committee on judiciary, a bill for an act to repeal chapter one hundred sixty-two (162), acts of the forty-third (43rd) general assembly, and to enact a substitute therefor, relating to the election and appointment of city and town officers, and to amend section fifty-six hundred thirty-nine (5639), Code, 1927, relating to the power of a mayor to hold police court.

Read first and second times and passed on file.

House File No. 336, by Davis of Delaware, a bill for an act to repeal the law as it appears in sections one (1), two (2), four (4), five (5), seven (7), nine (9), and ten (10) of Chapter seventy-



five (75), of the laws of the Forty-third General Assembly of Iowa, and to enact substitutes therefor, relating to the eradication of bovine tuberculosis; and to establish the county area plan for the eradication of bovine tuberculosis as it existed under the provisions of Chapter one hundred twenty-nine (129) of the Code of Iowa 1927, and to repeal the state-wide area plan as established and enacted by Chapter seventy-five (75), of the laws of the Forty-third General Assembly of Iowa.

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

#### CONSIDERATION OF BILLS

House File No. 123, a bill for an act to amend section ninety-two hundred fifty-eight-b one (9258-b1), code of 1927, relating to branch banking, and to provide for the receipts of deposits and paying of checks at a place other than the principal place of business of the bank, with report of committee recommending amendment and passage, was taken up for consideration.

Van Buren of Jones asked and obtained unanimous consent to have the amendment filed by him and found in the Journal of February 9th withdrawn.

Van Buren of Jones moved that the amendments proposed by the committee, and found in the Journal of February 13th be adopted.

Ellsworth of Hardin offered the following amendment to the committee amendment and moved its adoption:

Amend committee amendment on House File No. 123 by striking the period (.) after the word "located" in line eight (8) of section ninety-two hundred fifty-eight b1 (9258 b1), and inserting in lieu thereof the following:

"nor in a city or town in which there is already an established banking institution."

Amendment to the committee amendment adopted.

Brown of Polk offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment by striking out from line ten (10) the words "immediately surrounding" and inserting in lieu thereof the words "contiguous to".

Amendment to the committee amendment adopted.

Hollingsworth of Boone offered the following amendment to the committee amendment and moved its adoption:

Amend by striking in line nine (9) of paragraph 2 of the committee amendment the word "new".

Amendment to the committee amendment adopted.

Committee amendments as amended were adopted.

Van Buren 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, 87.

Augustine	Greaser	Long	Roe
Avery	Greene	McCreery	Ryder
Bair	Hansen of	McDermott	Rylander
Ballew	Audubon	McLain	Shields
Beath	Hansen of Scott	Malone	Short
Berry	Hanson of	Mathews	Simmer
Bonnstetter	Winnebago	Mayne	Snyder
Brown	Hayes	Millhone	Stanzel
Byers	Hesse	Morton	Stiger
Davis	Hollingsworth	Nelson of	Strachan
Dayton	Hollis	Cherokee	Tamisiea
Ditto	Hook	Nelson of Story	TePaske
Donlon	Hopkins	O'Donnell	Thiessen
Drake of Keokuk	Hunt	Paisley	Thompson
Drake of	Hush	Pattison	Torgeson
Muscatine	Hutcheon	Peaco	Van Buren
Durant	Kern	Pendray	Van Wert
Elliott	Koch	Randall	Wamstad
Ellsworth	Kohler	Randolph	Watts
Forsling	Lamb	Ratliff	Whiting
Garrett	Langland	Rawlings	Witt
Gilmore	Lepley	Reed	Mr. Speaker
Gissel	Lichty	Reimers	

The nays were, 10.

Allen	Johnson of	McCaulley	Sours
Gallagher	Marion	Mead	Wearin
Helgason	Laughlin	Osborn	

Absent or not voting, 11.

Aiken	Fabritz	Finnern	Orr
Babcock	Felter	Husted	Rutledge
Craven	Figgins	Miller	

So the bill having received a constitutional majority was de-

clared to have passed the House and the title as amended was agreed to.

Van Buren of Jones asked and obtained unanimous consent authorizing the chief clerk to correct the title to House File No. 123.

Van Buren of Jones moved that the vote by which House File No. 123 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Elliott of Scott asked and obtained unanimous consent to withdraw Senate File No. 56 from the committee on public health and substitute it for House File No. 25, the report of the committee recommending passage having been adopted.

Senate File No. 56, a bill for an act to amend the law as it appears in Sections Twenty-Three Hundred Twenty-One (2321), Twenty-Three Hundred Twenty-Two (2322), Fifty-Two Hundred Eighteen (5218), Fifty-Two Hundred Thirty-Seven (5237) and Fifty-Two Hundred Thirty-Eight (5238), all relating to the office of Coroner, specifying added duties for the Coroner, fixing his compensation to be paid out of the County Treasury, requiring the undertaker to promptly notify the Coroner as to certain suspicious deaths, and authorizing the appointment of a Deputy Coroner.

Elliott of Scott offered the following amendment and moved its adoption:

Amend section four (4) of Senate File No. 56 by adding after the word "body" in the eighth (8th) line thereof, the following:

"upon which no inquest is held and where there is no medical attendant at death and where such examination is necessary to comply with chapter one hundred ten (110) of the code, 1927, the sum of five dollars (\$5.00) and an additional five dollars (\$5.00) where an inquest is held or where the death occurred under such suspicious circumstances as to make advisable prompt investigating of the facts, and the preserving of weapons and finger prints, and".

Amendment adopted.

Hutcheon of Greene offered the following amendment and moved its adoption:

Amend Senate File No. 56 by striking in line seven (7) of section four (4) the period (.) and inserting in lieu thereof a comma (,) and adding thereto the following: "and the county shall be permitted to file and collect a claim against the estate of said decedent for said fees".

Amendment adopted.

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?"

The ayes were, 59.

Augustine	Hansen of	Langland	Randolph
Avery	Audubon	Lichty	Rawlings
Beath	Hansen of Scott	Long	Reimers
Berry	Hayes	McDermott	Ryder
Brown	Helgason	McLain	Short
Byers	Hesse	Mayne	Snyder
Dayton	Hollingsworth	Mead	Sours
Donlon	Hollis	Millhone	Stiger
Drake of Keokuk	Hopkins	Morton	TePaske
Drake of	Hunt	Orr	Thiessen
Muscatine	Hutcheon	Osborn	Thompson
Durant	Johnson of	Paisley	Wamstad
Elliott	Marion	Pattison	Whiting
Ellsworth	Kern	Peaco	Witt
Garrett	Koch	Pendray	Mr. Speaker
Gissel	Kohler		

The nays were, 27.

Ballew	Greaser	Malone	Rylander
Bonnstetter	Greene	Mathews	Shields
Felter	Hanson of	Miller	Stanzel
Figgins	Winnebago	Nelson of Story	Strachan
Finnern	Hush	O'Donnell	Tamisiea
Gallagher	Lamb	Ratliff	Van Wert
Gilmore	Lepley	Reed	Wearin

Absent or not voting, 22.

Aiken	Ditto	McCaulley	Rutledge
Allen	Fabritz	McCreery	Simmer
Babeock	Forsling	Nelson of	Torgeson
Bair	Hook	Cherokee	Van Buren
Craven	Husted	Randall	Watts
Davis	Laughlin	Roe	

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

Elliott of Scott asked and obtained unanimous consent to have the Chief Clerk correct the title, punctuations, and insert amendments properly to Senate File No. 56.

House File No. 75, a bill for an act to amend section twenty-seven (27) of chapter fifty-seven (57), Acts of the Forty-third (43d) General Assembly, relating to petitions for open season on imported game birds, and to grant the right to kill ringneck pheasants at any time under certain conditions, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Durant of Hancock, the amendments proposed by the committee, found in the Journal of February 7th, were adopted.

Allen of Pocahontas offered the following amendment and moved its adoption:

Amend House File No. 75 by striking all of section two (2) and inserting in lieu thereto the following: "The county auditor of each county shall pay a bounty of twenty-five cents (25c) to any person from the domestic animal fund, for each and every pair of pheasant wings turned in at the office of the county auditor to the county in which the pheasant or pheasants were shot, trapped, or poisoned.

Amendment lost.

Malone of Cass moved the previous question.

Motion prevailed.

Durant 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?" Rule 18 was invoked.

The ayes were, 62.

Augustine	Hanson of	McLain	Shields
Beath	Winnebago	Malone	Snyder
Bonnstetter	Helgason	Mathews	Sours
Brown	Hollis	Millhone	Stanzel
Craven	Hook	Morton	Stiger
Davis	Hopkins	Nelson of	Strachan
Drake of	Hunt	Cherokee	TePaske
Muscatine	Hush	Nelson of Story	Thiessen
Durant	Johnson of	Paisley	Thompson
Elliott	Marion	Pendray	Torgeson
Felter	Koch	Randall	Van Buren
Finnern	Kohler	Randolph	Van Wert
Gallagher	Lamb	Ratliff	Wamstad
Gissel	Langland	Rawlings	Watts
Greaser	Lepley	Reimers	Whiting
Hansen of	Lichty	Roe	Mr. Speaker
Audubon	McDermott	Rylander	

The nays were, 40.

Aiken	Drake of Keokuk	Hollingsworth	O'Donnell
Allen	Ellsworth	Hutcheon	Orr
Avery	Figgins	Kern	Osborn
Bair	Forsling	Laughlin	Pattison
Ballew	Garrett	Long	Peaco
Berry	Gilmore	McCaulley	Reed
Byers	Greene	McCreery	Ryder
Dayton	Hansen of Scott	Mayne	Short
Ditto	Hayes	Mead	Tamisiea
Donlon	Hesse	Miller	Wearin

Absent or not voting, 6.

Babcock	Husted	Simmer
Fabritz	Rutledge	Witt

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

Torgeson of Worth moved that the vote by which House File No. 75 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 172, a bill for an act to amend section forty-seven hundred forty-six (4746) of the code, 1927, relating to assessment districts, survey and report, notice and hearing, with report of committee recommending passage, was taken up for consideration.

Durant of Hancock offered the following amendment and moved its adoption:

Amend by striking from line four (4) of section one (1) the word "fifty-one" and inserting in lieu thereof the word "thirty-five".

Amendment lost.

Rylander 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, 66.

Augustine	Ditto	Ellsworth	Greaser
Beath	Donlon	Felter	Hansen of
Bonnstetter	Drake of Keokuk	Figgins	Audubon
Craven	Drake of	Finnern	Hanson of
Davis	Muscatine	Garrett	Winnebago
Dayton	Durant	Gissel	Helgason

Hesse	Malone	Randolph	Stiger
Hook	Mead	Ratliff	TePaske
Hopkins	Morton	Rawlings	Thompson
Hunt	Nelson of	Reed	Torgeson
Hush	Cherokee	Reimers	Van Buren
Hutcheon	Nelson of Story	Roe	Van Wert
Langland	O'Donnell	Rylander	Wamstad
Laughlin	Osborn	Shields	Watts
Lepley	Pattison	Short	Wearin
McCreery	Peaco	Snyder	Mr. Speaker
McDermott	Pendray	Sours	
McLain	Randall	Stanzel	

The nays were, 28.

Allen	Greene	Lichty	Strachan
Avery	Hayes	McCaulley	Tamisiea
Bair	Hollis	Mathews	Thiessen
Ballew	Johnson of	Mayne	Whiting
Berry	Marion	Millhone	Witt
Brown	Koch	Miller	
Elliott	Kohler	Orr	
Gallagher	Lamb	Ryder	

Absent or not voting, 14.

Aiken	Forsling	Husted	Paisley
Babcock	Gilmore	Kern	Rutledge
Byers	Hansen of Scott	Long	Simmer
Fabritz	Hollingsworth		

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

Rylander of Marshall moved that the vote by which House File No. 172 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Mayne of Pottawattamie asked and obtained unanimous consent to have five hundred additional copies of House File No. 256 printed.

#### RESOLUTION

Bair of Buena Vista offered the following resolution:

*Whereas*, The Honorable E. H. Cunningham, a former member of the House of Representatives in the Thirty-third and Thirty-fourth General Assemblies and Speaker of the House of Representatives in the Thirty-fifth General Assembly, from Buena Vista county, died at his home in Washington, D. C., November 28, 1930,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to the state and nation.*

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Bair of Buena Vista, Allen of Pocahontas and McCaulley of Calhoun.

#### 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. 154, a bill for an act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, and to amend the law relating to procedure in civil cases.

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. 4, calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 65, a bill for an act relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith.

WALTER H. BEAM, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 154

Amend section one (1) by insertitng in line five (5) immediately after the word "government" the words "of the state".

Amend section ten (10) by striking out lines three (3) and four (4) and inserting in lieu thereof the words "two newspapers of the state as provided by law."



## SENATE AMENDMENTS TO HOUSE JOINT RESOLUTION NO. 4

Amend section 4 by striking out all of said section after the word "in" in line 3 and inserting in lieu thereof the following: "two newspapers of the state as provided by law."

Amend the preamble by correcting the spelling of the words "improvement" and "highways" in line 7.

## SENATE MESSAGE CONSIDERED

Senate File No. 65, a bill for an act to repeal the law as it appears in sections seventy-three hundred fourteen (7314), seventy-three hundred sixteen (7316), and seventy-three hundred forty (7340) of the code of Iowa 1927, and to amend the law as it appears in sections seventy-three hundred seven (7307), seventy-three hundred eight (7308), seventy-three hundred thirteen (7313), seventy-three hundred thirty-one (7331), and seventy-three hundred sixty-one (7361) of the code of Iowa 1927, relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith.

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

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 16.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 16.

## BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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, 1931, sent to the governor for his approval:

House File No. 16.

C. J. ORR, *Chairman*.

Report adopted.

## AMENDMENTS FILED

Laughlin of Fremont filed the following amendment to House File No. 2:

Amend Section seven (7) of House File No. 2 by substituting the figures "1920" for the figures "1931" wherever the same appear in lines ten (10), thirteen (13), sixteen (16), eighteen (18), twenty (20) and twenty-two (22) of said section.

Osborn of Decatur filed the following amendment to House File No. 125:

Amend House File No. 125 as follows:

By striking in section three (3) thereof, the word and figure "ten (10)", in line three (3) and inserting in lieu thereof, the word and figure "thirty (30)".

Also, striking the period (.) at the end of line five (5), and inserting a comma (,) therefor, and adding the following:

"who shall upon receipt of such notice and within twenty (20) days after the day is fixed by the State Highway Commission, as above provided, serve notice on each owner of land lying in the proposed road, or abutting thereon, as shown by the transfer books in the Auditor's office, who resides in the county, in the manner provided for the service of original notices. If the owner of the land, as thus shown, does not reside in the county, similar notice shall be served upon any person who is in actual occupancy of such land."

Johnson of Marion filed the following amendments to House File No. 2.

Amend the substitute amendment to House File No. 2 as follows:

Strike out paragraph (d) on page six (6) thereof.

Strike out paragraph 2 (a) on page thirteen (13) and insert in lieu thereof the following:

"(a) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income);"

Strike out paragraph 2 (b) on page thirteen (13) and insert in lieu thereof the following:

"(b) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under a life insurance, endowment, or annuity contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (2) of this paragraph;"

Strike out paragraph four (4) of section twelve (12) on page twenty-two (22) and insert in lieu thereof the following:

"4. Premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy."

Nelson of Story filed the following amendments to House File No. 2:

Amend the substitute amendment for House File No. 2 as follows:

1. Amend "Sec. 4" of said substitute amendment for House File No. 2 by striking therefrom all of paragraph one (1) thereof, and substituting therefor the following:

"1. A tax is hereby imposed upon every resident of the state, which tax shall be levied, collected and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

(a) On the first two thousand dollars of taxable income, or any part thereof, one per cent (1%).

(b) On the third and fourth thousand dollars of taxable income, or any part thereof, two per cent (2%).

(c) On the fifth and sixth thousand dollars of taxable income, or any part thereof, three per cent (3%).

(d) On the seventh and eighth thousand dollars of taxable income, or any part thereof, four per cent (4%).

(e) On the ninth and tenth thousand dollars of taxable income, or any part thereof, five per cent (5%).

(f) On all taxable income in excess of ten thousand dollars, six per cent (6%). Such tax shall first be levied, collected and paid in the year 1932 and with respect to the net income received during the calendar year 1931, or during any tax year ending during the twelve months ending December 31, 1931; provided, however, that every single person, a resident of the state, having a net income of more than one thousand dollars a year, and every married person, a resident of the state, having a net income of more than two thousand dollars a year, shall pay a tax of not less than three dollars."

2. Amend paragraph two (2) of said "Sec. 4" of said substitute amendment as follows:

a. By striking from line twenty-five (25) thereof, the following: "four per cent (4%)" and by substituting therefor the following: "three per cent (3%)".

b. By striking from lines twenty-eight (28) and twenty-nine (29) the following: "four and one-half per cent (4½%)" and inserting in lieu thereof the following: "three per cent (3%)".

3. Amend section thirteen (13) of said substitute amendment as follows:

a. By striking from line four (4) thereof the word "fifteen" and substituting therefor the word "ten".

b. By striking from line five (5) thereof the word "twenty-five" and substituting therefor the word "twenty".

c. By striking from line thirteen (13) thereof the words "two dollars and fifty cents" and substituting therefor the words "three dollars".

On motion of Bair of Buena Vista 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, FEBRUARY 20, 1931.

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

Prayer was offered by the Rev. W. R. Moore, pastor of the First Presbyterian Church, Newton, Iowa.

Journal of February 19th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Husted of Madison for the day, on request of Nelson of Cherokee.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Hesse of O'Brien, from citizens of Sheldon, opposing an amusement tax. Tax revision.

By Tamisiea of Harrison, from Farmers' Union Local No. 1086, Missouri Valley, opposing the county assessor plan. Tax revision.

By Elliott of Scott, from citizens of Davenport, favoring a restriction of the size of vehicles. Motor vehicles and transportation.

By Witt of Butler, from citizens of Shell Rock, favoring a State Drivers' License Law; and citizens of Parkersburg, favoring a diversion of primary road fund. Motor vehicles and transportation, and roads and highways.

By Allen of Pocahontas, from dentists of Ames, asking for right to use liquor in connection with practice of profession; and from ministers of Churches of Christ in Iowa, favoring optional

military training in state schools. Public health, and state educational institutions.

By Gallagher of Iowa, from members of the cemetery board of Hampton, supporting House File No. 57. Judiciary.

By Pendray of Jackson, from citizens of Bellevue, favoring a diversion of primary road funds. Roads and highways.

By Hopkins of Guthrie, from residents of Yale and Panora, favoring a diversion of primary road funds. Roads and highways.

By Greene of Pottawattamie, from citizens of Council Bluffs, opposing income tax. Tax revision.

By TePaske of Sioux, from citizens of Alton, favoring a diversion of the primary road funds. Roads and highways.

By Dayton of Washington, from citizens of Kalona, favoring a diversion of the primary road funds. Roads and highways.

By Sours of Floyd, from citizens of Iowa, favoring optional military training in state schools. State educational institutions.

By Greaser of Benton, from citizens of Vinton, favoring House File No. 217. State educational institutions.

By Hesse of O'Brien, from voters of O'Brien county, supporting House File No. 217. State educational institutions.

By Rutledge of Webster, from citizens of Iowa, opposing the tobacco tax. Tax revision.

By Forsling of Woodbury, from citizens of Iowa, opposing the tobacco tax. Tax revision.

By Hunt of Louisa, from citizens of Letts, favoring a diversion of the primary road fund. Roads and highways.

By Hansen of Audubon, from the joint committee American Legion and auxiliary of Audubon, favoring compulsory military training in state schools. State educational institutions.

By Brown of Polk, from the Y. W. C. A. and W. C. T. U. of Des Moines, opposing compulsory military training. State educational institutions.

## REPORTS OF COMMITTEES

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following reports:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 261, a bill for an act to repeal section thirty-eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 153, a bill for an act relating to the relocation of rural school houses not situated upon public highways, or the condemnation of public highways to said school houses, and providing funds therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman.*

Report adopted.

Millhone of Page, from the committee on pharmacy, submitted the following report:

MR. SPEAKER: Your committee on pharmacy, has introduced to the House, House File No. 339, a bill for an act to amend sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582), code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof.

The pharmacy committee recommends to the House that the bill do pass.

P. L. MILLHONE, *Chairman.*

Report adopted.

Johnson of Marion, from the committee on police regulations and suppression of crime, submitted the following reports:

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred House File No. 119, a bill for an act to authorize the State Highway Commission to employ persons to enforce the law relating to traffic on primary roads, to designate such persons as peace officers, and to provide for the payment of the compensa-

tion and expense of such persons, beg leave to report it has had the same 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 after the last sentence in paragraph two (2) of section one (1):

"No such employee shall receive compensation in excess of eighteen hundred dollars (\$1,800.00) per year."

J. H. JOHNSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred House File No. 257, a bill for an act to authorize the attorney general to enter into a contract for the use of a special police radio broadcasting system and to authorize the procurement of special radio receiving sets to be used in connection with said system by the state, counties and municipalities thereof for police purposes only, and to provide for the payment of 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:

J. H. JOHNSON, *Chairman*.

Report adopted.

Rylander of Marshall, 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. 202, a bill for an act to amend section thirty-seven hundred eighty-six (3786), code of 1927, providing for parole of prisoners in the penitentiary and reformatories, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. F. RYLANDER, *Chairman*.

Report adopted.

Ellsworth of Hardin, from the committee on public health, submitted the following reports:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 140, a bill for an act to provide for the temporary registration of barbers licensed under the laws of states other than Iowa, and to authorize them to practice temporarily until the next regular examination held by the barber examining board, beg leave to report they have had the same under consideration and have instructed me to report the



same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking in line five (5) of section two (2) the word "shall" and inserting in lieu thereof the word "may".

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 131, a bill for an act to repeal section twenty-two hundred thirty-six (2236) of the code, 1927, and to enact a substitute therefor, relating to the general duties of health officers of the local board of health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 29, a bill for an act to amend section two thousand one hundred eighty-one (2181), code, 1927, relating to the definitions of the state department of health so as to include those engaged in the practice of podiatry as podiatric physicians, beg leave to report they have 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.

E. O. ELLSWORTH, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 30, a bill for an act to amend sections two thousand one hundred thirty-six (2136) and two thousand one hundred thirty-seven (2137), code, 1927, relating to applications for permits to wholesale druggists, beg leave to report they have had 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. O. ELLSWORTH, *Chairman*.

Report adopted.

Hush of Montgomery, 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. 42, a bill for an act to amend the law as it appears in section fifty-seven a5 (57-a5) of chapter twenty (20) of the Acts of the Forty-third General Assembly, relating to the collection of poll taxes so as to impose a penalty for the delinquent payment 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 by striking out the words "fifty cents (\$.50)" in line seven (7), section one (1), following the word "of", and inserting in lieu thereof the words "one dollar (\$1.00)".

HOMER HUSH, *Chairman*.

Report adopted.

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 276, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto, beg leave to report they have had the same 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 three (3) and four (4) of said bill the words and figures "five hundred five dollars and seventy-one cents (\$505.71)" and inserting in lieu thereof "four hundred five dollars and seventy-one cents (\$405.71)".

Also amend by striking from line nine (9) the figure "\$200.00" and inserting in lieu thereof "\$150.00".

Also amend by striking from line ten (10) the figure "\$200.00" and inserting in lieu thereof "\$150.00".

Further amend said bill by striking from line 15 the figures "\$505.71" and inserting in lieu thereof "\$405.71".

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 320, a bill for an act to make an appropriation to Mrs. K. E. Anderson, for services rendered to the State by her deceased husband, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 321, a bill for an act to make appropriation to the Metz Construction Company, Springfield, Nebr., for legal services incurred in defending suit brought against said company and the Iowa State Highway Commission, beg leave to report they have had the same under consideration and have recommended me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 322, a bill for an act to make an appropriation to Adolph Griesinger, Roselle, N. J., for military service as a member of Company A, 49th Inf. Iowa Vol. Spanish American War, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 319, a bill for an act to make appropriation to Emmet L. Morris, Marquette, Ia., A. L. Wood, Hampton, Ia., and Albert L. Sharp, Arnolds Park, Ia., for services rendered to the State of Iowa, for which former appropriation has not been made, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 323, a bill for an act to make an appropriation to W. F. Dollen and Sons, of Neola, Iowa, for damages incurred by the failure of the Iowa State Highway Commission to have a bridge completed for the performance of a contract by the claimant, beg leave to report they have had the same under consideration and have instructed me to

report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Hollis of Black Hawk, from the committee on conservation of resources, submitted the following report:

MR. SPEAKER: Your committee on conservation of resources has introduced to the House, House Joint Resolution No. 7, a Joint Resolution to authorize the State Board of Conservation and the Fish and Game Department, subject to the approval of the Executive Council, to employ regional planning engineers and park experts to prepare plans and specifications and estimated cost of a state-wide twenty-five year program for the acquisition, scientific construction and maintenance of a system of parks, recreation grounds and lakes, fish, game and bird sanctuaries, fish hatcheries, game preserves, and other development of the state's natural resources, and to specify funds with which to pay the cost thereof.

The committee on conservation of resources recommends to the House that the resolution do pass.

C. A. HOLLIS, *Chairman*.

Report adopted.

#### RESOLUTION

Hollingsworth of Boone offered the following resolution:

*Whereas*, The Honorable James B. McHose, who was a member of the Thirty-fifth General Assembly from Boone County died on the 17th day of June, 1927, at Boone, Iowa; therefore

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That a Committee of three be appointed to draft suitable resolutions to be presented to the House of his life and services to his County and State.

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

Motion prevailed and the resolution was adopted.

The Speaker appointed as members of such committee: Hollingsworth of Boone, Hutcheon of Greene and Snyder of Hamilton.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Johnson of Marion, House Joint Resolution

No. 4, a joint resolution calling a special election for the submission to the people of the question of the adoption of a proposed amendment to the constitution of the state of Iowa, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE JOINT RESOLUTION NO. 4

Amend section 4 by striking out all of said section after the word "in" in line 3 and inserting in lieu thereof the following: "two newspapers of the state as provided by law."

Amend the preamble by correcting the spelling of the words "improvement" and "highways" in line 7.

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

On the question, "Shall the House concur?"

The ayes were, 91.

Allen	Gallagher	Langland	Reimers
Augustine	Garrett	Lepley	Roe
Avery	Gilmore	Lichty	Rutledge
Beath	Gissel	Long	Ryder
Berry	Greaser	McCaulley	Rylander
Bonnstetter	Greene	McCreery	Shields
Brown	Hansen of	McDermott	Simmer
Byers	Audubon	McLain	Snyder
Craven	Hansen of Scott	Malone	Sours
Davis	Hanson of	Mayne	Stanzel
Dayton	Winnebago	Millhone	Stiger
Ditto	Helgason	Miller	Strachan
Donlon	Hesse	Morton	Tamisiea
Drake of Keokuk	Hollingsworth	Nelson of	TePaske
Drake of	Hollis	Cherokee	Thiessen
Muscatine	Hook	Osborn	Thompson
Durant	Hopkins	Paisley	Torgeson
Elliott	Hush	Pattison	Van Wert
Ellsworth	Hutcheon	Peaco	Wamstad
Fabritz	Johnson of	Pendray	Watts
Felter	Marion	Randolph	Wearin
Figgins	Koch	Ratliff	Whiting
Finnern	Kohler	Rawlings	Witt
Forsling	Lamb	Reed	Mr. Speaker

The nays were, none.

Absent or not voting, 17.

Aiken	Hunt	Mathews	Orr
Babcock	Husted	Mead	Randall
Bair	Kern	Nelson of Story	Short
Ballew	Laughlin	O'Donnell	Van Buren
Hayes			

House concurred in Senate amendments to House Joint Resolution No. 4.

On request of Brown of Polk, House File No. 154, a bill for an act providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 154

Amend section one (1) by inserting in line five (5) immediately after the word "government" the words "of the state".

Amend section ten (10) by striking out lines three (3) and four (4) and inserting in lieu thereof the words "two newspapers of the state as provided by law."

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

On the question, "Shall the House concur?"

The ayes were, 88.

Allen	Gissel	McCaulley	Roe
Augustine	Greaser	McDermott	Rutledge
Avery	Greene	McLain	Ryder
Beath	Hansen of	Malone	Rylander
Bonnstetter	Audubon	Mathews	Shields
Brown	Hansen of Scott	Mayne	Simmer
Byers	Hanson of	Mead	Snyder
Craven	Winnebago	Millhone	Sours
Davis	Helgason	Miller	Stanzel
Dayton	Hesse	Morton	Stiger
Donlon	Hollingsworth	Nelson of	Strachan
Drake of Keokuk	Hollis	Cherokee	Tamisiea
Drake of	Hook	Nelson of Story	TePaske
Muscatine	Hopkins	Osborn	Thiessen
Durant	Hush	Paisley	Thompson
Elliott	Johnson of	Pattison	Torgeson
Ellsworth	Marion	Peaco	Van Wert
Fabritz	Koch	Pendray	Wamstad
Felter	Kohler	Randall	Watts
Figgins	Langland	Randolph	Wearin
Finnern	Lepley	Ratliff	Whiting
Gallagher	Lichty	Rawlings	Witt
Garrett	Long	Reed	Mr. Speaker
Gilmore			

The nays were, none.

Absent or not voting, 20.

Aiken	Ditto	Hutcheon	O'Donnell
Babcock	Forsling	Kern	Orr
Bair	Hayes	Lamb	Reimers
Ballew	Hunt	Laughlin	Short
Berry	Husted	McCreery	Van Buren

House concurred in Senate amendments to House File No. 154.

#### INTRODUCTION OF BILLS

House File No. 337, by McCaulley of Calhoun, a bill for an act to amend section twelve thousand sixty-four (12064) Code, 1927, relating to taxation of attorney's fees as part of the costs.

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

House File No. 338, by Orr of Clayton, a bill for an act to legalize a certain deed executed in the name of the Independent School District of Monona, Iowa, by W. Baskerville, president, and Edward Wirkler, secretary, of said Independent School District, on January 12, 1931, conveying to Carl G. Schultz certain real estate situated in the town of Monona, Iowa.

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

House File No. 339, by committee on pharmacy, a bill for an act to amend sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582) code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof.

Read first and second times and passed on file.

House File No. 340, by Hollingsworth of Boone, Whiting of Johnson and Torgeson of Worth, a bill for an act to repeal the law as it appears in section twenty-five hundred forty-eight (2548), section twenty-five hundred fifty-one (2551), and section twenty-five hundred fifty-four (2554) of the code of Iowa, 1927, and to enact substitutes therefor; relating to the definition of osteopathy, osteopathy and surgery, and the requirements necessary to practice osteopathy and osteopathy and surgery, and prohibiting the use of drugs and medicine by osteopaths.

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

House File No. 341, by Mayne and Greene of Pottawattamie, a bill for an act to amend the law as it appears in chapter three hundred twelve (312) of the code of Iowa, 1927, relating to heating plants, water or gas works and electric plants; to provide for and authorize the use of surplus earned from the operation of municipal water plants in cities of forty thousand (40,000) or over, having a board of trustees managing such plant; to authorize the use of said surplus earnings in said cities for the purpose of acquiring property and erecting a building or buildings thereon for its use and for the use of other city departments or agencies.

Read first and second times and referred to committee on cities and towns.

House File No. 342, by committee on police regulations and suppression of crime, a bill for an act to authorize and empower cities and towns to regulate the keeping, storage, possession, sale, manufacture or use of certain inflammable materials, substances or compounds, including the buildings, structures or places where any such materials, substances or compounds are kept, stored, sold, manufactured or used, and providing punishment for violation of any such ordinance.

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

House File No. 343, by Hollingsworth of Boone, Wearin of Mills and Hutcheon of Greene, a bill for an act to provide for the creation of a public service commission, providing for its appointment, fixing the salaries of the members thereof; to define their powers and duties; to provide for the appointment of employees and their compensation; to provide for the regulation of all public service companies; to define, prescribe, and limit their powers and duties; to impose and provide for the collection of an occupation tax from all public service companies; to fix and prescribe penalties for the violation of any of the provisions of said act, and to repeal all laws or parts of laws which are inconsistent therewith; and to abolish the railroad commission.

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



House File No. 344, by Short and Forsling of Woodbury, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; to provide the funds for the construction, purchase and maintenance of such bridges; to provide the method of letting the contracts for the construction of such bridges; to authorize any county, township or city in the state to aid in the construction or purchase of such bridges and issue bonds for such purpose and providing for the submission of the same to the electors of such county, township or city; and providing for the operation of such a bridge as a toll bridge for a limited period after which such bridge shall forever be free.

Read first and second times and referred to committee on interstate bridges.

House File No. 345, by Langland of Winneshiek, a bill for an act to amend section forty-three hundred fifty-six (4356), code, 1927, relating to publication of notice of school election.

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

House File No. 346, by Malone of Cass, a bill for an act to prohibit the use and operation of publicly-owned automobiles, machinery, and other property for private purposes, and to provide a penalty for the violation of such prohibition.

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

House File No. 347, by Kern and Brown of Polk, a bill for an act to amend section sixty-one hundred eighty (6180) of the code, 1927, relating to the fixing of rates for private consumers in cases of municipally owned waterworks acquired and operated under and pursuant to chapter three hundred fourteen (314) of the code, 1927.

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

House File No. 348, by McCaulley of Calhoun, a bill for an act providing for: (1) general supervision by the superintendent of public instruction over persons, firms, partnerships, or corpora-

tions engaged in the business of teaching shorthand, typing, or bookkeeping; (2) the issuance by said superintendent of public instruction of a permit to do business; (3) certain exemptions; (4) the promulgation of rules by the superintendent of public instruction, making provision for the regulation of advertising; and (5) a penalty for the violation of this act.

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

House Joint Resolution No. 7, by committee on conservation of resources, a Joint Resolution to authorize the State Board of Conservation and the Fish and Game Department, subject to the approval of the Executive Council, to employ regional planning engineers and park experts to prepare plans and specifications and estimated cost of a state-wide twenty-five year program for the acquisition, scientific construction and maintenance of a system of parks, recreation grounds and lakes, fish, game and bird sanctuaries, fish hatcheries, game preserves, and other development of the state's natural resources, and to specify funds with which to pay the cost thereof.

Read first and second times and passed on file.

#### HON. W. C. EDSON ADDRESSES HOUSE

Bair of Buena Vista announced that Hon. W. C. Edson, former Speaker of the House, was present and moved that he be invited to address the House at this time.

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

#### HOUSE FILE WITHDRAWN

McLain of Poweshiek asked and obtained unanimous consent to withdraw House File No. 29 from further consideration of the House.

#### CONSIDERATION OF BILLS

House File No. 238, a bill for an act to amend sections five hundred twenty-six-b-one (526-b1) and five hundred twenty-six-b-

two (526-b2) of the code, 1927, relating to state representative districts, with report of committee recommending passage, was taken up for consideration.

Nelson 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, 83

Augustine	Greaser	McCaulley	Rylander
Bair	Greene	McCreery	Shields
Ballew	Hansen of	McDermott	Short
Beath	Audubon	McLain	Snyder
Berry	Hanson of	Mathews	Sours
Bonnstetter	Winnebago	Mayne	Stanzel
Brown	Helgason	Miller	Stiger
Byers	Hesse	Morton	Strachan
Craven	Hollingsworth	Nelson of	Tamisea
Dayton	Hollis	Cherokee	TePaske
Ditto	Hook	Nelson of Story	Thiessen
Donlon	Hopkins	Paisley	Thompson
Drake of Keokuk	Hunt	Pattison	Torgeson
Durant	Hush	Peaco	Van Buren
Elliott	Hutcheon	Pendray	Van Wert
Ellsworth	Johnson of	Randolph	Wamstad
Fabritz	Marion	Ratliff	Watts
Figgins	Koch	Rawlings	Wearin
Finnern	Kohler	Reed	Whiting
Gallagher	Lamb	Reimers	Witt
Garrett	Langland	Roe	Mr. Speaker
Gissel	Lepley	Ryder	

The nays were, none.

Absent or not voting, 25.

Aiken	Felter	Kern	O'Donnell
Allen	Forsling	Laughlin	Orr
Avery	Gilmore	Lichty	Osborn
Babcock	Hansen of Scott	Long	Randall
Davis	Hayes	Malone	Rutledge
Drake of a	Husted	Mead	Simmer
Muscatine		Millhone	

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

Senate File No. 16, a bill for an act to amend section eleven (11) of chapter (20) of the laws of the Forty-third General Assembly relating to the use of secondary road construction fund, with report of committee recommending passage, was taken up for consideration.

Whiting 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, 85.

Augustine	Gilmore	Langland	Ratliff
Avery	Gissel	Lepley	Reed
Bair	Greaser	Long	Reimers
Ballew	Hansen of	McCaulley	Ryder
Beath	Audubon	McCreery	Rylander
Bonnstetter	Hansen of Scott	McDermott	Short
Brown	Hanson of	McLain	Simmer
Byers	Winnebago	Malone	Snyder
Craven	Helgason	Mathews	Stanzel
Dayton	Hesse	Mead	Stiger
Ditto	Hollingsworth	Millhone	Tamisiea
Drake of Keokuk	Hollis	Morton	TePaske
Drake of	Hook	Nelson of	Thiessen
Muscatine	Hopkins	Cherokee	Thompson
Durant	Hunt	Nelson of Story	Torgeson
Elliott	Hutcheon	O'Donnell	Van Wert
Ellsworth	Johnson of	Osborn	Wamstad
Fabritz	Marion	Paisley	Watts
Felter	Kern	Pattison	Wearin
Finnern	Koch	Peaco	Whiting
Forsling	Kohler	Pendray	Witt
Gallagher	Lamb	Randall	Mr. Speaker
Garrett		Randolph	

The nays were, 3.

Aiken	Berry	Sours
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Absent or not voting, 20.

Allen	Greene	Lichty	Roe
Babcock	Hayes	Mayne	Rutledge
Davis	Hush	Miller	Shields
Donlon	Husted	Orr	Strachan
Figgins	Laughlin	Rawlings	Van Buren

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

Johnson of Whiting moved that the vote by which Senate File No. 16 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned hereby request the call of the House on House File No. 2 on February 20, 1931, at 10 o'clock a. m.

MARION R. MCCAULEY

J. H. JOHNSON

FRED B. WITT

C. J. ORR

E. O. ELLSWORTH

The roll was called to ascertain the absentees.

The roll call disclosed all members present except, Husted of Madison, and Babcock of Chickasaw.

On motion of Mead of Howard, Babcock of Chickasaw was excused from the call of the House.

On motion of Nelson of Cherokee, Husted of Madison was excused from the call of the House.

The hour having arrived for special order, House File No. 2, a bill for an act providing for property tax relief by the levying, collecting and paying of taxes on incomes; providing for rules and regulations and prescribing penalties, and making an appropriation for carrying out this act, with report of committee recommending amendment and passage, was taken up for consideration.

Reimers of Lyon asked and obtained unanimous consent of the House to pass to the consideration of the substitute amendment to House File No. 2, submitted by Reimers of Lyon, Hush of Montgomery and Nelson of Story, and found in the bill file of the members, filed next to the original bill.

The substitute amendment was printed in bill form in accordance with Rule 56, and filed in the bill file.

Van Wert of Franklin called up the amendment to the substitute amendment to House File No. 2 and found in the Journal of February 18th and moved its adoption.

Van Wert of Franklin asked and obtained unanimous consent to withdraw his amendment.

Elliott of Scott offered the following amendment to the substitute amendment and moved its adoption:

I move that the amendment substituted for House File No. 2 be amended as follows:

By striking from the title all that part thereof from and after the word "relief" and inserting in lieu thereof the following:

"by a reduction of county, city, town, school district and other local taxation."

By striking out all of such substituted House File No. 2 after Section 1 thereof, and substituting in lieu thereof the following:

"Section 2. Beginning with the year 1932 and for each year thereafter to and including the year 1936, the taxing body levying or assessing taxes in each county, city, town, school district or other municipal or local taxation district, shall reduce its total millage tax for all purposes assessed against real estate and tangible personal property in such taxing district by five per cent based on its 1931 levy for each of such years."

Allen of Pocahontas moved the previous question. Motion prevailed.

On the question, "Shall the amendment to the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 21.

Bair	Elliott	Mathews	Ratliff
Ballew	Ellsworth	Mayne	Ryder
Byers	Hansen of Scott	Nelson of	Thiessen
Drake of Keokuk	Hayes	Cherokee	Watts
Drake of	Kern	O'Donnell	Witt
Muscatine	Koch	Peaco	

The nays were, 84.

Aiken	Gissel	Lepley	Reimers
Allen	Greaser	Lichty	Roe
Augustine	Greene	Long	Rutledge
Avery	Hansen of	McCaulley	Rylander
Beath	Audubon	McCreery	Shields
Berry	Hanson of	McDermott	Short
Bonnstetter	Winnebago	McLain	Snyder
Brown	Helgason	Malone	Sours
Craven	Hesse	Mead	Stanzel
Davis	Hollingsworth	Millhone	Stiger
Dayton	Hollis	Miller	Strachan
Ditto	Hook	Morton	Tamisiea
Donlon	Hopkins	Nelson of Story	TePaske
Durant	Hunt	Orr	Thompson
Fabritz	Hush	Osborn	Torgeson
Felter	Hutcheon	Paisley	Van Buren
Figgins	Johnson of	Pattison	Van Wert
Finnern	Marion	Pendray	Wamstad
Forsling	Kohler	Randall	Wearin
Gallagher	Lamb	Randolph	Whiting
Garrett	Langland	Rawlings	Mr. Speaker
Gilmore	Laughlin	Reed	

Absent or not voting, 3.

Babcock	Husted	Simmer
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Elliott amendment to the substitute amendment lost.

Johnson of Marion called up the amendment to the substitute amendment to House File No. 2, found in the Journal of February 19th, and moved its adoption.

Amendment to the substitute amendment adopted.

Nelson of Story called up his amendment to the substitute amendment to House File No. 2, found in the Journal of February 19th and moved the adoption of sub-sections (a), (b), (c) and (d) of paragraph No. 1.

On the question "Shall sub-sections (a), (b), (c) and (d) be adopted?" a roll call was demanded.

The ayes were, 88.

Aiken	Gallagher	Laughlin	Ratliff
Augustine	Garrett	Lepley	Reed
Avery	Gilmore	Lichty	Reimers
Bair	Gissel	Long	Roe
Ballew	Greene	McCaulley	Rutledge
Beath	Hansen of	McCreery	Rylander
Berry	Audubon	McDermott	Short
Brown	Hanson of	McLain	Simmer
Byers	Winnebago	Malone	Snyder
Craven	Helgason	Mathews	Sours
Davis	Hesse	Mead	Stiger
Dayton	Hollingsworth	Millhone	Strachan
Ditto	Hollis	Miller	Tamisiea
Donlon	Hook	Morton	TePaske
Drake of Keokuk	Hopkins	Nelson of	Thompson
Drake of	Hunt	Cherokee	Torgeson
Muscatine	Hutcheon	Nelson of Story	Van Buren
Durant	Johnson of	Orr	Van Wert
Ellsworth	Marion	Osborn	Wamstad
Fabritz	Kern	Paisley	Watts
Felter	Koch	Pattison	Wearin
Figgins	Kohler	Pendray	Whiting
Finnern	Lamb	Randolph	Witt
Forsling			

The nays were, 8.

Allen	Greaser	Langland	Thiessen
Bonnstetter	Hush	Stanzel	Mr. Speaker

Absent or not voting, 12.

Babcock	Hayes	O'Donnell	Rawlings
Elliott	Husted	Peaco	Ryder
Hansen of Scott	Mayne	Randall	Shields

Sub-sections (a), (b), (c) and (d) of paragraph No. 1 of the amendment to substitute amendment adopted.

Nelson of Story moved the adoption of sub-sections (e) and (f) of paragraph No. 1 of the amendment to the substitute amendment, found on page 589 of the Journal of February 19th.

Sub-sections (e) and (f) of paragraph No. 1 of the amendment to the substitute amendment lost.

Johnson of Marion moved to amend the substitute amendment by adding as sub-section (e) of paragraph No. 1 of section 4 the following:

(e) On all taxable income in excess of nine thousand dollars, five per cent (5%). Such tax shall first be levied, collected and paid in the year 1932 and with respect to the net income received during the calendar year 1931, or during any tax year ending during the twelve months ending December 31, 1931; provided, however, that every single person, a resident of the state, having a net income of more than one thousand dollars a year, and every married person, a resident of the state, having a net income of more than two thousand dollars a year, shall pay a tax of not less than three dollars.

Amendment to the substitute amendment adopted.

Nelson of Story moved the adoption of paragraph No. 2 of the amendment filed by him to the substitute amendment, found on page 589 of the Journal of February 19th.

Bonnstetter of Kossuth moved the previous question.

Motion prevailed.

On the question "Shall paragraph No. 2 of the amendment to the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 52.

Augustine	Hanson of	Millhone	Shields
Bair	Winnebago	Miller	Short
Beath	Helgason	Nelson of	Simmer
Berry	Hesse	Cherokee	Snyder
Bonnstetter	Hollingsworth	Nelson of Story	Sours
Craven	Hook	O'Donnell	Stanzel
Donlon	Hopkins	Osborn	Strachan
Durant	Hush	Paisley	TePaske
Felter	Lamb	Pendray	Torgeson
Figgins	Langland	Randall	Van Buren
Garrett	Laughlin	Ratliff	Wamstad
Greaser	Lepley	Rawlings	Watts
Hansen of	Malone	Reimers	Mr. Speaker
Audubon	Mead	Roe	



The nays were, 54.

Aiken	Fabritz	Kern	Peaco
Allen	Finnern	Koch	Randolph
Avery	Forsling	Kohler	Reed
Ballew	Gallagher	Lichty	Rutledge
Brown	Gilmore	Long	Ryder
Byers	Gissel	McCaulley	Rylander
Davis	Greene	McCreery	Stiger
Dayton	Hansen of Scott	McDermott	Tamisiea
Ditto	Hayes	McLain	Thiessen
Drake of Keokuk	Hollis	Mathews	Thompson
Drake of Muscatine	Hunt	Mayne	Van Wert
Elliott	Hutcheon	Morton	Wearin
Ellsworth	Johnson of Marion	Orr	Whiting
		Pattison	Witt

Absent or not voting, 2.

Babcock                      Husted

Paragraph 2 of amendment to substitute amendment lost.

Allen of Pocahontas moved to reconsider the vote by which paragraph 2 of the amendment to the substitute amendment failed to be adopted.

Ratliff of Henry moved that the House adjourn until 9:00 a. m. Saturday.

Reimers of Lyon moved to amend the motion by changing the hour to 1:30 p. m. today.

Amendment adopted.

On the question "Shall the House adjourn until 1:30 p. m. today?" a roll call was demanded.

The ayes were, 65.

Allen	Greaser	Lichty	Randolph
Augustine	Hansen of	McCaulley	Rawlings
Beath	Audubon	McCreery	Reed
Berry	Hanson of	McDermott	Reimers
Bonnstetter	Winnebago	McLain	Roe
Brown	Hesse	Malone	Rylander
Byers	Hollis	Mathews	Short
Craven	Hook	Mayne	Simmer
Davis	Hunt	Millhone	Snyder
Dayton	Hush	Morton	Stanzel
Ditto	Johnson of	Nelson of	Strachan
Donlon	Marion	Cherokee	Tamisiea
Durant	Kohler	O'Donnell	TePaske
Ellsworth	Lamb	Osborn	Wamstad
Fabritz	Langland	Pattison	Watts
Felter	Laughlin	Pendray	Witt
Gallagher	Lepley	Randall	Mr. Speaker
Gissel			

The nays were, 38.

Aiken	Garrett	Koch	Sours
Avery	Gilmore	Mead	Stiger
Bair	Greene	Nelson of Story	Thiessen
Ballew	Hansen of Scott	Orr	Thompson
Drake of Keokuk	Hayes	Paisley	Torgeson
Drake of	Helgason	Peaco	Van Buren
Muscatine	Hollingsworth	Ratliff	Van Wert
Elliott	Hopkins	Rutledge	Wearin
Figgins	Hutcheon	Ryder	Whiting
Forsling	Kern	Shields	

Absent or not voting, 5.

Babcock	Husted	Long	Miller
Finnern			

Motion prevailed and the House stood adjourned.

### AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We the undersigned hereby request a call of the House for 1:30 p. m. today on House File No. 2 and all pending amendments.

MARION R. MCCAULEY  
O. J. REIMERS  
S. R. TORGESON  
H. N. HANSON  
HUGH J. TAMISIEA

The roll was called to ascertain the absentees.

The roll call disclosed all members present except, Babcock of Chickasaw, and Husted of Madison, who were on motion excused.

The House resumed consideration of the motion by Allen of Pocahtonias to reconsider the vote by which paragraph No. 2 of the amendment to the substitute amendment failed to be adopted.

Torgeson of Worth moved the previous question.

On the question, "Shall the previous question be ordered?" a roll call was demanded.

The ayes were, 88.

Aiken	Garrett	Laughlin	Reimers
Allen	Gilmore	Lepley	Roe
Augustine	Gissel	Lichty	Rutledge
Avery	Greaser	McCaulley	Rylander
Bair	Greene	McCreery	Shields
Beath	Hansen of	McDermott	Short
Bonnstetter	Audubon	McLain	Simmer
Brown	Hanson of	Malone	Snyder
Byers	Winnebago	Mathews	Sours
Craven	Helgason	Mayne	Stanzel
Davis	Hesse	Miller	Strachan
Dayton	Hollingsworth	Morton	Tamisiea
Ditto	Hollis	Nelson of	TePaske
Donlon	Hook	Cherokee	Thompson
Drake of Keokuk	Hopkins	Nelson of Story	Torgeson
Durant	Hunt	O'Donnell	Van Buren
Elliott	Hush	Orr	Van Wert
Ellsworth	Hutcheon	Pendray	Wamstad
Felter	Johnson of	Randall	Watts
Figgins	of Marion	Randolph	Wearin
Finnern	Kohler	Ratliff	Whiting
Forsling	Lamb	Rawlings	Witt
Gallagher	Langland	Reed	Mr. Speaker

The nays were, 17.

Ballew	Hansen of Scott	Long	Peaco
Berry	Hayes	Mead	Ryder
Drake of	Kern	Millhone	Stiger
Muscatine	Koch	Osborn	Thiessen
Fabritz		Pattison	

Absent or not voting, 3.

Babcock	Husted	Paisley
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Motion prevailed and the previous question was ordered.

On the question, "Shall the House reconsider?" a roll call was demanded.

The ayes were, 62.

Allen	Hanson of	Millhone	Shields
Augustine	Winnebago	Miller	Short
Bair	Helgason	Morton	Simmer
Beath	Hesse	Nelson of	Snyder
Berry	Hollingsworth	Cherokee	Sours
Bonnstetter	Hook	Nelson of Story	Stanzel
Craven	Hopkins	O'Donnell	Strachan
Davis	Hush	Osborn	TePaske
Dayton	Hutcheon	Pendray	Thompson
Donlon	Kohler	Randall	Torgeson
Durant	Langland	Randolph	Van Buren
Felter	Laughlin	Ratliff	Van Wert
Figgins	Lepley	Rawlings	Wamstad
Gissel	McDermott	Reimers	Watts
Greaser	Malone	Roe	Wearin
Hansen of	Mead	Rylander	Mr. Speaker
Audubon			

The nays were, 44.

Aiken	Finnern	Kern	Paisley
Avery	Forsling	Koch	Pattison
Ballew	Gallagher	Lamb	Peaco
Brown	Garrett	Lichty	Reed
Byers	Gilmore	Long	Rutledge
Ditto	Greene	McCaulley	Ryder
Drake of Keokuk	Hansen of Scott	McCreery	Stiger
Drake of	Hayes	McLain	Tamisiea
Muscatine	Hollis	Mathews	Thiessen
Elliott	Hunt	Mayne	Whiting
Ellsworth	Johnson of	Orr	Witt
Fabritz	Marion		

Absent or not voting, 2.

Babcock                      Husted

Motion prevailed and the House reconsidered.

On the question, "Shall paragraph No. 2 of the amendment to the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 62.

Allen	Hanson of	Mead	Short
Augustine	Winnebago	Millhone	Simmer
Bair	Helgason	Miller	Snyder
Beath	Hesse	Morton	Sours
Berry	Hollingsworth	Nelson of	Stanzel
Bonnstetter	Hook	Cherokee	Strachan
Craven	Hopkins	Nelson of Story	TePaske
Davis	Hunt	Osborn	Thompson
Dayton	Hush	Paisley	Torgeson
Donlon	Hutcheon	Pendray	Van Buren
Durant	Kohler	Randall	Van Wert
Felter	Langland	Randolph	Wamstad
Figgins	Laughlin	Ratliff	Watts
Gissel	Lepley	Rawlings	Wearin
Greaser	McDermott	Reimers	Mr. Speaker
Hansen of	Malone	Roe	
Audubon		Shields	

The nays were, 44.

Aiken	Finnern	Kern	Pattison
Avery	Forsling	Koch	Peaco
Ballew	Gallagher	Lamb	Reed
Brown	Garrett	Lichty	Rutledge
Byers	Gilmore	Long	Ryder
Ditto	Greene	McCaulley	Rylander
Drake of Keokuk	Hansen of Scott	McCreery	Stiger
Drake of	Hayes	McLain	Tamisiea
Muscatine	Hollis	Mathews	Thiessen
Elliott	Johnson of	Mayne	Whiting
Ellsworth	Marion	O'Donnell	Witt
Fabritz		Orr	

Absent or not voting, 2.

Babcock                      Husted

Paragraph No. 2 of Nelson's amendment to substitute amendment adopted.

Nelson of Story moved that paragraph No. 3 of the amendment to the substituted amendment, found in the Journal of February 19th, be adopted.

Paragraph No. 3 of the amendment to the substitute amendment adopted.

Allen of Pocahontas offered the following amendment to the substitute amendment and moved its adoption:

Amend the substitute amendment as follows:

Amend subsection 5 of section 4 by inserting in Line 91 immediately following the words "first companies" the words "and/or insurance associations".

Amendment to the substitute amendment adopted.

Hanson of Winnebago offered the following amendment to the substitute amendment and moved its adoption:

Amend by inserting in line 89 of subsection 5 of section 4, a comma (,) after the word "national" and the word "cooperative".

Amendment to the substitute amendment adopted.

Dayton of Washington offered the following amendment to the substitute amendment and moved its adoption:

Amend by adding to section nine (9) of the substitute amendment to House File No. 2 as section three (3) the following:

### 3. Installment Basis.

(a) Dealers in personal property. Under regulations prescribed by the Board, a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

(b) Sales of realty and casual sales of personalty. In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1,000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the selling price, the income may, under regulations prescribed by the Board with the approval of the Secretary, be returned on the basis and in the manner

above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

(c) Change from accrual to installment basis. If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any year on account of sales or other disposition of property made in any prior year shall not be excluded.

(d) Gain or loss upon disposition of installment obligations. If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction of other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

Amendment to the substitute amendment adopted.

Byers of Linn offered the following amendment to the substitute amendment and moved its adoption:

Amend the substitute amendment to House File No. 2 as follows:

By striking out all that part of Section Thirty-eight (38) following the word "state" in line three (3) thereof, and inserting in lieu thereof the following:

"All revenue received by the Treasurer of State under this Act shall be distributed as follows: 40 per cent of the same shall become a part and be credited to the general fund of the State.

Sixty per cent of such revenue shall by the State Treasurer be semi-annually distributed to the counties from whose residents the tax was collected, and the County Treasurer shall distribute the same to the county, city, school and township funds in the same proportion as though the taxpayer had paid the same in said county as ordinary taxes."

Bair of Buena Vista moved the previous question.

Motion prevailed.

On the question, "Shall the amendment to the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 19.

Ballew	Ellsworth	Hansen of Scott	Mayne
Brown	Figgins	Hayes	Peaco
Byers	Forsling	Kern	Ryder
Drake of	Hansen of	McCreery	Stanzel
Muscatine	Audubon	Mathews	Witt
Elliott			

The nays were, 84.

Allen	Hanson of	McLain	Rutledge
Augustine	Winnebago	Malone	Rylander
Avery	Helgason	Mead	Shields
Bair	Hesse	Millhone	Short
Beath	Hollingsworth	Miller	Simmer
Berry	Hollis	Morton	Snyder
Bonnstetter	Hook	Nelson of	Sours
Craven	Hopkins	Cherokee	Stiger
Davis	Hunt	Nelson of Story	Strachan
Dayton	Hush	O'Donnell	Tamisiea
Ditto	Hutcheon	Orr	TePaske
Donlon	Johnson of	Osborn	Thiessen
Drake of Keokuk	Marion	Paisley	Thompson
Durant	Koch	Pattison	Torgeson
Fabritz	Kohler	Pendray	Van Buren
Felter	Lamb	Randall	Van Wert
Gallagher	Langland	Randolph	Wamstad
Garrett	Laughlin	Ratliff	Watts
Gilmore	Lepley	Rawlings	Wearin
Gissel	Lichty	Reed	Whiting
Greaser	McCaulley	Reimers	Mr. Speaker
Greene	McDermott	Roe	

Absent or not voting, 5.

Aiken	Finnern	Husted	Long
Babcock			

Amendment to the substitute amendment lost.

Wearin of Mills offered the following amendment to the substitute amendment and moved its adoption:

Amend the substitute amendment by inserting after the word "companies" in line 96 of section 4 the following:

"described in Secs. 6994-6995 of the Code, 1927," and that line 100 of said Sec. 4 be stricken.

Amendment to the substitute amendment adopted.

Wearin of Mills and Van Wert of Franklin offered the following amendment to the substitute amendment and moved its adoption:

Amend the substitute amendment for House File No. 2, as follows:

By striking from Section 4, all of sub-sections b, c, and d, and the first

sentence of sub-section e, the part so stricken commencing with line 7 and ending at the period in the middle of line 14, and substituting in lieu thereof the following:

“(b) On all taxable income over two thousand dollars, three (3) per cent.”

By striking from sub-section a, of Section 13, the word “fifteen” and inserting in lieu thereof the word “ten” and by striking from sub-section b, of Section 13, the words “twenty-five” and inserting in lieu thereof the word “twenty”.

Reimers of Lyon raised the point of order that the subject matter of the pending amendment was adjudicated in the disposition of the amendments to the substitute amendment by Nelson of Story.

The Speaker held the point of order well taken.

Laughlin of Fremont offered the following amendment to the substitute amendment and moved its adoption:

Amend the substitute amendment of House File No. 2 as follows:

“substitute the figures “1920” for the figures “1930” wherever the same appear in lines eleven (11), fourteen (14), sixteen (16), eighteen (18), twenty (20), and twenty-two (22) of section 8.”

On the question “Shall the amendment to the substitute amendment be adopted?” a roll call was demanded.

The ayes were, 21

Berry	Hook	Mathews	Thiessen
Drake of	Johnson of	Millhone	Watts
Muscatine	Marion	Randall	Wearin
Durant	Kohler	Rawlings	Whiting
Figgins	Laughlin	Ryder	Witt
Garrett	McCreery	Stanzel	

The nays were, 72.

Allen	Elliott	Hanson of	Long
Augustine	Ellsworth	Winnebago	McCaulley
Avery	Fabritz	Hayes	McDermott
Bair	Felter	Helgason	Malone
Ballew	Finnern	Hesse	Mead
Beath	Gallagher	Hollingsworth	Miller
Bonnstetter	Gilmore	Hopkins	Morton
Brown	Gissel	Hutcheon	Nelson of
Byers	Greaser	Koch	Cherokee
Craven	Greene	Lamb	Nelson of Story
Davis	Hansen of	Langland	O'Donnell
Dayton	Audubon	Lepley	Orr
Donlon		Lichty	Osborn



Paisley	Reimers	Snyder	Thompson
Pattison	Roe	Sours	Torgeson
Peaco	Rylander	Stiger	Van Buren
Pendray	Shields	Strachan	Van Wert
Randolph	Short	Tamisica	Wamstad
Reed	Simmer	TePaske	Mr. Speaker

Absent or not voting, 15.

Aiken	Forsling	Hush	Mayne
Babcock	Hansen of Scott	Husted	Ratliff
Ditto	Hollis	Kern	Rutledge
Drake of Keokuk	Hunt	McLain	

Amendment to the substitute amendment lost.

Reimers of Lyon asked and obtained unanimous consent to change the date "1930" to "1931" as it now appears in section eight (8), lines five (5), seven (7), eleven (11), fourteen (14), sixteen (16), eighteen (18), twenty (20) and twenty-two (22) of the substitute amendment.

Also, by changing the date "1930" to "1931" as it now appears in section eleven (11), line sixteen (16), also in line fifty-three (53) of the same section to the substitute amendment.

Kern of Polk offered the following amendment to the substitute amendment and moved its adoption:

Amend the substitute amendment to House File No. 2 as follows:

Amend by inserting after the word "act" in line three (3) of section thirteen (13), the following:

"Any direct property tax paid by the taxpayer during the year upon real property situated and contained within the state of Iowa, and".

On the question, "Shall the amendment to the substitute amendment be adopted?" a roll call was demanded.

The ayes were, 29.

Bair	Ellsworth	Hollis	Paisley
Berry	Figgins	Hunt	Peaco
Brown	Finnern	Kern	Ratliff
Byers	Forsling	Koch	Ryder
Drake of Keokuk	Garrett	Laughlin	Stiger
Drake of	Hansen of Scott	Lichty	Watts
Muscataine	Hayes	Mathews	Witt
Elliott		Mayne	

The nays were, 76.

Allen	Ballew	Craven	Ditto
Augustine	Beath	Davis	Donlon
Avery	Bonnstetter	Dayton	Durant

Fabritz	Hutcheon	Nelson of	Short
Felter	Johnson of	Cherokee	Simmer
Gallagher	Marion	Nelson of Story	Snyder
Gilmore	Kohler	O'Donnell	Sours
Gissel	Lamb	Orr	Stanzel
Greaser	Langland	Osborn	Strachan
Greene	Lepley	Pattison	Tamisiea
Hansen of	Long	Pendray	TePaske
Audubon	McCaulley	Randall	Thiessen
Hanson of	McCreery	Randolph	Thompson
Winnebago	McDermott	Rawlings	Torgeson
Helgason	McLain	Reed	Van Buren
Hesse	Malone	Reimers	Van Wert
Hollingsworth	Mead	Roe	Wamstad
Hook	Millhone	Rutledge	Wearin
Hopkins	Miller	Rylander	Whiting
Hush	Morton	Shields	Mr. Speaker

Absent or not voting, 3.

Aiken                      Babcock                      Husted

Amendment to the substitute amendment lost.

Bair of Buena Vista moved that the House adjourn until 9:00 a. m. Saturday.

Motion lost.

Johnson of Marion offered the following amendment to the substitute amendment and moved its adoption:

Amend substitute amendment for House File No. 2 as follows:

Strike out all of paragraph ten (10) of section four (4) and insert in lieu thereof the following:

"10. A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under this section, but the amount contributed to such fund by the employer and all earnings of such fund shall be taxed to the distributee in the year in which distributed or made available to him."

Amendment to the substitute amendment adopted.

Kern of Polk offered the following amendment to the substitute amendment and moved its adoption.

Amend by striking in line 15 of the substitute amendment of section 3 the words "or partnerships".

Amendment to the substitute amendment adopted.

Reimers of Lyon moved to amend House File No. 2 by striking all after the enacting clause and substituting in lieu thereof the substitute amendment as amended.

On the question "Shall the substitute amendment, as amended, be adopted?" a roll call was demanded.

The ayes were, 83.

Aiken	Garrett	Long	Reimers
Allen	Gilmore	McCreery	Roe
Augustine	Gissel	McDermott	Rutledge
Avery	Greaser	McLain	Shields
Bair	Hansen of	Malone	Short
Ballew	Audubon	Mathews	Simmer
Beath	Hanson of	Mead	Snyder
Berry	Winnebago	Millhone	Stanzel
Bonnstetter	Helgason	Miller	Stiger
Craven	Hesse	Morton	Strachan
Davis	Hollingsworth	Nelson of	Tamisiea
Dayton	Hopkins	Cherokee	TePaske
Ditto	Hunt	Nelson of Story	Thompson
Donlon	Hush	O'Donnell	Torgeson
Durant	Hutcheon	Osborn	Van Buren
Ellsworth	Kohler	Paisley	Van Wert
Fabritz	Lamb	Pendray	Wamstad
Felter	Langland	Randall	Wearin
Figgins	Laughlin	Randolph	Whiting
Finnern	Lepley	Ratliff	Witt
Forsling	Lichty	Rawlings	Mr. Speaker
Gallagher		Reed	

The nays were, 23.

Brown	Greene	Kern	Peaco
Byers	Hansen of Scott	Koch	Ryder
Drake of Keokuk	Hayes	McCaulley	Rylander
Drake of	Hollis	Mayne	Sours
Muscatine	Hook	Orr	Thiessen
Elliott	Johnson of	Pattison	Watts
	Marion		

Absent or not voting, 2.

Babcock                  Husted

Motion prevailed and the substitute amendment, as amended, adopted.

Reimers of Lyon moved that the title to House File No. 2 be amended by striking all of the said title and inserting in lieu thereof the following:

"An act providing for property tax relief by the levying, imposing, collecting, and paying of taxes on incomes; providing for rules and regulations for the enforcement thereof, and prescribing penalties for the

violation thereof; and making an appropriation for carrying out the provisions of this act."

Amendment to the title adopted.

Reimer 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, 82.

Aiken	Gilmore	Laughlin	Reimers
Allen	Gissel	Lepley	Roe
Augustine	Greaser	Lichty	Rutledge
Avery	Greene	Long	Rylander
Ballew	Hansen of	McCaulley	Shields
Beath	Audubon	McCreery	Short
Berry	Hanson of	McDermott	Simmer
Bonnstetter	Winnebago	McLain	Snyder
Craven	Helgason	Mead	Sours
Davis	Hesse	Millhone	Stanzel
Dayton	Hollingsworth	Miller	Strachan
Ditto	Hollis	Morton	Tamisia
Donlon	Hook	Nelson of Story	TePaske
Drake of	Hopkins	Orr	Thompson
Muscatine	Hunt	Osborn	Torgeson
Durant	Hush	Paisley	Van Buren
Fabritz	Hutcheon	Pattison	Van Wert
Felter	Johnson of	Pendray	Wamstad
Figgins	Marion	Randall	Whiting
Finnern	Lamb	Randolph	Witt
Gallagher	Langland	Rawlings	Mr. Speaker
Garrett		Reed	

The nays were, 24.

Bair	Hansen of Scott	Mathews	Ratliff
Brown	Hayes	Mayne	Ryder
Byers	Kern	Nelson of	Stiger
Drake of Keokuk	Koch	Cherokee	Thiessen
Elliott	Kohler	O'Donnell	Watts
Ellsworth	Malone	Peaco	Wearin
Forsling			

Absent or not voting, 2.

Babcock                      Husted

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

Reimers of Lyon moved that the vote by which House File No. 2 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

CHIEF CLERK AUTHORIZED TO CORRECT TITLE TO  
HOUSE FILE NO. 2

McCaulley of Calhoun asked and obtained unanimous consent authorizing the chief clerk to correct the title, if necessary, to House File No. 2.

EXPLANATION OF VOTE

Byers of Linn filed the following explanation of vote:

I voted "No" on House File No. 2, known as the Income Tax Bill, for the following reasons:

I believe that there is a great deal of merit in raising revenue through a proper income tax. I further believe that in the matter of a very few years practically all revenue in all the States will be raised through an income tax.

In the adoption of House File No. 2 there was created a new and additional method of raising revenue, in other words, an additional form of taxation.

Proponents of the tax have maintained, and do maintain, that the income tax is a replacement tax. I am entirely satisfied that that fact is true and that the tax will become a replacement tax. That is to say, the revenue derived through the income tax will replace certain revenue which has in the past been raised by a direct levy. One of my objections to the income tax is that it secures additional revenue from certain communities in the State of Iowa which will replace reduced revenue from other parts of the State.

I introduced an amendment to the bill which provided that forty per cent (40%) of the receipts from the income tax should be retained by the State and sixty per cent (60%) should be returned to the counties from whose residents the tax was collected, same to be distributed by the County Treasurer to the county, township, city and school funds.

Prior to the adoption of the income tax, the revenue raised in the State of Iowa was raised on a uniform basis over the entire State, that is, each county paid its proportionate share according to its population and its wealth. I feel that the bill as passed is unfair to the larger populated counties, such as Linn County. The amendment which I offered would correct this objection and give the larger populated counties a fair deal.

The State of Wisconsin has had an income tax for several years. As I understand it, the Wisconsin law was originally adopted in about the form that has been adopted by the Iowa House of Representatives, but after they had had same in operation for several years and had some experience in the operation of same the Wisconsin income tax law was amended so that at the present time forty per cent (40%) of the revenue

raised through same is retained by the State and sixty per cent (60%) is returned to the counties and cities where it is raised.

A large portion of the revenue which will go to the State of Iowa from the income tax will come from the larger populated counties, such as the one I live in. A large portion of this new and additional tax will, therefore, come from the larger populated counties. Every cent of it goes to the State of Iowa and, as stated at the beginning, I do not consider that the state revenue will be raised upon a fair and equitable basis.

If my amendment had been adopted, I would be heartily in favor of the income tax and would feel that it was being used for the purpose of replacement at the place where replacement is really needed, as we all realize that the real tax burden is the local county, township, city, town and school tax.

FRANK C. BYERS.

Allen of Pocahontas moved that one thousand copies of House File No. 2 as amended be printed and that an equitable distribution thereof be made to the members of the House.

On the question "Shall one thousand copies be printed?" a roll call was demanded.

The ayes were, 69.

Allen	Garrett	Kern	Roe
Augustine	Gilmore	Kohler	Rylander
Beath	Gissel	Langland	Shields
Berry	Greaser	Laughlin	Short
Bonnstetter	Greene	McCaulley	Simmer
Brown	Hansen of	McLain	Snyder
Davis	Audubon	Malone	Sours
Dayton	Hanson of	Mead	Stanzel
Ditto	Winnebago	Millhone	Strachan
Donlon	Helgason	Morton	Tamisiea
Drake of Keokuk	Hesse	Nelson of	TePaske
Durant	Hollingsworth	Cherokee	Thompson
Ellsworth	Hook	Nelson of Story	Torgeson
Fabritz	Hopkins	Orr	Van Buren
Felter	Hunt	Pattison	Van Wert
Figgins	Hush	Randolph	Wearin
Forsling	Hutcheon	Rawlings	Whiting
Gallagher	Johnson of	Reed	Mr. Speaker
	Marion		

The nays were, 21.

Avery	Koch	Mathews	Pendray
Ballew	Lamb	Mayne	Ryder
Elliott	Lepley	Miller	Thiessen
Finnern	Lichty	Osborn	Watts
Hansen of Scott	Long	Peaco	Witt
Hayes			

Absent or not voting, 18.

Aiken	Drake of	McDermott	Reimers
Babcock	Muscataine	O'Donnell	Rutledge
Bair	Hollis	Paisley	Stiger
Byers	Husted	Randall	Wamstad
Craven	McCreery	Ratliff	

Motion prevailed.

ADDITIONAL COPIES OF HOUSE FILE NO. 151  
ORDERED PRINTED

Simmer of Wapello asked and obtained unanimous consent to have two hundred additional copies of House File No. 151 printed, as amended.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 154.

House Joint Resolution No. 4.

C. J. ORR,  
*Chairman House Committee.*  
E. R. HICKLIN,  
*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 File No. 154.

House Joint Resolution No. 4.

BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 20th day of February, 1931, sent to the governor for his approval:

House File No. 154.

C. J. ORR, *Chairman.*

Report adopted.

#### BILLS SENT TO THE SECRETARY OF STATE

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 20th day of February, 1931, sent to the Secretary of State for his approval:

House Joint Resolution No. 4.

C. J. ORR, *Chairman.*

Report adopted.

#### EXPLANATION OF VOTE

Elliott of Scott filed the following explanation of vote:

I voted "no" on House File No. 2, as amended, for the following reasons:

We have come to the consideration of a bill, the title of which starts with these words: "An act providing for property tax relief \* \* \*", meaning, of course, property tax reduction.

The first section of this act states that its short title shall be "Property Tax Relief Act of 1931".

Just that much of this bill, and no more, promises relief to the property owner of Iowa. From that point on, it is as truly a revenue raising measure as any other tax measure in the statutes.

This is probably the first time in the history of Iowa that any group of politicians or legislators has brazenly brought out a proposition to raise more tax revenue and called it a tax reduction measure. The wonder of the success of this misleading statement can be explained only by the gullibility of the voters of the state.

As the House of Representatives starts its consideration of this bill, I am proposing an amendment which brings us down to a yes and no vote on the question, whether we intend to compel a reduction of property taxes in Iowa or whether we have so little courage that we will, in this session as in many past sessions, simply shout economy from the house tops and leave the same old loopholes in our law for reckless spending of public funds by the state, the counties, the cities and towns and the school boards.



A vote of yes on my amendment, which proposes that all tax levies in the state must be reduced by a certain percentage in each succeeding year, will register each member so voting as a sincere advocate of the kind of public economy that will mean an untold number of dollars in the pockets of Iowa property owners.

Every member who votes no on my amendment will thereby admit that he is one of the thousands of Iowans who has been duped into believing that we can save money by spending more money; that we can lower taxes by raising them; that we can reduce our economic suffering by increasing the number of our economic burdens.

This is not intended as criticism of the purposes of anyone, but those who will, may take it as criticism of their methods of reasoning. There can be no excuse for a man of reason calling black, white.

Either you are for tax reduction and against additional tax levies, or you are willing that we go on and on adding to the long list of taxes to be collected and forever increasing the public funds to be expended by our tax spending bodies.

Only a few days ago Gov. Turner sent to the legislature a special message urging economy at every turn.

Neither Gov. Turner nor any member of the legislature, nor any taxpayer in the state, can deny the fact that in the past the more money we raise by taxation, the more we spend.

No matter how much our public officials urge public economy, it cannot be had in that way. There is only one way. That is to compel it by law and it is rather surprising that in all this frenzied call for economy we have heard in Iowa for two years, it has not been proposed heretofore, that we enact a law compelling the official groups that levy taxes and make up budgets to effect certain definite reductions, year by year, until we are back on a sound financial basis.

One reason this has not been done, is, perhaps, that it would not make such an alluring campaign issue as does the statement to one group of taxpayers that another group of taxpayers hereafter must bear the bulk of the tax burden.

That is the history, in brief, of the income tax act for which a substitute has been offered.

The income tax advocates have glibly talked of public economy and tax reduction from one end of the state to the other and here they are in this house today, proposing, not a tax reduction measure; not a measure to compel reduction of public expenditures, but a measure which creates still another tax the people must pay. And they have the temerity to call it an act for taxation relief.

Let me present some taxation statistics, which, to my mind, constitute something more than matters for idle campaign year talk; to me they

are so serious as to suggest that the man in this present legislature who hedges on the economy issue and votes for a mere subterfuge economy bill, such as House File No. 2; a man who votes for a mere empty title such as the one that heads this bill, must prepare to suffer the consequences next year.

In 1926 the average of all tax levies in Iowa was 99.03 mills.

In 1927 the average was 99.64 mills, in 1928 it was 101.25 mills, in 1929 it was 103.09 mills, and in 1930 it was 111.15 mills.

Up and up it has moved. During the past five years it has increased 12.12 mills.

Is it reasonable to believe that if the legislature adds five or six million dollars to public revenues through another tax, that this upward trend of the average tax levy for the state as a whole will suddenly turn downward; that the spending bodies will not know what to do with the additional money? We seem to have lost out reasoning powers entirely, and to be blindly groping for some measure that will appease the cry of the people for relief from our confiscatory taxes.

That list of average tax levy increases during the past five years should, in itself, impel this legislature to adopt the most drastic measure we can frame to curb the orgy of spending in this state.

Let us look at the total millage rates for all purposes levied by the counties. I have the tax board's statistics on the county millage rates under which the 1930 taxes were collected.

Out of our 99 counties, 61 levied more than 100 mills; 29 levied between 90 and 100 mills; 7 levied between 80 and 90 mills; and in only two was the rate lower than 80 mills.

Fourteen of the 61 counties having aggregate tax levies above 100 mills levy more than 125 mills.

Some of the highest levies are: Polk County, with 194.91 mills; Black Hawk with 148.29 mills; Wapello with 145.87 mills; Des Moines County with 137.39 mills; Woodbury with 131.63 mills; Clinton with 129.98 and Cerro Gordo with 128.30 mills.

The counties listed are those including some of our largest cities. In these cities are thousands of workers on modest, sometimes meager salaries, and they are struggling against odds just as great as those facing the residents of smaller communities.

Are the masses of these struggling wage earners in the cities, with their modest salaries, clamoring for a new form of tax? They are not. They are clamoring for some measure to protect them against constantly mounting taxes, in order that they may have a fighting chance to retain their humble homes and rear their families in decency. It is up to this legislature to give them such a protective law, rather than to heap added burdens upon them in the form of a new tax.

As a final illustration of the necessity of enacting a law that will protect our citizens against their own reckless spending of public funds, let us turn to the school levies.

Statistics compiled within the past few months by the department of public instruction show that in townships constituting school districts, the millage levies range from nothing up to 128 mills, that in rural independent districts the levies range from nothing to 100.5 mills, that the range in consolidated districts is from 4.1 to 128.3 mills. In towns and villages the range is from nothing to 169.9 mills. In second class cities it runs from 11.6 to 217 mills and in first class cities, the range is from 49.7 to 130.2 mills.

In the face of those high figures can we vote a bill through this legislature which will give these local tax levying bodies more leeway? Was not the legislature made supreme over these subdivisions in order that it might enforce uniform policies upon these subordinate governing bodies for the welfare of all the people of the state?

We shirk our plain duty here unless we order by law, at this session, and in the definite way proposed, that this orgy of spending shall cease.

TOTAL MILLAGE LEVIED IN 1929.  
COLLECTED IN 1930.

Adair .....	92.97	Emmet .....	112.12
Adams .....	90.00	Fayette .....	114.26
Allamakee .....	106.71	Floyd .....	112.24
Appanoose .....	125.33	Franklin .....	94.67
Audubon .....	91.91	Fremont .....	130.69
Benton .....	96.76	Greene .....	103.18
Black Hawk .....	148.29	Grundy .....	89.89
Boone .....	117.07	Guthrie .....	105.71
Bremer .....	95.27	Hamilton .....	108.98
Buchanan .....	98.24	Hancock .....	101.46
Buena Vista .....	101.85	Hardin .....	108.49
Butler .....	93.74	Harrison .....	102.51
Calhoun .....	95.34	Henry .....	101.22
Carroll .....	83.38	Howard .....	101.69
Cass .....	96.608	Humboldt .....	101.98
Cedar .....	90.01	Ida .....	98.16
Cerro Gordo .....	128.30	Iowa .....	91.88
Cherokee .....	103.28	Jackson .....	90.01
Chickasaw .....	87.30	Jasper .....	119.21
Clarke .....	91.56	Jefferson .....	117.37
Clay .....	100.91	Johnson .....	110.63
Clayton .....	96.92	Jones .....	96.64
Clinton .....	129.98	Keokuk .....	102.71
Crawford .....	91.96	Kossuth .....	92.66
Dallas .....	125.68	Lee .....	119.20
Davis .....	93.21	Linn .....	147.92
Decatur .....	116.23	Louisa .....	118.14
Delaware .....	95.51	Lucas .....	106.48
Des Moines .....	137.39	Lyon .....	76.77
Dickinson .....	107.98	Madison .....	97.11
Dubuque .....	114.86	Mahaska .....	113.45

Marion .....	114.15	Scott .....	84.22
Marshall .....	135.78	Shelby .....	85.24
Mills .....	109.29	Sioux .....	83.07
Mitchell .....	102.47	Story .....	132.83
Monona .....	105.98	Tama .....	100.43
Monroe .....	108.49	Taylor .....	102.78
Montgomery .....	110.10	Union .....	117.80
Muscatine .....	114.33	Van Buren .....	108.30
O'Brien .....	94.82	Wapello .....	145.87
Osceola .....	95.73	Warren .....	96.44
Page .....	119.49	Washington .....	92.23
Palo Alto .....	108.92	Wayne .....	102.35
Plymouth .....	78.50	Webster .....	121.53
Pocahontas .....	101.69	Winnebago .....	110.24
Polk .....	194.91	Winneshiek .....	84.44
Pottawattamie .....	141.49	Woodbury .....	131.63
Poweshiek .....	99.75	Worth .....	95.55
Ringgold .....	106.98	Wright .....	102.37
Sac .....	91.90	Average .....	106.70

FRANK W. ELLIOTT.

## AMENDMENTS FILED

Allen of Pocahontas filed the following amendment to House File No. 38:

Amend House File No. 38 as follows:

1. By inserting after section one (1) the following:

Sec. 2. "The treasurer shall, each year, upon receiving the tax list, enter as a separate item in the same column provided for the entering of former delinquent real estate taxes, the amount of such suspended taxes, whether then subject to be enforced, or not, and unless such suspended taxes are so brought forward and entered they shall cease to be a lien upon the real estate upon which the same were levied. But to preserve such liens, it shall only be necessary to enter such taxes, as aforesaid, opposite any tract upon which they are liens. Any sale for the whole or any part of such delinquent taxes not so entered shall be invalid."

Brown of Polk filed the following amendment to House File No. 47:

Amend House File No. 47 by adding thereto the following:

"Sec. 3. That section nine (9) of chapter one hundred ninety-four (194) of the laws of the Forty-third (43rd) General Assembly be and is hereby amended by striking from lines twenty-five (25) and twenty-six (26), the following: "assessments shall draw interest from the date of confirmation by the court".

Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa Unionist and the Iowa Bystander, newspapers published in the city of Des Moines, Iowa."

Brown of Polk filed the following amendment to House File No. 41.

Amend the committee amendment to House File No. 41, as follows:

By inserting the following:

"7. Sixty thousand (60,000) and under sixty-five thousand (65,000), three thousand dollars (\$3,000.00)."

By striking out the word "sixty" at the end of line five (5), paragraph eleven (11), and the words "five thousand" and the figures "(65,000)" in line six (6) of paragraph eleven (11) and inserting in lieu thereof, the words and figures, "sixty-thousand (60,000)."

By striking out the words and figures "sixty-five thousand (65,000)" in line eleven (11), paragraph eleven (11), and inserting in lieu thereof, "sixty-thousand (60,000)."

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 247, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the county of Humboldt, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said school district.

On motion of Davis of Delaware the House adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, FEBRUARY 21, 1931.

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

Prayer was offered by the Rev. O. A. Luce, pastor of the Methodist church, Des Moines.

Journal of February 20th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Helgason of Emmet for the day, on request of Hutcheon of Greene; Husted of Madison for the day, on request of Nelson of Cherokee; Forsling of Woodbury for the day, on request of Short of Woodbury; Langland of Winneshiek for the day, on request of Van Buren of Jones; Ellsworth of Hardin for the day, on request of Torgeson of Worth; Figgins of Union for the day, on request of Millhone of Page; McCreery of Linn for the day, on request of Byers of Linn; Avery of Clay for the day, on request of Brown of Polk; Hesse of O'Brien for the day, on request of Brown of Polk; Johnson of Marion for the day, on request of McCaulley of Calhoun; Hayes of Dubuque for the day, on request of Orr of Clayton; Hansen of Scott for the day, on request of Van Buren of Jones; Lichty of Black Hawk for the day, on request of Van Buren of Jones; Berry of Monroe for the day, on request of Reed of Mahaska.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Aiken of Ida, from citizens of Ida county, favoring a state driver's license law. Motor vehicles and transportation.

By Greaser of Benton, from citizens of Shellsburg, favoring a diversion of primary road funds. Roads and highways.

By Witt of Butler, from citizens of Allison, favoring a diversion of primary road funds. Roads and highways.

By Mead of Howard, from members of the Tuesday Club, supporting House File No. 87. Ways and means.

By McCaulley of Calhoun, from dealers of Pomeroy, opposing the raising of the tobacco tax; and from the board of supervisors of Calhoun county, opposing House File No. 250. Tax revision, and county and township organization.

By Wearin of Mills, from citizens of Mills county, favoring a state drivers' license law; from citizens of Mills county, favoring optional military training in state schools. Motor vehicles and transportation, and state educational institutions.

By Bair of Buena Vista, from citizens of Linn Grove, favoring a diversion of the primary road funds. Roads and highways.

By Lepley of Grundy, from citizens of Conrad, favoring a diversion of primary road funds. Roads and highways.

By Thompson of Fayette, from the American Legion post of Oelwein, favoring compulsory military training in state schools; from citizens of Fayette county, favoring a state driver's license law; and from citizens of Oelwein, favoring a diversion of the primary road funds. State educational institutions, motor vehicles and transportation, and roads and highways.

By Van Buren of Jones, from citizens of Jones county, favoring a state driver's license law. Motor vehicles and transportation.

By Rylander of Marshall, from citizens of Albion, favoring a diversion of the primary road funds. Roads and highways.

By Dayton of Washington, from citizens of Washington county, favoring a state driver's license law. Motor vehicles and transportation.

By Ratliff of Henry, from citizens of Salem, favoring a diversion of the primary road funds. Roads and highways.

By Ellsworth of Hardin, from taxpayers of New Providence, supporting a state driver's license law. Motor vehicles and transportation.

By Stiger of Tama, from citizens of Garwin, favoring a diversion of the primary road funds. Roads and highways.

By Hollingsworth of Boone, from citizens of Ogden, favoring a diversion of the primary road funds. Roads and highways.

By Kohler of Plymouth, from citizens of Plymouth county, opposing House File No. 233. Animal industry.

#### INTRODUCTION OF BILLS

House File No. 349, by Randolph of Davis, a bill for an act to amend section twenty-six (26), of chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relative to the closed seasons for game birds and animals.

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

House File No. 350, by Kern and Brown of Polk, a bill for an act providing for the cancellation of taxes levied and assessed against waterworks systems and property purchased by cities of one hundred thousand inhabitants or more, including cities under commission plan of government, and including lands purchased for extension of such systems, and to protect the water supply, in cases where such taxes are levied and assessed or become due after such purchase.

Read first and second times and referred to committee on cities and towns.

House File No. 351, by committee on claims, a bill for an act to make appropriation to Thomas Logan, William Ross, Fink Brothers, P. A. Clemer, the Union Prairie Church, E. R. Bartz, Mrs. James Shada and Dale Taylor, for damages done by articles thrown by a rotary snow plow, operated by the Iowa State Highway Commission.

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

House File No. 352, by Hush of Montgomery, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review,



providing for the making of reports by pipe line companies to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review to make rules and regulations relative to the making of reports and furnishing of information by said pipe line companies.

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

House File No. 353, by Hush of Montgomery, a bill for an act to impose a license fee upon all natural gas, or gas a part of which is natural gas, carried in pipe lines, and which is used or otherwise disposed of in this state for any purpose whatsoever, and providing for the payment, collection, distribution and expenditure of said fee, and providing for penalties for violation of this act.

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

House File No. 354, by Orr 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.

House File No. 355, by Craven of Jasper, a bill for an act to amend chapter one hundred forty-six (146), acts of the forty-third (43rd) general assembly, providing that all counties adopt a budget conforming to this chapter.

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

#### CONSIDERATION OF BILLS

House File No. 205, a bill for an act to amend chapter fifty-eight (58), acts of the Forty-third (43rd) General Assembly, relating to the closed season on hunting and trapping certain furbearing animals, and providing for the extension of an open season upon hunting red foxes, with report of committee recommending passage, was taken up for consideration.

Thompson 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, 69.

Allen	Garrett	McLain	Shields
Augustine	Gilmore	Malone	Snyder
Bair	Gissel	Mathews	Sours
Beath	Greaser	Mayne	Stanzel
Bonnstetter	Greene	Mead	Stiger
Brown	Hansen of	Millhone	Strachan
Byers	Audubon	Morton	TePaske
Craven	Hanson of	Nelson of	Thiessen
Davis	Winnebago	Cherokee	Thompson
Dayton	Hollis	Paisley	Torgeson
Ditto	Hook	Pattison	Van Buren
Donlon	Hopkins	Peaco	Van Wert
Drake of Keokuk	Hush	Pendray	Wamstad
Drake of	Hutcheon	Ratliff	Watts
Muscatine	Koch	Rawlings	Wearin
Durant	Kohler	Reed	Whiting
Elliott	Lepley	Roe	Witt
Fabritz	Long	Ryder	Mr. Speaker
Finnern			

The nays were, 3.

Gallagher	Osborn	Randall	
Absent or not voting, 36.			
Aiken	Hayes	Lamb	O'Donnell
Avery	Helgason	Langland	Orr
Babcock	Hesse	Laughlin	Randolph
Ballew	Hollingsworth	Lichty	Reimers
Berry	Hunt	McCaulley	Rutledge
Ellsworth	Husted	McCreery	Rylander
Felter	Johnson of	McDermott	Short
Figgins	Marion	Miller	Simmer
Forsling	Kern	Nelson of Story	Tamisiea
Hansen of Scott			

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Fabritz of Wapello for the balance of the day, on request of Millhone of Page.

House File No. 198, a bill for an act to repeal section twenty-nine hundred five (2905) and to amend section twenty-nine hundred ten (2910) of the code, 1927, relating to county aid for county agricultural societies and the use of such funds, with report of committee recommending passage, was taken up for consideration.

Stanzel of Sac offered the following amendment and moved its adoption:

Amend by striking in line four (4) of section two (2) the period (.) and inserting in lieu thereof the words "and the work of the boy scouts and/or campfire girls."

Ditto of Osceola asked and obtained unanimous consent to have further action on House File No. 198 deferred.

Senate File No. 77, a bill for an act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs, with report of committee recommending passage, was taken up for consideration.

Bair of Buena Vista offered the following amendment and moved its adoption:

Amend by striking in line four (4) of section five (5) the word "local".

Amendment adopted.

Shields of Clarke called up the amendment filed by him and found in the Journal of February 12th and moved its adoption.

Amendment adopted.

TePaske of Sioux offered the following amendment and moved its adoption:

Amend by striking the period (.) at the end of section six (6) and inserting a comma (,) and add the following: "and in the case of accident he shall be prima facie presumed to have been negligent."

Amendment adopted.

Van Buren of Jones offered the following amendment and moved its adoption:

Amend section seven (7) by adding at the end thereof, the following: "Whenever practical, said signs shall be purchased from the Board of Control."

Amendment adopted.

Malone 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, 66.

Allen	Gissel	Malone	Snyder
Augustine	Greaser	Mayne	Sours
Bair	Greene	Mead	Stanzel
Beath	Hansen of	Millhone	Stiger
Bonnstetter	Audubon	Morton	Strachan
Byers	Hanson of	Nelson of	TePaske
Craven	Winnebago	Cherokee	Thiessen
Davis	Hollis	Orr	Thompson
Dayton	Hook	Paisley	Torgeson
Ditto	Hopkins	Pattison	Van Buren
Donlon	Hush	Peaco	Van Wert
Drake of Keokuk	Hutcheon	Pendray	Wamstad
Drake of	Koch	Randolph	Watts
Muscatine	Kohler	Rawlings	Wearin
Durant	Lamb	Reed	Whiting
Elliott	Lepley	Reimers	Witt
Felter	McLain	Roe	Mr. Speaker
Garrett		Rylander	

The nays were, 11.

Ballew	Long	Randall	Shields
Finnern	McCaulley	Ratliff	Tamisiea
Gallagher	Mathews	Ryder	

Absent or not voting, 31.

Aiken	Forsling	Husted	McDermott
Avery	Gilmore	Johnson of	Miller
Babcock	Hansen of Scott	Marion	Nelson of Story
Berry	Hayes	Kern	O'Donnell
Brown	Helgasson	Langland	Osborn
Ellsworth	Hesse	Laughlin	Rutledge
Fabritz	Hollingsworth	Lichty	Short
Figgins	Hunt	McCreery	Simmer

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

Malone of Cass moved that the vote by which Senate File No. 77 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 189, a bill for an act consenting to discontinuing the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company, its successors and assigns, from Council Bluffs, Iowa, to and across lands of the Iowa School for the Deaf under the provisions of chapter two hundred sixty-nine (269), acts of the thirty-third (33rd) general assembly; providing for the termination of the right-of-way therein granted and for the obligation of the railway company to remove its property from

the state lands, restore them to original condition and surrender possession thereof to the state, with report of committee recommending passage, was taken up for consideration.

Mayne 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, 82.

Allen	Gissel	McLain	Rylander
Augustine	Greaser	Malone	Shields
Bair	Greene	Mathews	Short
Ballew	Hansen of	Mayne	Snyder
Beath	Audubon	Mead	Sours
Bonnstetter	Hanson of	Millhone	Stanzel
Brown	Winnebago	Miller	Stiger
Byers	Hollis	Morton	Strachan
Davis	Hook	Nelson of	Tamisiea
Dayton	Hopkins	Cherokee	TePaske
Ditto	Hunt	Orr	Thiessen
Donlon	Hush	Paisley	Thompson
Drake of Keokuk	Hutcheon	Pattison	Torgeson
Drake of	Kern	Peaco	Van Buren
Muscatine	Koch	Pendray	Van Wert
Durant	Kohler	Randall	Wamstad
Elliott	Lamb	Randolph	Watts
Felter	Lepley	Ratliff	Wearin
Finnern	Long	Reed	Whiting
Gallagher	McCaulley	Reimers	Witt
Garrett	McDermott	Roe	Mr. Speaker
Gilmore		Ryder	

The nays were, none.

Absent or not voting, 26.

Aiken	Figgins	Husted	Nelson of Story
Avery	Forsling	Johnson of	O'Donnell
Babcock	Hansen of Scott	Marion	Osborn
Berry	Hayes	Langland	Rawlings
Craven	Helgason	Laughlin	Rutledge
Ellsworth	Hesse	Lichty	Simmer
Fabritz	Hollingsworth	McCreery	

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

Mayne of Pottawattamie moved that the vote by which House File No. 189 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 136, a bill for an act to amend section forty-two

hundred fifty-two (4252) of the code, 1927, relating to courses of study in common schools, with report of committee recommending passage, was taken up for consideration.

Wamstad of Mitchell offered the following amendment and moved its adoption:

Amend House File No. 136 by striking all of section one (1) and by substituting as section one (1) the following:

"Sec. 1. That section forty-two hundred fifty-two (4252) of the code, 1927, be amended by inserting in line three (3) thereof after the comma (,) following the word "history" the following: "history of Iowa".

Amendment adopted.

Hopkins 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, 81.

Aiken	Gissel	McLain	Ryder
Allen	Greaser	Malone	Rylander
Augustine	Greene	Mathews	Shields
Bair	Hansen of	Mayne	Snyder
Ballew	Audubon	Millhone	Sours
Beath	Hanson of	Morton	Stanzel
Bonnstetter	Winnebago	Nelson of	Stiger
Brown	Hollis	Cherokee	Strachan
Byers	Hook	O'Donnell	Tamisieea
Craven	Hopkins	Orr	TePaske
Davis	Hunt	Paisley	Thiessen
Dayton	Hush	Pattison	Thompson
Ditto	Hutcheon	Peaco	Torgeson
Donlon	Kern	Pendray	Van Buren
Drake of Keokuk	Koch	Randall	Van Wert
Durant	Kohler	Randolph	Wamstad
Elliott	Lamb	Ratliff	Wearin
Felter	Lepley	Rawlings	Whiting
Finnern	Long	Reed	Witt
Gallagher	McCaulley	Reimers	Mr. Speaker
Garrett	McDermott	Roe	
Gilmore			

The nays were, none.

Absent or not voting, 27.

Avery	Forsling	Johnson of	Nelson of Story
Babcock	Hansen of Scott	Marion	Osborn
Berry	Hayes	Langland	Rutledge
Drake of	Helgason	Laughlin	Short
Muscataine	Hesse	Lichty	Simmer
Ellsworth	Hollingsworth	McCreery	Watts
Fabritz	Husted	Mead	
Figgins		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. 237, a bill for an act to legalize the corporate acts and proceedings of the Portsmouth livestock shipping association of Portsmouth, Iowa, and to provide for the reinstatement of said corporation, thereby entitling said corporation to continue to act as a corporation for the unexpired portion of its corporate period as fixed by the articles of incorporation and limitations prescribed by law, with report of committee recommending passage, was taken up for consideration.

Byers 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, 82.

Allen	Gilmore	McDermott	Roe
Augustine	Gissel	McLain	Ryder
Bair	Greaser	Malone	Rylander
Ballew	Hansen	Mathews	Snyder
Beath	of Audubon	Mayne	Sours
Bonnstetter	Hanson	Millhone	Stanzel
Brown	of Winnebago	Morton	Stiger
Byers	Hollis	Nelson	Strachan
Craven	Hook	of Cherokee	Tamisiea
Davis	Hopkins	O'Donnell	TePaske
Dayton	Hunt	Orr	Thiessen
Ditto	Hush	Osborn	Thompson
Donlon	Hutcheon	Paisley	Torgeson
Drake of Keokuk	Kern	Pattison	Van Buren
Drake	Koch	Peaco	Van Wert
of Muscatine	Kohler	Pendray	Wamstad
Durant	Lamb	Randall	Watts
Elliott	Laughlin	Randolph	Wearin
Felter	Lepley	Ratliff	Whiting
Finnern	Long	Rawlings	Witt
Gallagher	McCauley	Reed	Mr. Speaker
Garrett		Reimers	

The nays were, none.

Absent or not voting, 26.

Aiken	Forsling	Husted	Miller
Avery	Greene	Johnson	Nelson of Story
Babcock	Hansen of Scott	of Marion	Rutledge
Berry	Hayes	Langland	Shields
Ellsworth	Helgason	Lichty	Short
Fabritz	Hesse	McCreery	Simmer
Figgins	Hollingsworth	Mead	

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

House File No. 90, a bill for an act to provide for the merger and/or consolidation of a corporation organized under the laws of this State for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent state, with report of committee recommending passage, was taken up for consideration.

Elliott of Scott offered the following amendment and moved its adoption.

Amend House File No. 90 as follows:

Strike out all of Section 2, and substitute the following:

"Sec. 2. This act, being deemed of immediate importance, shall take effect from and after its publication as provided by law."

Amendment adopted.

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?"

The ayes were, 72.

Allen	Garrett	McCaulley	Rylander
Augustine	Gilmore	McDermott	Short
Bair	Gissel	McLain	Snyder
Ballew	Greasier	Mathews	Sours
Beath	Hansen of	Mayne	Stanzel
Bonnstetter	Audubon	Millhone	Stiger
Brown	Hanson of	Morton	Strachan
Davis	Winnebago	Nelson of	Tamisiea
Dayton	Hollis	Cherokee	TePaske
Ditto	Hook	Orr	Thiessen
Donlon	Hopkins	Osborn	Thompson
Drake of Kéokuk	Hunt	Paisley	Torgeson
Drake of	Hush	Pattison	Van Buren
Muscatine	Hutcheon	Peaco	Van Wert
Durant	Kern	Randolph	Wamstad
Elliott	Koch	Ratliff	Watts
Felter	Kohler	Rawlings	Whiting
Finnern	Lamb	Reed	Witt
Gallagher	Long	Ryder	Mr. Speaker

The nays were, none.



Absent or not voting, 36.

Aiken	Greene	Langland	O'Donnell
Avery	Hansen of Scott	Laughlin	Pendray
Babcock	Hayes	Lepley	Randall
Berry	Helgason	Lichty	Reimers
Byers	Hesse	McCreery	Roe
Craven	Hollingsworth	Malone	Rutledge
Ellsworth	Husted	Mead	Shields
Fabritz	Johnson of	Miller	Simmer
Figgins	Marion	Nelson of Story	Wearin
Forsling			

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

Elliott of Scott moved that the vote by which House File No. 90 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 248, a bill for an act to amend section ten thousand three hundred forty-eight (10348), code, 1927, pertaining to the hotel keeper's lien, with report of committee recommending passage, was taken up for consideration.

Brown 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, 72.

Augustine	Gissel	Malone	Rylander
Ballew	Greaser	Mathews	Shields
Beath	Hanson of	Mayne	Short
Bonnstetter	Winnebago	Mead	Snyder
Byers	Hollis	Millhone	Sours
Craven	Hook	Morton	Stanzel
Davis	Hopkins	Nelson of	Stiger
Dayton	Hunt	Cherokee	Strachan
Ditto	Hush	Orr	Tamisiea
Donlon	Hutcheon	Paisley	TePaske
Drake of Keokuk	Kern	Pattison	Thiessen
Drake of	Koch	Peaco	Thompson
Muscatine	Kohler	Pendray	Van Wert
Durant	Lamb	Randolph	Wamstad
Elliott	Lepley	Ratliff	Watts
Felter	Long	Rawlings	Whiting
Gallagher	McCauley	Reed	Witt
Garrett	McDermott	Roe	Mr. Speaker
Gilmore	McLain	Ryder	

The nays were, none.

Absent or not voting, 36.

Aiken	Finnern	Hollingsworth	O'Donnell
Allen	Forsling	Husted	Osborn
Avery	Greene	Johnson of	Randall
Babcock	Hansen of	Marion	Reimers
Bair	Audubon	Langland	Rutledge
Berry	Hansen of Scott	Laughlin	Simmer
Brown	Hayes	Lichty	Torgeson
Ellsworth	Helgason	McCreery	Van Buren
Fabritz	Hesse	Miller	Wearin
Figgins		Nelson of Story	

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

Brown of Polk moved that the vote by which House File No. 248 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 177, a bill for an act to amend section thirty-eight hundred seventeen (3817) of the code, 1927, relating to conditions prerequisite to a pardon, with report of committee recommending passage, was taken up for consideration.

Brown 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, 73.

Allen	Gissel	McDermott	Reimers
Ballew	Greaser	McLain	Roe
Beath	Hansen of	Malone	Ryder
Bonnstetter	Audubon	Mathews	Short
Brown	Hanson of	Mayne	Snyder
Byers	Winnebago	Mead	Sours
Craven	Hollis	Millhone	Stanzel
Davis	Hook	Morton	Stiger
Dayton	Hopkins	Nelson of	Strachan
Ditto	Hunt	Cherokee	TePaske
Donlon	Hush	Orr	Thiessen
Drake of Keokuk	Hutcheon	Paisley	Thompson
Drake of	Kern	Pattison	Torgeson
Muscatine	Koch	Peaco	Van Buren
Durant	Kohler	Pendray	Wamstad
Felter	Lamb	Randolph	Watts
Finnern	Lepley	Ratliff	Whiting
Gallagher	Long	Rawlings	Witt
Garrett	McCaulley	Reed	Mr. Speaker
Gilmore			

The nays were, none.

Absent or not voting, 35.

Aiken	Figgins	Johnson of	Osborn
Augustine	Forsling	Marion	Randall
Avery	Greene	Langland	Rutledge
Babcock	Hansen of Scott	Laughlin	Rylander
Bair	Hayes	Lichty	Shields
Berry	Helgason	McCreery	Simmer
Elliott	Hesse	Miller	Tamisiea
Ellsworth	Hollingsworth	Nelson of Story	Van Wert
Fabritz	Husted	O'Donnell	Wearin

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

House File No. 38, a bill for an act to amend section sixty-nine hundred fifty-one (6951), Code, 1927, relating to the suspension, cancellation, or remission of taxes, with report of committee recommending amendment and passage, was taken up for consideration.

Allen of Pocahontas moved to amend the committee amendment found in the Journal of February 18th by striking the provision which strikes the publication clause.

Amendment to committee amendment adopted.

Committee amendments, as amended, adopted.

Allen of Pocahontas called up the amendment filed by him and found in the Journal of February 20th, and moved its adoption.

Amendment adopted.

Allen of Pocahontas moved that further action on House File No. 38 be deferred.

Motion prevailed.

House File No. 175, a bill for an act to empower the board of trustees of county public hospitals to submit to the voters of a county a proposition to sell or lease sites and buildings used for such hospitals, and to this end to amend section fifty-three hundred fifty-nine (5359), code, 1927, relating to such hospitals, with report of committee recommending passage, was taken up for consideration.

Kern 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, 76.

Allen	Gissel	McLain	Shields
Augustine	Greaser	Malone	Short
Ballew	Greene	Mathews	Simmer
Beath	Hansen	Mayne	Snyder
Bonnstetter	of Audubon	Mead	Sours
Brown	Hanson	Morton	Stanzel
Byers	of Winnebago	Nelson	Stiger
Davis	Hollis	of Cherokee	Strachan
Dayton	Hook	Orr	Tamisiea
Ditto	Hopkins	Paisley	TePaske
Donlon	Hunt	Pattison	Thiessen
Drake of Keokuk	Hush	Peaco	Thompson
Drake	Hutcheon	Pendray	Torgeson
of Muscatine	Kern	Randall	Van Buren
Durant	Koch	Randolph	Van Wert
Elliott	Kohler	Ratliff	Wamstad
Felter	Lamb	Rawlings	Wearin
Finnern	Lepley	Reed	Whiting
Gallagher	Long	Reimers	Witt
Garrett	McDermott	Ryder	Mr. Speaker

The nays were, none.

Absent or not voting, 32.

Aiken	Forsling	Johnson	Miller
Avery	Gilmore	of Marion	Nelson of Story
Babcock	Hansen of Scott	Langland	O'Donnell
Bair	Hayes	Laughlin	Osborn
Berry	Helgason	Lichty	Roe
Craven	Hesse	McCaulley	Rutledge
Ellsworth	Hollingsworth	McCreery	Rylander
Fabritz	Husted	Millhone	Watts
Figgins			

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

House File No. 169, a bill for an act requiring all horse drawn vehicles and all other vehicles not now required to have lights, when on the highways of this state, to provide a light on said vehicles which can be seen for a radius of two hundred (200) feet, with report of committee recommending passage, was taken up for consideration.

Snyder of Hamilton offered the following amendments and moved their adoption:

Amend House File No. 169 as follows:

1. Insert the words "or reflectors" immediately following the word "lights" in line five (5) of section one (1) thereof.

2. By striking out all of section two (2) thereof.

Amendments adopted.

Snyder of Hamilton moved that further action on House File No. 169 be deferred.

Motion prevailed.

House File No. 92, a bill for an act to legalize and validate the acts, franchises, rights, privileges and corporate existence of corporations organized or purporting to have been organized under the laws of this State, in all cases wherein such a corporation has failed to file articles of incorporation or other instrument of similar import with the Secretary of State or otherwise to comply with the law relating to the organization of corporations, and/or to renew its corporate existence within the period limited by law, and has heretofore filed in the office of the Secretary of State its renewal articles of incorporation and a certificate of the adoption thereof and received from the Secretary of State a certificate of renewal, with report of committee recommending passage, was taken up for consideration.

Elliott of Scott offered the following amendment and moved its adoption:

Amend by striking line three (3) of section three (3) everything after the word "publication" and inserting in lieu thereof "as provided by law".

Amendment adopted.

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?"

The ayes were, 69.

Augustine	Durant	Hutcheon	Miller
Bair	Elliott	Kern	Nelson of
Ballew	Gallagher	Koch	Cherokee
Beath	Garrett	Kohler	Orr
Bonnstetter	Gilmore	Lamb	Paisley
Brown	Gissel	Lepley	Pattison
Byers	Hansen of	Long	Peaco
Craven	Audubon	McDermott	Pendray
Davis	Hollis	McLain	Randolph
Dayton	Hook	Malone	Ratliff
Ditto	Hopkins	Mathews	Rawlings
Donlon	Hunt	Mayne	Reed
Drake of Keokuk	Hush	Millhone	Reimers

Ryder	Stiger	Torgeson	Wearin
Short	Strachan	Van Buren	Whiting
Snyder	Tamisica	Van Wert	Witt
Sours	Thiessen	Wamstad	Mr. Speaker
Stanzel	Thompson	Watts	

The nays were, none.

Absent or not voting, 39.

Aiken	Finnern	Hollingsworth	Nelson of Story
Allen	Forsling	Husted	O'Donnell
Avery	Greasier	Johnson of	Osborn
Babcock	Greene	Marion	Randall
Berry	Hansen of Scott	Langland	Roe
Drake of	Hanson of	Laughlin	Rutledge
Muscatine	Winnebago	Lichty	Rylander
Ellsworth	Hayes	McCaulley	Shields
Fabritz	Helgason	McCreery	Simmer
Felter	Hesse	Mead	TePaske
Figgins		Morton	

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

House File No. 247, a bill for an act to legalize the proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the county of Humboldt, state of Iowa, and the proceedings providing for the levying of an annual tax for the payment of said bonds and declaring said bonds enforceable obligations of said school district, with report of committee recommending passage, was taken up for consideration.

Strachan 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, 73.

Allen	Elliott	Kohler	Orr
Augustine	Felter	Lamb	Pattison
Bair	Gallagher	Lepley	Peaco
Ballew	Garrett	Long	Pendray
Beath	Gilmore	McDermott	Ratliff
Bonnstetter	Gissel	McLain	Rawlings
Byers	Greasier	Malone	Reed
Craven	Hansen of	Mathews	Reimers
Dayton	Audubon	Mayne	Roe
Ditto	Hollis	Mead	Ryder
Donlon	Hopkins	Millhone	Rylander
Drake of Keokuk	Hunt	Miller	Shields
Drake of	Hush	Morton	Short
Muscatine	Hutcheon	Nelson of	Snyder
Durant	Koch	Cherokee	Sours

Stanzel	TePaske	Van Buren	Wearin
Stiger	Thiessen	Van Wert	Whiting
Strachan	Thompson	Wamstad	Witt
Tamisiea	Torgeson	Watts	Mr. Speaker

The nays were, 2.

Greene                      Hook

Absent or not voting, 33.

Aiken	Finnern	Husted	Nelson of Story
Avery	Forsling	Johnson of	O'Donnell
Babcock	Hansen of Scott	Marion	Osborn
Berry	Hanson of	Kern	Paisley
Brown	Winnebago	Langland	Randall
Davis	Hayes	Laughlin	Randolph
Ellsworth	Helgason	Lichty	Rutledge
Fabritz	Hesse	McCaulley	Simmer
Figgins	Hollingsworth	McCreery	

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. 38.

House File No. 38, a bill for an act to amend section sixty-nine hundred fifty-one (6951), Code, 1927, relating to the suspension, cancellation, or remission of taxes.

Brown of Polk offered the following amendments and moved their adoption:

Amend House File No. 38 by striking out the word "one" and figure (1) in line one of section one (1) and inserting in lieu of the figure (1) a cipher "0".

Also amend section two (2) of the bill as amended by striking the comma (,) following the word "not" and the remainder of the sentence, and inserting in lieu thereof, a period (.).

Also striking the word "but" in the sixth line of section two (2) and the word "only" in line seven (7) of said section two (2), as it appears in the Journal.

Also amend section two (2) by inserting after the word "delinquent" in line three, the words "and or suspended".

The Speaker ruled that the amendment offered by Brown of Polk was out of order, because it should have been offered to the amendment offered by Allen of Pocahontas and considered before the adoption of Allen's amendment.

Allen of Pocahontas asked and obtained unanimous consent

to have the amendment offered by Brown of Polk incorporated in the amendment offered by him and adopted by the House.

Amendment incorporated, so that section two (2) reads as follows:

Sec. 2. "The treasurer shall, each year, upon receiving the tax list, enter as a separate item in the same column provided for the entering of former delinquent and/or suspended real estate taxes, the amount of such suspended taxes, whether then subject to be enforced, or not. To preserve such liens, it shall be necessary to enter such taxes, as aforesaid, opposite any tract upon which they are liens. Any sale for the whole or any part of such delinquent taxes not so entered shall be invalid."

Also, amend House File No. 38 by striking out the words and figures "Section sixty-nine hundred fifty-one (6951)" in line one (1) of section one (1) and inserting in lieu thereof the words and figures "Section sixty-nine hundred fifty (6950)".

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

On the question "Shall the bill pass?"

The ayes were, 63.

Aiken	Gilmore	Mathews	Short
Allen	Gissel	Mayne	Snyder
Bair	Greaser	Mead	Sours
Beath	Hanson	Millhone	Stanzel
Brown	of Winnebago	Morton	Stiger
Byers	Hollis	Nelson	Strachan
Craven	Hopkins	of Cherokee	Tamisiea
Davis	Hunt	O'Donnell	TePaske
Dayton	Hush	Orr	Thiessen
Ditto	Kern	Paisley	Thompson
Donlon	Lamb	Pattison	Van Buren
Drake of Keokuk	Lepley	Peaco	Van Wert
Drake	Long	Pendray	Watts
of Muscatine	McDermott	Randolph	Wearin
Durant	McLain	Rawlings	Whiting
Elliott	Malone	Reed	Mr. Speaker
Felter		Reimers	

The nays were, 4.

Garrett	Hutcheon	Roe	Torgeson
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Absent or not voting, 41.

Augustine	Figgins	Hayes	Koch
Avery	Finnern	Helgason	Kohler
Babcock	Forsling	Hesse	Langland
Ballew	Gallagher	Hollingsworth	Laughlin
Berry	Greene	Hook	Lichty
Bonnstetter	Hansen	Husted	McCaulley
Ellsworth	of Audubon	Johnson	McCreery
Fabritz	Hansen of Scott	of Marion	Miller



Nelson of Story  
Osborn  
Randall

Ratliff  
Rutledge  
Ryder

Rylander  
Shields  
Simmer

Wamstad  
Witt

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

Elliott of Scott offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 38 by striking in line two (2) the words and figures "sixty-nine hundred fifty-one (6951)" and inserting in lieu thereof the words and figures "sixty-nine hundred fifty (6950)".

Amendment adopted and the title as amended was agreed to.

#### ADDITIONAL COPIES OF HOUSE FILE NO. 123 ORDERED PRINTED

Van Buren of Jones asked and obtained unanimous consent to have four hundred additional copies of House File No. 123 printed, as amended.

#### 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 to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 199, a bill for an act to authorize city and town councils to establish school zones within the limits of said city and town.

Also, 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 the time of filing claims for exemption from taxation.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 211, a bill for an act providing for the selection of the Chief Justice of the Supreme Court for a term of six months, rather than a year.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 214, a bill for an act providing for the payment of costs of removal of obstructions from state lands and waters by the owner thereof after the removal thereof by the state, creating a lien therefor and providing for the foreclosure of said lien.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 35, a bill for an act relating to high school tuition.

Also, that the Senate has concurred in the House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 193, a bill for an act to legalize certain listing and assessment of personal and real property by the assessors of the state of Iowa, and the collection of taxes thereon.

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 relative to the publication of the Acts of the General Assembly.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 99, a bill for an act making it optional for boards of supervisors to levy a tax of not exceeding one (1) mill instead of one-half ( $\frac{1}{2}$ ) mill as now authorized.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 215, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 216, a bill for an act to provide for the removal by the

state of obstructions from state owned lands and waters ten days after service of a notice for removal upon the owner thereof.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 217, a bill for an act relative to collecting a fee for permits issued for erection upon or over any state owned land or water and providing for the collection of fees for permits issued for all erections that are used for commercial purposes.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 218, a bill for an act to permit the board of conservation, with the approval of the executive council, to lease state owned lands and waters under its jurisdiction for a period of five years.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 219, a bill for an act to provide for payment of landscape architect, engineer or gardener that may be employed by the Board of Conservation of Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 220, a bill for an act to permit the board of conservation to establish boundary lines between state owned and privately owned property only when said board deems the establishment thereof feasible and necessary.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 221, a bill for an act to permit the executive council, upon recommendation of the board of conservation, to sell, trade or exchange state owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer, and providing for the issuance of patents therefor.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 67, a bill for an act relating to the practice of physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 69, a bill for an act relating to the release of inmates of the institution for feeble-minded at Glenwood.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 73, a bill for an act to legalize the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 80, a bill for an act relating to the canvass of election returns by Judges of Election.

Also, 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 relating to corporations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 130, a bill for an act relating to the fee for the issuance of marriage licenses.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 131, a bill for an act authorizing the Executive Council of Iowa to sell and convey or exchange land the title of which is in the name of the state.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 148, a bill for an act relating to marriage licenses, and prescribing regulations for the issuance thereof.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 35

Amend the Title to House File No. 35 by striking therefrom the following:

"and to repeal chapter one hundred six (106) acts forty-third general assembly".

#### SENATE MESSAGES CONSIDERED

Senate File No. 177, a bill for an act to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor.

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

Senate File No. 199, a bill for an act to authorize city and town councils to establish school zones within the limits of said city and town, and to require all motor vehicles, when movable stop signs are in place in the streets, to come to a stop before entering said zones.

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

Senate File No. 211, a bill for an act to repeal Section Twelve Thousand Eight Hundred Four (12804) of the Code, 1927, and to enact a substitute therefor, providing for the selection of the Chief Justice of the Supreme Court for a term of six months, rather than a year.

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

Senate File No. 214, a bill for an act to amend the law as it appears in chapter eighty-seven (87) of the 1927 Code, providing for the payment of costs of removal of obstructions from state lands and waters by the owner thereof after the removal thereof by the state, creating a lien therefor and providing for the foreclosure of said lien.

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

Senate File No. 215, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa.

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

Senate File No. 216, a bill for an act to amend section seventeen hundred ninety-nine-b Three (1799-b3) of the Code, 1927, to provide for the removal by the state of obstructions from state owned lands and waters ten days after service of a notice for removal upon the owner thereof.

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

Senate File No. 217, a bill for an act to amend the law as it appears in section seventeen hundred ninety-nine-b two (1799-b2) of the 1927 Code of Iowa, by repealing the provision relative to collecting a fee for permits issued for erection upon or over any state owned land or water and providing for the collection of fees for permits issued for all erections that are used for commercial purposes.

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

Senate File No. 218, a bill for an act to amend the law as it appears in section eighteen hundred nineteen (1819) of the code, 1927, to permit the board of conservation, with the approval of the executive council, to lease state owned lands and waters under its jurisdiction for a period of five years.

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

Senate File No. 219, a bill for an act to repeal the law as it appears in section eighteen hundred ten (1810) of the Code of Iowa, 1927, and to amend the law as it appears in section eighteen hundred eleven (1811) of the Code of Iowa, 1927, to provide for payment of landscape architect, engineer or gardener that may be employed by the Board of Conservation of Iowa.

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

Senate File No. 220, a bill for an act to amend the law as it appears in section eighteen hundred thirteen (1813) of the Code, 1927, to permit the board of conservation to establish boundary lines between state owned and privately owned property only when said board deems the establishment thereof feasible and necessary.

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

Senate File No. 221, a bill for an act to amend section eighteen hundred twenty-four (1824) of the 1927 Code of Iowa, to permit the executive council, upon recommendation of the board of con-

servation, to sell, trade or exchange state owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer, and providing for the issuance of patents therefor.

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

Senate File No. 67, a bill for an act to require physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art, to report any cases treated or taken care of by them wherein there has been an injury of violence, for the purpose of permitting law enforcing officers to apprehend any person who may have committed a crime and has been injured either in the perpetration thereof or in escaping arrest, and providing penalty for failure to report.

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

Senate File No. 69, a bill for an act to amend section thirty-four hundred five (3405), Code, 1927, relating to the release of inmates of the institution for feeble-minded at Glenwood.

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

Senate File No. 73, a bill for an act to legalize the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company.

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

Senate File No. 80, a bill for an act to amend section eight hundred forty (840) of the Code, 1927, in relation to the canvass of election returns by Judges of Election.

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

Senate File No. 105, a bill for an act to repeal section eight

thousand four hundred fifty-seven (8457), Code, 1927, relating to corporations.

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

Senate File No. 130, a bill for an act to amend the law as it appears in paragraph twenty-eight (28) of section ten thousand eight hundred thirty-seven (10837) of the Code of 1927, pertaining to the fee for the issuance of marriage licenses, and creating a fund to be used by the Vital Statistics Division of the State Department of Health from said marriage license fees.

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

Senate File No. 131, a bill for an act to authorize the Executive Council of Iowa to sell and convey or exchange land the title of which is in the name of the state, providing for the appraisement thereof, and authorizing the Governor and Secretary of State to execute conveyances for the same.

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

Senate File No. 148, a bill for an act to amend section ten thousand four hundred twenty-nine (10,429) of the Code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof.

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

Senate File No. 169, a bill for an act to amend section sixty-nine hundred forty-nine (6949), Code, 1927, relating to the time of filing claims for exemption from taxation.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 16 and 193.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 16 and 193.

### EXPLANATION OF VOTE

The following explanation of vote was filed:

My negative vote on House File No. 2 as amended by Riemers, Hush and Nelson did not indicate that I am opposed to an income tax. It has always been my opinion that the theory of such a revenue measure is correct. It is only reasonable to presume that an individual should pay for the privileges of his government in proportion to the amount of his income.

I do not believe that an income tax providing for a graduated rate is fair. The theory of democratic government, equality for all and special privilege for none should be dominant in all legislation. To penalize superior ability is wrong in principle. An income tax that says to one who earns \$25,000 a year that he must pay more per thousand over and above a certain amount than that paid by a man who earns \$5,000 a year or less is equivalent to penalizing his exceptional qualities as a business man, or saying to him that he shall pay for the inefficiency and the lack of energy on the part of his five thousand dollar neighbor. A sum of money is a sum of money regardless of who possess it. The privilege of earning it is worth no less and no more to one individual than another. The commonwealth and the nation should recognize that all men are equal before the law.

Consequently I am for an income tax that recognizes such a simple and long established principle of equality. A flat rate income tax would apply equally to all incomes of over \$2,000 and would be in harmony with such a vital principle in American government. It would provide, for example, that every individual would pay the same tax on every thousand dollars over and above a certain uniform exemption. Such a provision

of equality would exercise no discrimination against any individual who's superior ability rises above that of anybody else. The original theory of an income tax was that a man should pay according to what he earns and the flat rate plan incorporated in such a system of taxation would recognize that principle. The plan is not complicated but is simple and plain. Simplicity is an asset in explaining a law to the people. The better they understand it the better it will please them. Any complicated procedure in the application of a legislative act has a tendency to breed discontent. Eventually Iowa will recognize the flat rate theory of an income tax as the most simple fair and equitable system of raising funds for the support of its government.

OTHA D. WEARIN.

#### AMENDMENT FILED

Van Buren of Jones filed the following amendment to House File No. 66:

Amend House File No. 66 as follows:

Amend said bill by inserting in section one (1), line one (1), after the figure "(5)," the word and figure "seven (7),".

Also amend by inserting after line nine (9) the following: "7. Physician, one hundred fifty dollars." and renumber the remaining lines of the bill accordingly.

Also amend the title of said bill by inserting in line one (1) after the figure "(5)," the word and figure "seven (7),".

On motion of Hutcheon of Greene 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, FEBRUARY 23, 1931.

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

Prayer was offered by the Rev. P. N. McDermott, pastor of the St. Peter and Paul Church, Atlantic, Iowa.

Journal of February 21st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hayes of Dubuque for the day, on request of Orr of Clayton; Husted of Madison for the day, on request of Hansen of Audubon.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Dayton of Washington, from members of the cemetery board of Hampton, favoring House File No. 57. Public lands and buildings.

By Van Buren of Jones, from citizens of Jones county, favoring a State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By Tamisiea of Harrison, from citizens of Dunlap, favoring a State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By Hush of Montgomery, from the Red Oak chapter of the Associated Master Barbers of America and barbers of Montgomery county, favoring Senate File No. 49 and House File No. 178. Public health.

By Roe of Allamakee, from citizens of Allamakee county, opposing the tobacco tax. Tax revision.

By Greene of Pottawattamie, from citizens of Pottawattamie county, favoring a State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By Rutledge of Webster, from members of the Parents and Teachers Association of Harcourt Consolidated School, favoring optional military training in state schools; and from citizens of Webster county, opposing the tobacco tax. State educational institutions and tax revision.

By Ellsworth of Hardin, from voters of Hardin county, opposing compulsory military training; and from voters of Hardin county, opposing the county assessor plan. State educational institutions and tax revision.

By McCreery of Linn, from citizens of Mt. Vernon, favoring a State Driver's License Law and State Highway Patrol; and from citizens of Lisbon, favoring a diversion of the primary road funds. Motor vehicles and transportation, and roads and highways.

By McCaulley of Calhoun, from citizens of Farnhamville, favoring a State Driver's License Law and State Highway Patrol; and a communication from a citizen of Somers, opposing the county assessor plan. Motor vehicles and transportation, and tax revision.

#### RULE 64 SUSPENDED FOR THE DAY

Helgason of Emmet asked and obtained unanimous consent to suspend Rule 64 for the day.

#### RESOLUTION

Short of Woodbury, Donlon of Palo Alto and Felter of Warren offered the following resolution:

*Resolved by the House of Representatives of the Forty-fourth General General Assembly:* That the committee on Judiciary of the House be, and it is hereby authorized and directed to make a full and thorough investigation of all matters pertaining to the activities and conduct of Arch W. McFarlane, Lieutenant Governor of the State of Iowa, in the solicitation and securing of contracts for the sale of coal by the said Arch W. McFarlane, or by him for companies in which the said Arch W. McFarlane

has some interest, and in particular, the use of his office of lieutenant governor in connection therewith and as a means of securing said contracts, and the activities and conduct of Arch W. McFarlane in misusing his office of lieutenant governor of Iowa in securing legislative advantage and gain for certain railroad, public utility, and other interests, in violation of his trust, and of law.

That the committee is authorized to employ such counsel and stenographic and reporter service as it may deem necessary, and to take such action as may be necessary to procure the attendance of witnesses and the production of books, papers, documents, records and correspondence, and the proper subpoena therefor shall be issued by the officers of the House upon the requisition of the chairman of the said committee. When said investigation is completed, said committee shall make a report to this House of its findings and recommendations.

Rutledge of Webster asked and obtained unanimous consent for the immediate consideration of the resolution.

Rutledge of Webster moved that the resolution be laid on the table.

On the question "Shall the resolution be laid on the table?" a roll call was demanded.

The ayes were, 62.

Augustine	Greene	McCreery	Reed
Avery	Hansen of	McLain	Reimers
Bair	Audubon	Malone	Rutledge
Ballew	Hanson of	Mathews	Ryder
Bonnstetter	Winnebago	Mayne	Rylander
Brown	Helgason	Mead	Simmer
Craven	Hesse	Millhone	Snyder
Dayton	Hollingsworth	Morton	Sours
Ditto	Hollis	Nelson of	Stiger
Drake of Keokuk	Hunt	Cherokee	Thiessen
Durant	Hutcheon	Orr	Van Buren
Elliott	Johnson of	Paisley	Van Wert
Ellsworth	Marion	Pattison	Wamstad
Figgins	Koch	Peaco	Whiting
Garrett	Lichty	Randall	Witt
Gilmore	Long	Ratliff	Mr. Speaker
Greaser		Rawlings	

The nays were, 28.

Beath	Forsling	Langland	Short
Berry	Gallagher	Lepley	Stanzel
Donlon	Gissel	Osborn	TePaske
Drake of	Hook	Pendray	Thompson
Muscatine	Hopkins	Randolph	Torgeson
Fabritz	Hush	Roe	Watts
Felter	Kohler	Shields	Wearin
Finnern			

Absent or not voting, 18.

Aiken	Hansen of Scott	Lamb	Nelson of Story
Allen	Hayes	Laughlin	O'Donnell
Babcock	Husted	McCaulley	Strachan
Byers	Kern	McDermott	Tamisiea
Davis		Miller	

Motion prevailed and the resolution was laid on the table.

Greene of Pottawattamie moved that the resolution and the proceedings relative thereto be expunged from the Journal record.

On the question "Shall the record be expunged?" a roll call was demanded.

The ayes were, 36.

Augustine	Ellsworth	Lamb	O'Donnell
Avery	Figgins	Lichty	Orr
Bair	Greene	Long	Paisley
Craven	Hansen of Scott	McCreery	Pattison
Dayton	Hesse	McDermott	Rutledge
Ditto	Hollis	McLain	Ryder
Drake of Keokuk	Hutcheon	Mayne	Stiger
Drake of	Johnson of	Millhone	Van Wert
Muscatine	Marion	Morton	Witt
Elliott		Nelson of Story	

The nays were, 61.

Ballew	Greaser	Mathews	Short
Beath	Hansen of	Mead	Simmer
Berry	Audubon	Nelson of	Snyder
Bonnstetter	Hanson of	Cherokee	Sours
Brown	Winnebago	Osborn	Stanzel
Davis	Helgason	Peaco	Strachan
Donlon	Hollingsworth	Pendray	TePaske
Durant	Hook	Randall	Thiessen
Fabritz	Hopkins	Randolph	Thompson
Felter	Hunt	Ratliff	Torgeson
Finnern	Hush	Rawlings	Van Buren
Forsling	Koch	Reed	Wamstad
Gallagher	Kohler	Reimers	Watts
Garrett	Langland	Roe	Wearin
Gilmore	Lepley	Rylander	Whiting
Gissel	Malone	Shields	Mr. Speaker

Absent or not voting, 11.

Aiken	Byers	Kern	Miller
Allen	Hayes	Laughlin	Tamisiea
Babcock	Husted	McCaulley	

Motion to expunge record lost.

#### INTRODUCTION OF BILLS

House File No. 356, by Bonnstetter of Kossuth, a bill for an

act to repeal chapter thirty-five-A two (35-A2) of the code, 1927, and to enact a substitute therefor relating to the apportionment of the state of Iowa into senatorial districts, and to provide the time when state senators shall be elected.

Read first and second times and referred to committee on judicial and political districts.

House File No. 357, by Forsling of Woodbury, a bill for an act to amend Section ninety-one hundred nineteen (9119), Code, 1927, relating to licensing of agents.

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

House File No. 358, by Ellsworth of Hardin, a bill for an act to repeal section fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-nine (5489); to amend sections forty-six hundred six (4606), fifty-one hundred thirty-three (5133), sixty-two hundred eighty-eight (6288), seventy hundred forty-five (7045), seventy hundred sixty-four (7064); and to repeal sections fifty-four hundred eighty-two (5482), fifty-four hundred eighty-four (5484), fifty-four hundred eighty-five (5485), fifty-four hundred eighty-seven (5487), fifty-four hundred eighty-eight (5488), fifty-four hundred ninety (5490), fifty-four hundred ninety-six (5496), sixty-three hundred two (6302), ten thousand two hundred twenty-five (10225) and to enact substitutes for said repealed sections; all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the code, 1927.

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

House File No. 359, by Rylander of Marshall, a bill for an act dividing the state into nine (9) congressional districts, and repealing chapter thirty-five-A one (35-A1) of the code, 1927.

Read first and second times and referred to committee on judicial and political districts.

#### CONSIDERATION OF SENATE AMENDMENT

On request of Langland of Winneshiek, House File No. 35, a bill for an act to amend the law as it appears in section four

thousand two hundred seventy-five (4275), Code, 1927, and to repeal chapter one hundred six (106) Acts Forty-third General Assembly relating to high school tuition, with Senate amendment, was taken up and the amendment read and considered.

# SENATE AMENDMENT TO HOUSE FILE NO. 35

Amend the Title to House File No. 35 by striking therefrom the following:

"and to repeal chapter one hundred six (106) acts forty-third general assembly".

Mr. Langland moved that the House concur in the Senate amendment.

On the question, "Shall the House concur?"

The ayes were, 75.

Bair	Gissel	Langland	Reimers
Ballew	Greene	Lichty	Roe
Beath	Hansen of	Long	Rutledge
Berry	Audubon	McCreery	Ryder
Bonnstetter	Hansen of Scott	McDermott	Snyder
Brown	Hanson of	McLain	Sours
Davis	Winnebago	Mathews	Stanzel
Dayton	Helgason	Mayne	Strachan
Donlon	Hesse	Millhone	TePaske
Durant	Hollis	Morton	Thiessen
Elliott	Hook	Nelson of	Torgeson
Ellsworth	Hopkins	Cherokee	Van Buren
Fabritz	Hunt	Nelson of Story	Van Wert
Felter	Hush	Pattison	Wamstad
Figgins	Hutcheon	Peaco	Watts
Finnern	Johnson of	Pendray	Wearin
Forsling	Marion	Randall	Whiting
Gallagher	Koch	Randolph	Witt
Garrett	Kohler	Ratliff	Mr. Speaker
Gilmore	Lamb	Reed	

The nays were, none.

Absent or not voting, 33.

Aiken	Drake of	Lepley	Rawlings
Allen	Muscatine	McCaulley	Rylander
Augustine	Greaser	Malone	Shields
Avery	Hayes	Mead	Short
Babcock	Hollingsworth	Miller	Simmer
Byers	Husted	O'Donnell	Stiger
Craven	Kern	Orr	Tamisiea
Ditto	Laughlin	Osborn	Thompson
Drake of Keokuk		Paisley	

House concurred in Senate amendment to House File No. 35.



Forsling of Woodbury asked and obtained unanimous consent to have Senate File No. 148 substituted for House File No. 216.

### HOUSE FILES INDEFINITELY POSTPONED

Johnson of Marion moved that the House take up the bills that are recommended for indefinite postponement, and dispose of them in their calendar order.

Motion prevailed.

On motion of Brown of Polk, chairman of the committee on cities and towns, the report of the committee recommending that House File No. 120 be indefinitely postponed was adopted.

On motion of Brown of Polk, chairman of the committee on cities and towns, the report of the committee recommending that House File No. 127 be indefinitely postponed was adopted.

Shields of Clarke, chairman of the committee on roads and highways, moved the adoption of the report of the committee recommending that House File No. 51 be indefinitely postponed.

Avery of Clay moved the previous question.

Motion prevailed.

On the question, "Shall the report be adopted?" a roll call was demanded.

The ayes were, 48.

Bair	Hanson of	Mathews	Stiger
Beath	Winnebago	Mayne	Strachan
Davis	Helgason	Nelson of	Tamisiea
Dayton	Hook	Cherokee	TePaske
Donlon	Hopkins	Orr	Thompson
Drake of Keokuk	Hunt	Paisley	Torgeson
Ellsworth	Hush	Pattison	Van Buren
Felter	Johnson of	Randolph	Van Wert
Figgins	Marion	Ratliff	Wamstad
Finnern	Koch	Rawlings	Wearin
Gallagher	Lamb	Reimers	Witt
Garrett	Langland	Roe	Mr. Speaker
Greaser	McCaulley	Shields	

The nays were, 53.

Aiken	Berry	Drake of	Forsling
Augustine	Bonnstetter	Muscatine	Gissel
Avery	Brown	Durant	Greene
Babcock	Craven	Elliott	Hansen of
Ballew	Ditto	Fabritz	Audubon

Hansen of Scott	Long	O'Donnell	Short
Hesse	McCreery	Osborn	Simmer
Hollingsworth	McDermott	Peaco	Snyder
Hollis	McLain	Pendray	Sours
Hutcheon	Malone	Randall	Stanzel
Kern	Mead	Reed	Thiessen
Kohler	Millhone	Rutledge	Watts
Lepley	Morton	Ryder	Whiting
Lichty	Nelson of Story	Rylander	

Absent or not voting, 7.

Allen	Gilmore	Husted	Miller
Byers	Hayes	Laughlin	

Report of committee rejected and House File No. 51 was placed on the calendar.

On motion of Forsling of Woodbury, chairman of the committee on judiciary, the report of the committee recommending that House File No. 232 be indefinitely postponed was adopted.

On motion of Brown of Polk, chairman of the committee on cities and towns, the report of the committee recommending that House File No. 143 be indefinitely postponed was adopted.

On motion of Brown of Polk, chairman of the committee on cities and towns, the report of the committee recommending that House File No. 134 be indefinitely postponed was adopted.

On motion of Hopkins of Guthrie, chairman of the committee on schools and textbooks, the report of the committee recommending that House File No. 103 be indefinitely postponed was adopted.

Forsling of Woodbury moved that action on the report of the committee on cities and towns on House File No. 241 be deferred.

On the question, "Shall action be deferred?" a roll call was demanded.

The ayes were, 52.

Augustine	Drake of	Hopkins	Mayne
Bair	Muscatine	Hush	Morton
Berry	Elliott	Hutcheon	Nelson of Story
Bonnstetter	Fabritz	Kern	Paisley
Brown	Forsling	Kohler	Randolph
Craven	Gallagher	Lamb	Reimers
Davis	Garrett	Langland	Roe
Dayton	Greene	Lepley	Rutledge
Ditto	Hesse	Lichty	Ryder
Donlon	Hollingsworth	McLain	Short
Drake of Keokuk	Hollis	Malone	Snyder

Sours  
Stanzel  
Stiger

Tamisiea  
TePaske

Thompson  
Wamstad

Wearin  
Whiting

The nays were, 35.

Avery  
Babcock  
Ballew  
Beath  
Durant  
Ellsworth  
Felter  
Figgins  
Gissel  
Greaser

Hansen of  
Audubon  
Hansen of Scott  
Helgason  
Hook  
Johnson of  
Marion  
Koch  
McCreery  
Mead

Millhone  
Nelson of  
Cherokee  
Osborn  
Pattison  
Peaco  
Pendray  
Randall  
Ratliff

Reed  
Shields  
Strachan  
Thiessen  
Torgeson  
Van Buren  
Van Wert  
Witt  
Mr. Speaker

Absent or not voting, 21.

Aiken  
Allen  
Byers  
Finnern  
Gilmore  
Hanson of  
Winnebago

Hayes  
Hunt  
Husted  
Laughlin  
Long

McCaulley  
McDermott  
Mathews  
Miller  
O'Donnell

Orr  
Rawlings  
Rylander  
Simmer  
Watts

Having failed to receive a two-thirds vote the motion to defer action lost.

Brown of Polk, chairman of the committee on cities and towns, moved the adoption of the report of the committee recommending that House File No. 241 be indefinitely postponed.

Van Buren of Jones moved the previous question.

Motion prevailed.

On the question, "Shall the report be adopted?" a roll call was demanded.

The ayes were, 80.

Babcock  
Bair  
Beath  
Berry  
Bonnstetter  
Brown  
Davis  
Ditto  
Donlon  
Drake of Keokuk  
Durant  
Elliott  
Ellsworth  
Fabritz  
Felter  
Figgins

Finnern  
Gallagher  
Gissel  
Greaser  
Greene  
Hansen of  
Audubon  
Hansen of Scott  
Hanson of  
Winnebago  
Helgason  
Hesse  
Hollingsworth  
Hook  
Hopkins  
Hush

Hutcheon  
Johnson of  
Marion  
Kern  
Koch  
Kohler  
Lamb  
Langland  
Long  
McCreery  
McDermott  
McLain  
Malone  
Mathews  
Mayne  
Mead

Millhone  
Morton  
Nelson of  
Cherokee  
O'Donnell  
Orr  
Osborn  
Paisley  
Pattison  
Peaco  
Pendray  
Randall  
Randolph  
Ratliff  
Rawlings  
Reed

Reimers	Snyder	Thiessen	Wamstad
Roe	Sours	Thompson	Watts
Rutledge	Stiger	Torgeson	Whiting
Ryder	Tamisiea	Van Buren	Witt
Shields	TePaske	Van Wert	Mr. Speaker

The nays were, 17.

Aiken	Forsling	Lichty	Stanzel
Augustine	Garrett	McCaulley	Strachan
Avery	Hollis	Nelson of Story	Wearin
Ballew	Lepley	Short	
Craven		Simmer	

Absent or not voting, 11.

Allen	Drake of	Hayes	Laughlin
Byers	Muscatine	Hunt	Miller
Dayton	Gilmore	Husted	Rylander

Report of committee adopted.

On motion of Brown of Polk, chairman of the committee on cities and towns, the report of the committee recommending that House File No. 240 be indefinitely postponed was adopted.

#### HOUSE FILE REREFERRED

Whiting of Johnson moved that House File No. 68 be rereferred to the committee on schools and textbooks.

Motion prevailed.

Shields of Clarke, chairman of the committee on roads and highways, moved the adoption of the report of the committee recommending that House File No. 214 be indefinitely postponed.

Reed of Mahaska moved the previous question.

Motion prevailed.

On the question, "Shall the report be adopted?" a roll call was demanded.

The ayes were, 71.

Avery	Drake of Keokuk	Gissel	Hesse
Babcock	Durant	Greaser	Hollingsworth
Bair	Elliott	Greene	Hollis
Ballew	Ellsworth	Hansen of	Hook
Beath	Fabritz	Audubon	Hopkins
Bonnstetter	Finnern	Hansen of Scott	Hunt
Brown	Forsling	Hanson of	Hutcheon
Davis	Gallagher	Winnebago	Johnson of
Donlon	Garrett	Helgason	Marion

Kern	Mayne	Peaco	Sours
Lamb	Mead	Randall	Stiger
Langland	Millhone	Randolph	Tamisiea
Lepley	Morton	Rawlings	TePaske
Lichty	Nelson of	Reed	Thiessen
McCaulley	Cherokee	Reimers	Thompson
McCreery	O'Donnell	Rutledge	Van Wert
McLain	Orr	Rylander	Wamstad
Malone	Osborn	Shields	Witt
Mathews	Pattison	Snyder	

The nays were, 23.

Augustine	Figgins	Pendray	Strachan
Berry	Hush	Ratliff	Torgeson
Dayton	Koch	Ryder	Watts
Drake of	Kohler	Short	Wearin
Muscatine	Nelson of Story	Simmer	Whiting
Felter	Paisley	Stanzel	Mr. Speaker

Absent or not voting, 14.

Aiken	Ditto	Laughlin	Roe
Allen	Gilmore	Long	Van Buren
Byers	Hayes	McDermott	
Craven	Husted	Miller	

Report of the committee adopted.

On motion of Forsling of Woodbury, chairman of the committee on judiciary, the report of the committee recommending that House File No. 86 be indefinitely postponed was adopted.

On motion of Brown of Polk, chairman of the committee on cities and towns, the report of the committee recommending that House File No. 146 be indefinitely postponed was adopted.

#### SPEAKER PRO TEMPORE RUTLEDGE IN THE CHAIR

Brown of Polk, chairman of the committee on cities and towns, moved the adoption of the report of the committee recommending that House File No. 195 be indefinitely postponed.

On the question "Shall the report be adopted?" a roll call was demanded.

The ayes were, 30.

Berry	Hansen of Sott	Lichty	Roe
Brown	Helgason	McCaulley	Shields
Elliott	Hunt	Mayne	Stiger
Ellsworth	Hush	Mead	Tamisiea
Figgins	Hutcheon	Orr	Thompson
Finnern	Johnson of	Peaco	Torgeson
Forsling	Marion	Randolph	Witt
Greene	Kern	Reed	

The nays were, 60.

Augustine	Felter	Lepley	Rutledge
Avery	Gallagher	Long	Ryder
Babcock	Garrett	McCreery	Rylander
Bair	Gissel	McLain	Short
Ballew	Greaser	Malone	Simmer
Beath	Hansen of	Morton	Sours
Bonnstetter	Audubon	Nelson of	Stanzel
Craven	Hanson of	Cherokee	Strachan
Davis	Winnebago	Nelson of Story	TePaske
Ditto	Hollingsworth	Osborn	Thiessen
Donlon	Hollis	Paisley	Van Wert
Drake of Keokuk	Hopkins	Pattison	Wamstad
Drake of	Koch	Pendray	Watts
Muscatine	Kohler	Randall	Wearin
Durant	Lamb	Ratliff	Whiting
Fabritz	Langland	Reimers	Mr. Speaker

Absent or not voting, 18.

Aiken	Hayes	Laughlin	O'Donnell
Allen	Hesse	McDermott	Rawlings
Byers	Hook	Mathews	Snyder
Dayton	Husted	Millhone	Van Buren
Gilmore		Miller	

Report of committee rejected, and House File No. 195 was placed on the calendar.

On motion of Brown of Polk, chairman of the committee on cities and towns, the report of the committee that House File No. 269 be indefinitely postponed was adopted.

On motion of Forsling of Woodbury, chairman of the committee on judiciary, the report of the committee recommending that House File No. 277 be indefinitely postponed was adopted.

Speaker Johnson in the chair.

Forsling of Woodbury, chairman of the committee on judiciary, moved the adoption of the report of the committee recommending that House File No. 97 be indefinitely postponed.

Motion prevailed and the report was adopted.

On motion of Forsling of Woodbury, chairman of the committee on judiciary, the report of the committee recommending that House File No. 204 be indefinitely postponed was adopted.

Forsling of Woodbury, chairman of the committee on judiciary, moved the adoption of the report of the committee recommending that Senate File No. 47 be indefinitely postponed.

McCreery of Linn moved the previous question.

Motion prevailed.

On the question "Shall the committee report be adopted?" a roll call was demanded.

The ayes were, 66.

Avery	Forsling	Kohler	Ratliff
Babcock	Gallagher	Langland	Rawlings
Bair	Garrett	Lepley	Roe
Beath	Gissel	Lichty	Shields
Berry	Greaser	McDermott	Short
Bonnstetter	Greene	Malone	Snyder
Brown	Hanson of	Mathews	Stiger
Craven	Winnebago	Mayne	Tamisiea
Davis	Helgason	Mead	TePaske
Donlon	Hollingsworth	Millhone	Thiessen
Drake of Keokuk	Hook	Orr	Thompson
Drake of	Hopkins	Osborn	Torgeson
Muscatine	Hunt	Paisley	Van Buren
Durant	Hush	Pattison	Van Wert
Elliott	Johnson of	Peaco	Wamstad
Ellsworth	Marion	Randall	Whiting
Figgins	Kern	Randolph	Mr. Speaker
Finnern			

The nays were, 19.

Augustine	Lamb	Nelson of Story	Sours
Ballew	McCaulley	Pendray	Stanzel
Ditto	McCreery	Reed	Strachan
Hansen of	McLain	Rutledge	Wearin
Audubon	Nelson of	Rylander	
Hutcheon	Cherokee		

Absent or not voting, 23.

Aiken	Gilmore	Husted	O'Donnell
Allen	Hansen of	Koch	Reimers
Byers	Scott	Laughlin	Ryder
Dayton	Hayes	Long	Simmer
Fabritz	Hesse	Miller	Watts
Felter	Hollis	Morton	Witt

Report of committee adopted.

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 338, a bill for an act to legalize a certain deed executed in the name of the Independent School District of Monona, Iowa, by W. Baskerville, president, and Edward Wirkler, secretary, of said Independent School District, on January 12, 1931, conveying to Carl G. Schultz certain real estate situated in the Town of Monona, Iowa, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

## AMENDMENTS FILED

Bair of Buena Vista filed the following amendments to House File No. 109:

Amend House File No. 109 by inserting a new section as follows:

Sec. 12. Section twelve thousand nine hundred thirty-seven (12937), Code, 1927, is amended by inserting immediately before the word "preceding" in line two (2) the word, "two";

Also by striking out the word "section" in line three (3) and by inserting in lieu thereof the word "sections";

Also by inserting in line three (3) of the title after the word "sections" the following: "twelve thousand nine hundred thirty-seven (12937),".

Whiting of Johnson filed the following amendment to House File No. 111:

Amend House File No. 111 by striking all after the enacting clause and substituting therefor, the following:

"Section 1. That section forty-two hundred seventy-four (4274) of the code, 1927, be amended by inserting after the period after the word 'residence' in line eleven (11) thereof, the following:

'The county superintendent may also consent to such attendance in case a child resides on the consolidated transportation route and more than two (2) miles from any public school of his residence.'".

McCaulley of Calhoun filed the following amendment to House File No. 51:

Amend House File No. 51 by inserting after the word "for" in line two (2) of section one (1) the following: "bridging, draining, graveling or".

Snyder of Hamilton filed the following amendment to House File No. 169:

Amend House File No. 169 by offering as a substitute amendment for all amendments adopted or pending, by striking all which follows the enacting clause and inserting in lieu thereof the following:

Section 1. All horse drawn and all other vehicles not now included in Section fifty hundred forty-four (5044), Code, 1927, shall, during the period of from one (1) hour after sunset to one-half ( $\frac{1}{2}$ ) hour before



sunrise, when on the highways of this state, display one (1) or more white or tinted lights or red reflector or reflectors on said vehicle and same shall be of sufficient illuminating power to be visible at a distance of two hundred (200) feet from both the front and rear directions.

On motion of Ballew of Appanoose 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, FEBRUARY 24, 1931.

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

Prayer was offered by the Rev. O. C. Huff, pastor of the M. E. Church, Panora, Iowa.

Journal of February 23d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gilmore of Cedar for the day, on request of Van Buren of Jones.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Kohler of Plymouth, from citizens of Iowa, opposing the tobacco and amusement tax. Tax revision.

By Reimers of Lyon, from the board of supervisors of Lyon county, favoring a county weed commissioner to work under the board of supervisors. Agriculture.

By Hutcheon of Greene, from citizens of Dana, favoring a diversion of the primary road funds. Roads and highways.

By TePaske of Sioux, from citizens of Ireton, favoring a diversion of the primary road funds. Roads and highways.

By Thompson of Fayette, from citizens of Fayette county, favoring a State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By Wearin of Mills, from citizens of Mills county, favoring a

State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By Ballew of Appanoose, from citizens of Moravia, favoring a State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By TePaske of Sioux, from citizens of Ireton, opposing compulsory military training. State educational institutions.

By Bair of Buena Vista, from members of the Thursday Study Club and the Woman's Study Club of Sioux Rapids, Iowa, opposing compulsory military training. State educational institutions.

By Simmer of Wapello, from citizens of Iowa, favoring an amendment to the Bovine Tuberculin Test law removing the state wide compulsory provision therein; from residents of Agency, favoring a diversion of the primary road fund; from citizens of Wapello county, opposing Senate File No. 120 and favoring a tax on oleomargarine; from citizens of Wapello county opposing the county assessor bill; and from the Farmer's Union of Batavia, opposing the county assessor bill, favoring compulsory testing for bovine tuberculosis, opposing Senate File No. 120, and favoring a tax on oleomargarine. Animal industry, roads and highways, banks and banking, and tax revision.

#### REPORTS OF COMMITTEES

Helgason of Emmet, from the committee on fish and game, submitted the following reports:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 182, a bill for an act to create a sanitary water board; to prescribe the duties of said board; to authorize and direct said board to enter upon investigations relative to the cause of the pollution of the waters of the state and to buy materials for the purpose of eradicating the causes of said pollution, and to make an appropriation for said 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 eight (8) lines four (4) and five (5) by striking the words "from any money in the state treasury not otherwise appropriated", and inserting in lieu thereof, "from any money in the fish and game funds not otherwise appropriated."

Further amend by adding section nine (9).

Sec. 9. This act being deemed of immediate importance shall be in effect immediately after publication in the Storm Lake Register, a newspaper published at Storm Lake, Iowa, and the Upper Des Moines Republican, a newspaper published at Algona, Iowa.

E. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 52, a bill for an act to amend the law as it appears in section sixteen (16) of chapter fifty-seven (57) of the acts of the forty-third general assembly so as to authorize fishing with trot-lines, beg leave to report they have had the same 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) lines ten (10) and eleven (11) by striking the words and figures "twenty-five (25)" and inserting in lieu thereof the word and figures "fifteen (15)".

E. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 249, a bill for an act to amend section seventeen hundred forty-seven (1747) of the code, 1927, relating to bonds required for commercial fisherman, beg leave to report they have had 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. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred Senate File No. 37, a bill for an act to amend section four (4), chapter fifty-eight (58), acts of the forty-third general assembly, relating to fur dealers licenses and fixing date of expiration therefor, and penalty for violation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. HELGASON, *Chairman*.

Report adopted.

Shields of Clarke, 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. 287, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-six (4755-b26) of the code, 1927, as amended by chapter one hundred fifty-nine (159), acts of the forty-third (43d) general assembly, so as to require the state highway commission to pay a proportionate cost of paving extensions of primary roads through cities and towns under certain conditions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

LEROY SHIELDS, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 290, a bill for an act to amend the law as it appears in section forty-seven hundred forty-six (4746) of the code, 1927, relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by inserting after the word "two" in line six (6) of Section one (1) the words "or more,".

LEROY SHIELDS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 132, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29) of the code, 1927, relating to the maintenance of extensions of primary roads through cities and towns, and the payment of 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 be amended as follows, and when so amended the bill do pass:

Amend by striking from line three (3) of section one (1) the words "word two" and inserting in lieu thereof the words "words two hundred". Also by striking from line four (4) of section one (1) the words "word five" and inserting in lieu thereof the words "words three hundred fifty."

LEROY SHIELDS, *Chairman.*

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 338, a bill for an act to legalize a certain deed executed in the name of the independent school district of Monona, Iowa, by W. Baskerville, president, and Edward Wirkler, secretary, of said independent school district, on January 12, 1931, conveying to Carl G. Schultz certain real estate situated in the town of Monona, 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 337, a bill for an act to amend section twelve thousand sixty-four (12064), Code, 1927, relating to taxation of attorney's fees as part of the costs, beg leave to report they have had 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 judiciary has introduced to the House, House File No. 363, a bill for an act to amend, revise and codify section ninety-two hundred ninety-eight (9298), code of 1927, relating to the designation and appointment of attorneys by banks and trust companies exercising fiduciary powers under chapter four hundred sixteen (416), code of 1927, and by beneficiaries.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 365, a bill for an act to make it an offense for any person without the consent of the manufacturer, to remove, alter, deface,

mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefore.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 364, a bill for an act to amend section seven (7), chapter one hundred ninety-two (192), acts of the forty-third (43) general assembly, relating to the management of public utilities in cities acting under special charters.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Brown of Polk, from the committee on cities and towns, submitted the following reports:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 301, a bill for an act to amend chapter three hundred twelve (312) of the code, 1927, by adding thereto as section sixty-one hundred forty-nine-d one (6149-d1), relating to bonding powers of trustees of city heating plants, water or gas works and electric plants in cities having a population in excess of twenty-five thousand (25,000) and less than seventy-five thousand (75,000), beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by adding after the word "bonds" in line eleven (11) of section one (1) the words, "at a rate of interest not to exceed five per cent per annum."

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 156, a bill for an act to amend chapter ninety-two

(92) acts of the forty-third general assembly, relating to the levying of a tax to pay pensions to widowed mothers, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 20, a bill for an act to amend section one (1) of chapter one hundred twenty-one (121) of the laws of the fortieth general assembly relating to tax levy for park purposes, for the improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same and for other 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 do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on cities and towns has introduced to the House, House File No. 366, a bill for an act to amend sections fifty-six hundred ninety-eight (5698), and fifty-seven hundred eleven (5711), code of 1927, relating to civil service.

The committee on cities and towns recommends to the House, that the bill do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 360, by Forsling of Woodbury, a bill for an act to amend the law regulating the sale of securities as appears in chapter ten (10) acts of the forty-third (43rd) General Assembly, relating to sub-section one (1) of section three (3) entitled "definitions" in which the term "security" is defined; to amend sub-section "f" of section four (4) relating to exempt securities; to repeal section five (5) paragraph "c" relating to exempt transactions and to enact a substitute therefor; to amend section eleven (11) relating to registration of dealers and salesmen; to amend section thirteen "a" (13 a) relating to bond and conditions; to



repeal section sixteen (16) relating to injunctions and to enact a substitute therefor.

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

House File No. 361, by Berry of Monroe, a bill for an act to amend section fourteen hundred three (1403) of the code, 1927, relating to workmen's compensation.

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

House File No. 362, by Lichty of Black Hawk, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the code, 1927, relating to appointment of board of examiners to examine applicants for license to work as Master, or employing or journeyman plumber.

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

House File No. 363, by committee on judiciary, a bill for an act to amend, revise and codify section ninety-two hundred ninety-eight (9298), code of 1927, relating to the designation and appointment of attorneys by banks and trust companies exercising fiduciary powers under chapter four hundred sixteen (416), code of 1927, and by beneficiaries.

Read first and second times and passed on file.

House File No. 364, by committee on judiciary, a bill for an act to amend section seven (7), chapter one hundred ninety-two (192), acts of the forty-third (43) general assembly, relating to the management of public utilities in cities acting under special charters.

Read first and second times and passed on file.

House File No. 365, by committee on judiciary, a bill for an act to make it an offense for any person without the consent of the manufacturer, to remove, alter, deface, mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefor.

Read first and second times and passed on file.

House File No. 366, by committee on cities and towns, a bill for an act to amend sections fifty-six hundred ninety-eight (5698) and fifty-seven hundred eleven (5711), code of 1927, relating to civil service.

Read first and second times and passed on file.

House File No. 367, by Berry of Monroe, a bill for an act to amend section thirteen hundred twenty (1320) of the code, 1927, relating to check weighmen at mines.

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

House File No. 368, by Elliott of Scott, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five per cent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years.

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

House File No. 369, by Rutledge of Webster, a bill for an act to permit any municipality or any fraternal or mutual benefit organization or any other organization whose officers are required by law to furnish bonds, to pay the cost of securing surety bonds where such bonds are required by law.

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

House File No. 370, by Rutledge of Webster, a bill for an act to permit boards of supervisors to mow the weeds and grasses along secondary roads.

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

House File No. 371, by Forsling of Woodbury, a bill for an act to amend section fourteen hundred seventy-nine (1479) of the code, 1927, relating to workmen's compensation.

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

House File No. 372, by Mayne of Pottawattamie and Brown of Polk, a bill for an act to regulate the use and operation of motor vehicles in this state on the public highways thereof by nonresidents of this state; to fix and declare the legal effect of such use and operation; and to prescribe the procedure for serving original notices of suit on nonresidents for damages arising out of the use and operation in this state of such vehicles by nonresidents.

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

#### HOUSE FILES WITHDRAWN

Brown of Polk asked and obtained unanimous consent to have House File No. 315 withdrawn from the committee on cities and towns and from further consideration of the House.

Forsling of Woodbury asked and obtained unanimous consent to have House Files Nos. 84 and 100 withdrawn from the committee on judiciary and from further consideration of the House.

Torgeson of Worth asked and obtained unanimous consent to have House File No. 229 withdrawn from the committee on roads and highways and from further consideration of the House.

#### SENATE FILE NO. 106 REREFERRED

Forsling of Woodbury asked and obtained unanimous consent to have Senate File No. 106 withdrawn from the committee on judiciary and rereferred to the committee on banks and banking.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 169, a bill for an act requiring all horse drawn vehicles and all other vehicles not now required to have lights, when on the highways of this state, to provide a light on said vehicles which can be seen for a radius of two hundred (200) feet, with report of committee recommending passage, was taken up for consideration.

Snyder of Hamilton called up the amendment filed by him and found in the Journal of February 23d and moved its adoption.

Reed of Mahaska offered the following amendment to the substitute amendment found in the Journal of February 23d:

Amend the substitute amendment by striking all of line seven (7) of section one (1) as it appears in the Journal of February 23rd, after the word "from" and inserting in lieu thereof the following: "the rear".

Peaco of Clinton moved the previous question.

Motion prevailed.

Amendment to the substitute amendment adopted.

Substitute amendment, as amended, adopted.

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

On the question "Shall the bill pass?"

The ayes were, 78.

Avery	Gissel	Long	Ryder
Babcock	Greaser	McCreery	Rylander
Bair	Hansen of	McDermott	Short
Ballew	Audubon	McLain	Simmer
Beath	Hanson of	Mathews	Snyder
Berry	Winnebago	Mayne	Sours
Bonnstetter	Helgason	Mead	Stanzel
Brown	Hollingsworth	Millhone	Stiger
Craven	Hollis	Morton	Strachan
Davis	Hopkins	Nelson of Story	Tamisiea
Dayton	Hush	Osborn	TePaske
Donlon	Husted	Pattison	Thiessen
Durant	Hutcheon	Peaco	Thompson
Elliott	Johnson of	Pendray	Torgeson
Ellsworth	Marion	Randall	Wamstad
Fabritz	Koch	Randolph	Watts
Felter	Kohler	Ratliff	Wearin
Figgins	Lamb	Reed	Whiting
Forsling	Langland	Roe	Witt
Gallagher	Laughlin	Rutledge	Mr. Speaker
Garrett			

The nays were, 9.

Augustine	Greene	O'Donnell	Rawlings
Ditto	Malone	Paisley	Shields
Drake of Keokuk			

Absent or not voting, 21.

Aiken	Gilmore	Hunt	Nelson of
Allen	Hansen of Scott	Kern	Cherokee
Byers	Hayes	Lepley	Orr
Drake of	Hesse	Lichty	Reimers
Muscatine	Hook	McCauley	Van Buren
Finnern		Miller	Van Wert

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

Elliott of Scott offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 169 by striking all after the word "vehicles" in lines three (3) and four (4) and inserting in lieu thereof the word: "to be visible at a distance of two hundred (200) feet from the rear".

Amendment adopted and the title as amended was agreed to.

House File No. 301, a bill for an act to amend chapter three hundred twelve (312) of the code, 1927, by adding thereto as section sixty-one hundred forty-nine-d one (6149-d1) relating to bonding powers of trustees of city heating plants, water or gas works and electric plants in cities having a population in excess of twenty-five thousand (25,000) and less than seventy-five thousand, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Simmer of Wapello the amendment proposed by the committee, found in the Journal of February 24th, was adopted.

Simmer 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, 83.

Aiken	Babcock	Berry	Craven
Augustine	Ballew	Bonnstetter	Davis
Avery	Beath	Brown	Dayton

Ditto	Hollis	Mathews	Snyder
Donlon	Hook	Mead	Sours
Drake of Keokuk	Hopkins	Morton	Stanzel
Durant	Hush	Nelson of Story	Stiger
Elliott	Husted	O'Donnell	Strachan
Ellsworth	Hutcheon	Osborn	Tamisiea
Fabritz	Johnson of	Paisley	Thiessen
Figgins	Marion	Pattison	Thompson
Finnern	Koch	Peaco	Torgeson
Gallagher	Kohler	Pendray	Van Buren
Garrett	Lamb	Randall	Van Wert
Gissel	Langland	Randolph	Wamstad
Greaser	Laughlin	Ratliff	Watts
Greene	Lepley	Rawlings	Whiting
Hansen of	Long	Reed	Witt
Audubon	McCreery	Ryder	Mr. Speaker
Helgason	McDermott	Rylander	
Hesse	McLain	Short	
Hollingsworth	Malone	Simmer	

The nays were, none.

Absent or not voting, 25.

Allen	Gilmore	Lichty	Orr
Bair	Hansen of Scott	McCaulley	Reimers
Byers	Hanson of	Mayne	Roe
Drake of	Winnebago	Millhone	Rutledge
Muscatine	Hayes	Miller	Shields
Felter	Hunt	Nelson of	TePaske
Forsling	Kern	Cherokee	Wearin

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

House File No. 41, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the Code of 1927, fixing the salary of the County Attorney in counties having a population of more than one hundred twenty-five thousand (125,000), and making such salary the full and only compensation, with report of committee recommending amendment and passage, was taken up for consideration.

Brown of Polk called up the amendment to the committee amendment filed by him, found in the Journal of February 20th, and moved its adoption.

Amendment to the committee amendment adopted.

Elliott of Scott offered the following amendment to the com-

mittee amendment, found in the Journal of February 20th and moved its adoption:

Amend by striking out all of section four (4) of the committee amendment and substituting in lieu thereof the following:

"Sec. 4. This act shall take effect on January 1, 1933".

Amendment to the committee amendment adopted.

Forsling of Woodbury offered the following amendment to the committee amendment found in the Journal of February 20th, and moved its adoption:

Amend the committee amendment by striking what is designated as subsection ten (10) and by striking from subsection eleven (11) the words and figures "one hundred twenty-five thousand (125,000)" and by inserting in lieu thereof the words and figures "one hundred thousand (100,000)".

Amendment to the committee amendment adopted.

On motion of Brown of Polk, the amendments proposed by the committee, found in the Journal of February 12th, as amended, were adopted.

Brown of Polk asked and obtained unanimous consent to furnish the following amendment to make the bill conform with the statute and the amendments adopted:

Amend House File No. 41, as amended, as follows:

By striking the word "eight" and figure "(8)" in line two (2) of Section One (1) of the bill, as amended, and inserting in lieu thereof the words and figures "seven (7) and eight (8)"; also,

by inserting immediately before sub-section 7 of said bill, as amended, the following:

6-a. Fifty-five thousand (55,000) and under sixty thousand (60,000), Twenty-five Hundred Dollars (\$2,500.00).

Brown 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, 92.

Augustine  
Avery  
Babcock

Bair  
Beath  
Berry

Bonnstetter  
Brown  
Craven

Dayton  
Ditto  
Donlon

Drake of Keokuk	Hollis	Malone	Ryder
Durant	Hook	Mathews	Rylander
Elliott	Hopkins	Mayne	Shields
Ellsworth	Hush	Mead	Short
Fabritz	Husted	Millhone	Snyder
Felter	Hutcheon	Morton	Sours
Figgins	Johnson of	O'Donnell	Stiger
Finnern	Marion	Orr	Strachan
Forsling	Kern	Osborn	Tamisica
Gallagher	Koch	Paisley	TePaske
Garrett	Kohler	Pattison	Thiessen
Gissel	Lamb	Peaco	Thompson
Greaser	Langland	Pendray	Torgeson
Greene	Laughlin	Randolph	Van Wert
Hansen of Scott	Lepley	Ratliff	Wamstad
Hanson of	Lichty	Rawlings	Watts
Winnebago	Long	Reed	Wearin
Hayes	McCaulley	Reimers	Whiting
Helgason	McCreery	Roe	Witt
Hesse	McDermott	Rutledge	Mr. Speaker
Hollingsworth	McLain		

The nays were, 2.

Ballew                      Van Buren

Absent or not voting, 14.

Aiken	Drake of	Hunt	Nelson of Story
Allen	Muscatine	Miller	Randall
Byers	Gilmore	Nelson of	Simmer
Davis	Hansen of	Cherokee	Stanzel
	Audubon		

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

Elliott of Scott offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 41 by striking in line three (3) thereof the words and figures "one hundred twenty-five thousand (125,000), and inserting in lieu thereof the words and figures "sixty thousand (60,000),".

Amendment adopted and the title as amended was agreed to.

House File No. 113, a bill for an act to provide for the construction of bridges, viaducts or railroad grade crossing eliminations on extensions of primary roads in cities having a population of twenty-five hundred (2500) or more, where the houses or



business houses average less than two hundred (200) feet apart, with report of committee recommending passage, was taken up for consideration.

Greene 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, 86.

Augustine	Gallagher	Langland	Reed
Avery	Gissel	Laughlin	Reimers
Babcock	Greaser	Lepley	Rutledge
Bair	Greene	Lichty	Ryder
Ballew	Hansen of	Long	Shields
Beath	Audubon	McCaulley	Short
Berry	Hansen of Scott	McDermott	Snyder
Bonnstetter	Hayes	McLain	Sours
Brown	Hesse	Malone	Stanzel
Davis	Hollingsworth	Mayne	Stiger
Dayton	Hollis	Millhone	Strachan
Ditto	Hook	Morton	Tamisiea
Donlon	Hopkins	Orr	Thiessen
Drake of Keokuk	Hush	Osborn	Thompson
Durant	Husted	Paisley	Torgeson
Elliott	Hutcheon	Pattison	Van Buren
Ellsworth	Johnson of	Peaco	Van Wert
Fabritz	Marion	Pendray	Wamstad
Felter	Kern	Randall	Wearin
Figgins	Koch	Randolph	Whiting
Finnern	Kohler	Ratliff	Witt
Forsling	Lamb	Rawlings	Mr. Speaker

The nays were, none.

Absent or not voting, 22.

Aiken	Gilmore	Mead	Rylander
Allen	Hanson of	Miller	Simmer
Byers	Winnebago	Nelson of	TePaske
Craven	Helgason	Cherokee	Watts
Drake of	Hunt	Nelson of Story	
Muscatine	McCreery	O'Donnell	
Garrett	Mathews	Roe	

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

House File No. 30, a bill for an act to amend sections two thousand one hundred thirty-six (2136) and two thousand one hundred thirty-seven (2137), Code, 1927, relating to applications for permits to wholesale druggists, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 72.

Augustine	Greaser	Koch	Reed
Avery	Hansen of	Kohler	Reimers
Bair	Audubon	Lamb	Roe
Ballew	Hansen of Scott	Langland	Rutledge
Beath	Hanson of	Laughlin	Ryder
Berry	Winnebago	Lichty	Short
Brown	Hayes	Long	Snyder
Craven	Helgason	McCaulley	Sours
Dayton	Hesse	McDermott	Stanzel
Ditto	Hollingsworth	McLain	Stiger
Donlon	Hollis	Malone	Tamisiea
Drake of Keokuk	Hook	Millhone	Thiessen
Elliott	Hopkins	Osborn	Thompson
Ellsworth	Hush	Paisley	Wamstad
Fabritz	Husted	Pattison	Watts
Figgins	Hutcheon	Peaco	Wearin
Finnern	Johnson of	Pendray	Whiting
Forsling	Marion	Randolph	Mr. Speaker
Gallagher	Kern	Rawlings	

The nays were, 7.

Babcock	Durant	Gissel	Van Wert
Bonnstetter	Garrett	Lepley	

Absent or not voting, 29.

Aiken	Greene	Nelson of	Shields
Allen	Hunt	Cherokee	Simmer
Byers	McCreery	Nelson of Story	Strachan
Davis	Mathews	O'Donnell	TePaske
Drake of	Mayne	Orr	Torgeson
Muscatine	Mead	Randall	Van Buren
Felter	Miller	Ratliff	Witt
Gilmore	Morton	Rylander	

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

House File No. 271, a bill for an act to amend sub-section 20 of Section 6211, Code of 1927, relating to library building funds, with report of committee on public libraries recommending passage, was taken up for consideration.

Pendray 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, 86.

Augustine	Finnern	Lamb	Reimers
Avery	Forsling	Langland	Roe
Babcock	Gallagher	Laughlin	Ryder
Bair	Gissel	Lepley	Shields
Ballew	Greaser	Lichty	Short
Beath	Hansen of	Long	Snyder
Berry	Audubon	McDermott	Sours
Bonnstetter	Hansen of Scott	McLain	Stiger
Brown	Hanson of	Malone	Strachan
Craven	Winnebago	Mathews	Tamisiea
Davis	Helgason	Mead	TePaske
Dayton	Hollingsworth	Millhone	Thiessen
Ditto	Hollis	O'Donnell	Thompson
Donlon	Hook	Osborn	Torgeson
Drake of Keokuk	Hopkins	Paisley	Van Buren
Drake of	Hush	Pattison	Van Wert
Muscatine	Husted	Peaco	Wamstad
Durant	Hutcheon	Pendray	Watts
Elliott	Johnson of	Randall	Wearin
Ellsworth	Marion	Randolph	Whiting
Fabritz	Kern	Ratliff	Mr. Speaker
Felter	Koch	Rawlings	
Figgins	Kohler	Reed	

The nays were, none.

Absent or not voting, 22.

Aiken	Hayes	Miller	Rutledge
Allen	Hesse	Morton	Rylander
Byers	Hunt	Nelson of	Simmer
Garrett	McCaulley	Cherokee	Stanzel
Gilmore	McCreery	Nelson of Story	Witt
Greene	Mayne	Orr	

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

Pendray of Jackson moved that the vote by which House File No. 271 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 200, a bill for an act to amend section seventeen hundred forty-five (1745), code, 1927, relating to the sale by game wardens of undesirable fish, with report of committee recommending amendment and passage, was taken up for consideration.

Fabritz of Wapello called up the amendment filed by him and found in the Journal of February 14th and moved its adoption.

Amendment adopted.

Fabritz 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, 78. .

Aiken	Gallagher	Lamb	Rawlings
Augustine	Gissel	Langland	Reed
Avery	Greaser	Laughlin	Roe
Babcock	Hansen of	Lepley	Ryder
Ballew	Audubon	Lichty	<b>Short</b>
Beath	Hansen of Scott	Long	Snyder
Berry	Hanson of	McCaulley	Sours
Bonnstetter	Winnebago	McCreery	Stanzel
Craven	Helgason	McDermott	Stiger
Davis	Hesse	McLain	Strachan
Dayton	Hollis	Malone	TePaske
Ditto	Hook	Mathews	Thiessen
Donlon	Hopkins.	Millhone	Thompson
Drake of Keokuk	Husted	Morton	Torgeson
Drake of	Hutcheon	Orr	Van Buren
Muscatine	Johnson of	Paisley	Van Wert
Durant	Marion	Pattison	Wamstad
Elliott	Kern	Peaco	Watts
Ellsworth	Koch	Pendray	Whiting
Fabritz	Kohler	Randolph	Mr. Speaker
Felter		Ratliff	

The nays were, 1.

Wearin

Absent or not voting, 29.

Allen	Gilmore	Mead	Reimers
Bair	Greene	Miller	Rutledge
Brown	Hayes	Nelson of	Rylander
Byers	Hollingsworth	Cherokee	Shields
Figgins	Hunt	Nelson of Story	Simmer
Finnern	Hush	O'Donnell	Tamisiea
Forsling	Mayne	Osborn	Witt
Garrett		Randall	

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

Fabritz of Wapello offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 200 by striking the following words: "hundred forty-five (1745) code, 1927, and inserting in lieu thereof the following: "(17), chapter fifty-seven (57), acts of the forty-third (43rd) general assembly".

Amendment adopted and the title as amended was agreed to.

House File No. 202, a bill for an act to amend section thirty-seven hundred eighty-six (3786), code of 1927, providing for parole of prisoners in the penitentiary and reformatories, with report of committee recommending passage, was taken up for consideration.

Beath of Adams offered the following amendment and moved its adoption:

Amend House File No. 202 by inserting 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 passage and publication in The Adams County Free Press, a newspaper published at Corning, Iowa, and The Times Republican, a newspaper published at Bedford, Iowa.

Amendment adopted.

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

On the question "Shall the bill pass?"

The ayes were, 85.

Aiken	Donlon	Gissel	Hush
Augustine	Drake of Keokuk	Greaser	Johnson of
Avery	Drake of	Hansen of	Marion
Babcock	Muscatine	Audubon	Kern
Bair	Durant	Hansen of Scott	Koch
Ballew	Ellsworth	Hanson of	Kohler
Beath	Fabritz	Winnebago	Lamb
Berry	Felter	Hayes	Langland
Bonnstetter	Figgins	Helgason	Laughlin
Brown	Finnern	Hollingsworth	Lepley
Craven	Forsling	Hollis	Lichty
Dayton	Gallagher	Hook	Long
Ditto	Garrett	Hopkins	McCaulley

McCreery	O'Donnell	Rutledge	Thiessen
McDermott	Orr	Ryder	Thompson
McLain	Paisley	Shields	Torgeson
Malone	Pattison	Short	Van Buren
Mathews	Pendray	Snyder	Wamstad
Mead	Randolph	Sours	Watts
Millhone	Ratliff	Stanzel	Wearin
Morton	Rawlings	Stiger	Whiting
Nelson of Cherokee	Reed	TePaske	Mr. Speaker
	Roe		

The nays were, 5.

Elliott	Randall	Strachan	Van Wert
Hutcheon			

Absent or not voting, 18.

Allen	Hesse	Nelson of Story	Simmer
Byers	Hunt	Osborn	Tamisiea
Davis	Husted	Peaco	Witt
Gilmore	Mayne	Reimers	
Greene	Miller	Rylander	

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

House File No. 125, a bill for an act to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the Primary Roads, with report of committee recommending passage, was taken up for consideration.

Johnson of Marion called up the amendment filed by him, found in the Journal of February 14th and moved its adoption.

Amendment adopted.

Osborn of Decatur called up the amendment filed by him, found in the Journal of February 19th and moved its adoption.

Forsling of Woodbury offered the following amendment to the amendment filed by Osborn of Decatur:

Amend by striking the word "proposed" as it appears in the amendment filed in the Journal of February 19th and inserting after the word "road" the following: "proposed to be vacated".

Amendment to the amendment filed adopted.

Johnson of Marion offered the following amendment to the amendment filed by Osborn of Decatur and moved its adoption:

Amend the amendment by striking in paragraph one (1) of the amendment as it appears in the Journal of February 19th, the word and figure

"thirty (30)" and inserting in lieu thereof the word and figure "twenty (20)".

Also, further amend the amendment by striking in line one (1) of paragraph three (3) of the amendment as it appears in the Journal of February 19th, the word and figure "twenty (20)" and inserting in lieu thereof the word and figure "ten (10)".

Amendment to the amendment adopted.

Orr of Clayton moved that further action on House File No. 125 be deferred.

. Motion prevailed.

House File No. 111, a bill for an act to amend section forty-two hundred seventy-four (4274) of the Code, 1927, relating to attending school in another corporation, with report of committee recommending passage, was taken up for consideration.

Whiting of Johnson called up the amendment filed by him, found in the Journal of February 23d and asked and obtained unanimous consent to strike in line two (2) of paragraph two (2) of the amendment the word "the" and insert in lieu thereof the word "a".

Amendment, as amended, adopted.

Whiting 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, 87.

Augustine	Felter	Hush	Mathews
Babcock	Figgins	Hutcheon	Mayne
Ballew	Finnern	Johnson of	Mead
Beath	Forsling	Marion	Millhone
Berry	Gallagher	Kern	Morton
Bonnstetter	Garrett	Koch	Nelson of
Brown	Gissel	Kohler	Cherokee
Byers	Greaser	Lamb	Nelson of Story
Craven	Hansen of	Langland	Orr
Davis	Audubon	Laughlin	Osborn
Ditto	Hansen of Scott	Lepley	Paisley
Drake of	Hanson of	Lichty	Pattison
Muscatine	Winnebago	Long	Peaco
Durant	Helgason	McCaulley	Pendray
Elliott	Hollingsworth	McDermott	Randolph
Ellsworth	Hollis	McLain	Ratliff
Fabritz	Hook	Malone	Rawlings

Reed	Shields	Strachan	Wamstad
Reimers	Short	TePaske	Watts
Roe	Snyder	Thiessen	Wearin
Rutledge	Sours	Torgeson	Whiting
Ryder	Stanzel	Van Buren	Witt
Rylander	Stiger	Van Wert	Mr. Speaker

The nays were, none.

Absent or not voting, 21.

Aiken	Drake of Keokuk	Hopkins	O'Donnell
Allen	Gilmore	Hunt	Randall
Avery	Greene	Husted	Simmer
Bair	Hayes	McCreery	Tamisiea
Dayton	Hesse	Miller	Thompson
Donlon			

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

Whiting of Johnson moved that the vote by which House File No. 111 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 230, a bill for an act to repeal section fifty-three hundred forty-six (5346) of the code, 1927, and to enact a substitute therefor, requiring the board of supervisors of the county to pay the proportional cost of educating the children residing at the county farm, with report of committee recommending passage, was taken up for consideration.

Helgason of Emmet moved the further action on House File No. 230 be deferred until the disposition of House File No. 33.

Motion prevailed.

#### ADDITIONAL COPIES OF HOUSE FILE NO. 223 ORDERED PRINTED

Ellsworth of Hardin asked and obtained unanimous consent to have two hundred additional copies of House File No. 223 printed.

#### RESOLUTION

Bair of Buena Vista offered the following resolution:

*Whereas*, The Honorable Henry Linn Pierce, who was a member of the House of Representatives in the Thirty-second and Thirty-third General



Assemblies from Buena Vista county, died May 1, 1930, at Freeport, Illinois,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to the state of Iowa.*

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Bair of Buena Vista, Hesse of O'Brien and Donlon of Palo Alto.

#### 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. 1, a bill for an act to create the office of county assessor.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 56, a bill for an act relating to compensation of coroner.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 263, a bill for an act relating to the definition of felony.

Also, 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 interest on special assessments and to advertising for bids for street improvements.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 49, a bill for an act relating to the practice of barbering.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 200, a bill for an act relating to teachers' employment bureau.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 224, a bill for an act relating to the purchase and sale of school lands.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 224, a bill for an act to amend the law as it appears in sections forty-four hundred seventy-five (4475), forty-five hundred two (4502), and forty-five hundred three (4503) of the code, 1927, relating to the purchase and sale of school lands.

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

Senate File No. 200, a bill for an act to repeal the law as it appears in section three thousand eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau.

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

Senate File No. 49, a bill for an act to amend the law as it appears in chapter one hundred twenty-four b2 (124-b2) of the code of 1927 relating to the practice of barbering so as to provide additional qualifications and regulations for applicants for barber's license.

Read first and second times and substituted for House File No. 178, which is now on the calendar.

Senate File No. 43, a bill for an act to amend the law as it appears in Sections Nine (9) and Ten (10) of Chapter 194 of the Laws of the Forty-Third General Assembly relating to interest on special assessments and to advertising for bids for street improvements.

Read first and second times and referred to committee on cities and towns.

Senate File No. 1, a bill for an act to create the office of county assessor, provide for his election, prescribe his powers and duties, provide for the listing and assessment of property for taxation, to provide penalties for the violation thereof, to constitute a county board of review and to prescribe its duties; to coordinate various statutes with this; to repeal the law as it appears in

sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), all of the Code of Iowa 1927, and section fifty-seven-a two (57-a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in sections four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), ten hundred sixty-six (1066), fifteen hundred sixty-six (1566), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-

three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), fifty-six hundred sixty-four (5664), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-seven (6867), sixty-nine hundred seventy-three (6973), seventy hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-one hundred forty-eight (7148), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), seventy-two hundred nineteen (7219), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300), seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), Code, 1927, and section fifty-seven-a four (57-a4), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the

Forty-third (43rd) General Assembly, section one (1), chapter one hundred sixty-two (162), Acts of the Forty-third General Assembly, all relating to the listing and assessment of property for taxation.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 35, 99 and 164.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 35, 99 and 164.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 24th day of February, 1931, sent to the governor for his approval:

House Files Nos. 35, 99 and 164.

C. J. ORR, *Chairman.*

Report adopted.

## AMENDMENT TO RULES FILED

Pendray of Jackson filed the following amendment to Rule No. 64:

Pendray of Jackson moved to amend Rule 64 on page 72, line 3 by striking the words "a friend" and submitting therefor the word "friends".

Brown of Polk filed the following amendments as a substitute for all pending amendments to House File No. 198:

I move as a substitute for all pending amendments to House File No. 198 the following:

Amend House File No. 198, by striking out all after the enacting clause, and by inserting in lieu thereof:

Sec. 1. That section twenty-nine hundred five (2905) of the code, 1927, be amended by striking from line seven (7), the word "sole" and by inserting following the comma after the word "society" in line eight (8) the following: "or for the purpose of aiding boys' and girls' 4 H Club work in connection with said fair,"

Also by striking out the title to said House File No. 198, and by inserting in lieu thereof:

"A bill for an act to amend section twenty-nine hundred five (2905) code, 1927, relating to county aid for county agricultural societies and the use of such funds."

On motion of Strachan of Humboldt 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, FEBRUARY 25, 1931.

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

Prayer was offered by the Rev. Arthur Atack, pastor of the Methodist Church, Indianola, Iowa.

Journal of February 24th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Johnson of Marion for the day, on request of Witt of Butler; Hayes of Dubuque for the day, on request of Orr of Clayton.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Millhone of Page, from citizens of Shambaugh and Coin, favoring a diversion of the primary road funds. Roads and highways.

By Rylander of Marshall, from citizens of Marshalltown, favoring a diversion of the primary road funds. Roads and highways.

By Lichty of Black Hawk, from citizens of Dunkerton, favoring a diversion of the primary road funds. Roads and highways.

By Drake of Muscatine, from citizens of Muscatine and Conesville, favoring a diversion of the primary road funds. Roads and highways.

By Nelson of Story, from citizens of McCallsburg, favoring a diversion of the primary road funds; and from citizens of Story county, opposing a tobacco tax. Roads and highways, and tax revision.

By Van Wert of Franklin, from citizens of Franklin county, opposing compulsory military training. State educational institutions.

By Witt of Butler, from citizens of Dumont, favoring a diversion of the primary road funds. Roads and highways.

By Short of Woodbury, from citizens of Oto, favoring a diversion of the primary road funds. Roads and highways.

By O'Donnell of Carroll, from citizens of Lidderdale, favoring a diversion of the primary road funds. Roads and highways.

By Hush of Montgomery, from voters of Stanton, favoring a diversion of the primary road funds. Roads and highways.

By Rawlings of Monona, from presidents of the school corporations of Monona county, favoring an amendment to sections 4275 and 4277 of the 1927 Code of Iowa. Schools and textbooks.

By Elliott of Scott, from citizens of Buffalo and Davenport, favoring a diversion of the primary road funds. Roads and highways.

By Dayton of Washington, from citizens of Washington and Brighton, favoring a diversion of the primary road funds. Roads and highways.

By McDermott of Adair, from citizens of Stuart, favoring a diversion of the primary road funds. Roads and highways.

By Van Buren of Jones, from citizens of Center Junction, favoring a diversion of the primary road funds. Roads and highways.

By Hollingsworth of Boone, from citizens of Iowa, favoring a tax on substitutes for butter, lard and eggs; and from citizens of Iowa, favoring an amendment to the Bovine Tuberculin Test law. Ways and means, and animal industry.

#### REPORTS OF COMMITTEES

Johnson of Marion, from the committee on police regulations and suppression of crime, submitted the following report:

MR. SPEAKER: Your committee on police regulations and suppression of crime has introduced to the House, House File No. 342, a bill for an act to authorize and empower cities and towns to regulate the keeping, storage, possession, sale, manufacture or use of certain inflammable



materials, substances or compounds, including the buildings, structures or places where any such materials, substances or compounds are kept, stored, sold, manufactured or used, and providing punishment for violation of any such ordinance.

The committee recommends that the same do pass.

J. H. JOHNSON, *Chairman*.

Report adopted.

Hush of Montgomery, 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. 54, a bill for an act to amend the provisions of section sixty-nine hundred forty-four (6944) paragraph eleven (11) as it appears in the Code of 1927, exempting from taxation the real estate owned by any educational institution of this state as part of its endowment fund when leased or otherwise used with a view to pecuniary profit, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

HOMER HUSH, *Chairman*.

Passed on file.

Van Wert of Franklin, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry, to whom was referred House File No. 233, a bill for an act to amend section twenty-seven hundred sixty-six (2766), twenty-seven hundred eighty-one (2781), and twenty-eight hundred five (2805), and to repeal sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred (2800), twenty-eight hundred and one (2801) and twenty-eight hundred and two (2802) of the Code, 1927, and to enact a substitute in lieu thereof, relating to the licensing of veterinarians and to the revocation of license to practice veterinary medicine, beg leave to report they have had the same 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 therefrom all of section one (1).

G. E. VAN WERT, *Chairman*.

Report adopted.

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks, to whom was re-referred House File No. 68, a bill for an act to authorize independent rural school districts to combine for the purpose of establishing and main-

taining union high schools, to prescribe the procedure to effect such combination, to provide for the election of directors in such combined districts, to fix the powers and duties of public officers with reference to such combined districts, and to provide for the dissolution of such combined 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.

GEO. M. HOPKINS, *Chairman.*

### Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 155, a bill for an act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions, beg leave to report they have had the same 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 all after the enacting clause and insert in lieu thereof the following:

“Section 1. Section eleven thousand seven hundred sixty (11760) of the code, 1927, as amended by the forty-third (43rd) general assembly, chapter two hundred fifty-six (256), is repealed and the following is enacted in lieu thereof, to wit:

11760. General exemptions. If the debtor is a resident of this state and the head of a family, he may hold exempt from execution the following property:

1. All wearing apparel of himself and family kept for actual use and suitable to their condition, and the trunks or other receptacles necessary to contain the same.
2. All private libraries, family bibles, portraits, pictures, musical instruments, and paintings not kept for the purpose of sale.
3. A lot not exceeding six hundred square feet in any public or private burying ground.
4. Two cows and two calves.
5. Fifty sheep and the wool therefrom.
6. Six stands of bees.
7. Five hogs, and forty pigs under six months.
8. The necessary food for all animals exempt from execution for six months.

9. One bedstead and the necessary bedding for every two in the family.
10. Household and kitchen furniture, not exceeding three hundred dollars in value.
11. One sewing machine and other instruments of domestic labor kept for actual use.
12. The necessary provisions and fuel for the use of the family for six months.
13. The proper tools, instruments, or books of the debtor, if a mechanic, surveyor, clergyman, lawyer, physician, dentist, teacher, or professor.
14. A team consisting of not more than two horses or mules, and the wagon or other vehicle with the proper harness or tackle, but the use of which the debtor habitually earns his living. In lieu of the foregoing he may hold exempt one automobile not to exceed in value six hundred fifty dollars.
15. If the debtor is a farmer, one automobile not to exceed in value six hundred fifty dollars; also two horses or mules and the tools and equipment, and the seed necessary to carry on a farm of one hundred sixty acres.
16. If a printer, a printing press and the types, furniture, and material necessary for the use of such printing press and a newspaper office connected therewith, not to exceed in all the value of twenty-five hundred dollars.
17. Poultry to the value of fifty dollars.
18. If the debtor is a resident of this state and is the head of a family, and does not own one or more of the foregoing items of property, his wife, if she is an actual member of the family and owns one or more such items, and is the debtor, shall be entitled to hold such items exempt from execution.
19. If the debtor is a resident of this state and a woman other than the head of a family, she may hold exempt from execution one sewing machine, and poultry to the value of fifty dollars."

Also further amend by striking out the title and inserting in lieu thereof the following:

"An Act to repeal section eleven thousand seven hundred sixty (11760) of the code, 1927, as amended by the forty-third (43rd) general assembly, chapter two hundred fifty-six (256), and to enact a substitute therefor relating to exemptions from execution."

L. B. FORSLING, *Chairman.*

Report adopted.

## HOUSE FILE NO. 55 REREFERRED

Whiting of Johnson asked and obtained unanimous consent to have House File No. 55 withdrawn from the committee on state educational institutions and have it rereferred to the committee on judiciary.

## REPORT OF COMMITTEE ON RULES ADOPTED

Rutledge of Webster, chairman of the committee on rules, submitted the following report:

MR. SPEAKER: Your committee on rules to whom was referred House Resolution of February 16th by McCaulley, beg leave to report that they recommend that the same be amended by striking all after the word "resolution" in line two (2) thereof and that when so amended the resolution be adopted.

Also: We recommend the amendment of rule sixty-four (64) by striking the words "a friend" in line ten (10) and inserting in lieu thereof the word "friends".

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

Motion prevailed and the report was adopted.

## RESOLUTION

McLain of Poweshiek offered the following resolution:

*Whereas*, The Honorable John Bradley, who was a member of the House of Representatives in the thirty-eighth, thirty-ninth, fortieth and fortieth extra general assemblies from Poweshiek County, died November 5th, 1929, at Montezuma, Iowa, therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to the state of Iowa.

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: McLain of Poweshiek, Berry of Monroe and Forsling of Woodbury.

## INTRODUCTION OF BILLS

House File No. 373, by Mayne of Pottawattamie, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding of a special election for the purpose of authorizing a one mill levy for the establishment, improvement, maintenance and operation of an airport and in issuing airport certificates for such purpose, and to authorize the annual levying of such tax and the anticipation of the collection of such tax by the issuance of said certificates.

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

House File No. 374, by Short of Woodbury, a bill for an act to amend section ten thousand two hundred sixty-one (10261) of the code, 1927, pertaining to landlord's liens.

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

House File No. 375, by Gallagher of Iowa, a bill for an act to amend chapter one hundred sixty-one (161), acts of the forty-third (43rd) general assembly relative to signals on primary roads in cities and towns with a population of less than four thousand (4000).

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

House File No. 376, by Brown of Polk, a bill for an act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

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

House File No. 377, by Wamstad of Mitchell, a bill for an act to provide and adopt standard sets of specifications for use in the state of Iowa by all distributors of motor vehicle fuel, and requiring that no motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regulating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act.

Read first and second times and referred to committee on commerce and trade.

House File No. 378, by Hutcheon of Greene, a bill for an act to amend section forty-seven hundred fifty-five-b four (4755-b4) of the code, 1927, and to provide for the reimbursement of counties from the primary road fund on account of expenditures made by the counties in connection with the special election for submission to the people of the question of the adoption of the amendment to the constitution of the state of Iowa, relating to the improvement of highways, and making provision for the payment of the cost thereof by the issuance of state primary road bonds.

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

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Simmer of Wapello asked and obtained unanimous consent to have two hundred fifty additional copies of House File No. 151 printed.

#### SENATE FILE SUBSTITUTED FOR HOUSE FILE

Brown of Polk asked and obtained unanimous consent to have Senate File No. 43 withdrawn from the committee on cities and towns and substituted for House File No. 47.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 198, a bill for an act to repeal section twenty-nine hundred five (2905) and to amend section twenty-nine hundred ten (2910) of the code, 1927, relating to county aid for county agricultural societies and the use of such funds, was taken up for consideration.

Brown of Polk called up the substitute amendment filed by him and found in the Journal of February 24th and moved its adoption.

Motion prevailed and substitution was made.

Substitute amendment adopted.

Ditto of Osceola moved that the bill be read a third time now

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 62.

Augustine	Gilmore	Malone	Rutledge
Avery	Greaser	Mayne	Ryder
Babcock	Greene	Mead	Rylander
Ballew	Hansen of	Millhone	Short
Beath	Audubon	Morton	Snyder
Brown	Helgason	Nelson of	Sours
Craven	Hesse	Cherokee	Stanzel
Ditto	Hush	Nelson of Story	Stiger
Donlon	Kern	O'Donnell	Strachan
Drake of Keokuk	Koch	Osborn	TePaske
Durant	Langland	Pattison	Torgeson
Elliott	Lepley	Peaco	Van Wert
Ellsworth	Long	Randolph	Wearin
Felter	McCauley	Ratliff	Whiting
Finnern	McCreery	Rawlings	Witt
Garrett	McLain	Reed	Mr. Speaker

The nays were, 29.

Bair	Hansen of Scott	Hutcheon	Shields
Berry	Hanson of	Kohler	Simmer
Bonnstetter	Winnebago	Lamb	Thiessen
Davis	Hollingsworth	Mathews	Thompson
Dayton	Hook	Paisley	Van Buren
Fabritz	Hopkins	Pendray	Wamstad
Figgins	Husted	Randall	Watts
Forsling		Roe	

Absent or not voting, 17.

Aiken	Gallagher	Johnson of	Miller
Allen	Gissel	Marion	Orr
Byers	Hayes	Laughlin	Reimers
Drake of	Hollis	Lichty	Tamisiea
Muscatine	Hunt	McDermott	

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. 101, a bill for an act to repeal section thirteen thousand eight hundred and forty-two (13842) of the Code, 1927, relating to the trial of defendants jointly indicted, and to enact a substitute therefor, with report of committee recommending passage, was taken up for consideration.

Millhone 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, 89.

Augustine	Greene	McCreery	Roe
Avery	Hansen of	McDermott	Rutledge
Babcock	Audubon	McLain	Ryder
Bair	Hansen of Scott	Malone	Rylander
Ballew	Hanson of	Mathews	Shields
Beath	Winnebago	Mayne	Short
Bonnstetter	Helgason	Mead	Sours
Brown	Hesse	Millhone	Stanzel
Dayton	Hollingsworth	Morton	Stiger
Donlon	Hollis	Nelson of	Strachan
Drake of Keokuk	Hook	Cherokee	Tamisiea
Drake of	Hopkins	O'Donnell	TePaske
Muscatine	Hush	Osborn	Thiessen
Durant	Husted	Paisley	Thompson
Ellsworth	Hutcheon	Pattison	Torgeson
Fabritz	Koch	Peaco	Van Buren
Felter	Kohler	Pendray	Van Wert
Figgins	Lamb	Randall	Wamstad
Finnern	Langland	Randolph	Watts
Forsling	Laughlin	Ratliff	Wearin
Garrett	Lepley	Rawlings	Whiting
Gilmore	Lichty	Reed	Witt
Gissel	Long	Reimers	Mr. Speaker
Greaser			

The nays were, 3.

Elliott	McCaulley	Orr
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Absent or not voting, 16.

Aiken	Davis	Hunt	Miller
Allen	Ditto	Johnson of	Nelson of Story
Berry	Gallagher	Marion	Simmer
Byers	Hayes	Kern	Snyder
Craven			

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

Millhone of Page moved that the vote by which House File No. 101 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 28, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies thereof, with report of committee recommending passage, was taken up for consideration.



Van Buren 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, 92.

Augustine	Gissel	McCreery	Rutledge
Avery	Greaser	McDermott	Ryder
Babcock	Greene	McLain	Rylander
Bair	Hansen of	Malone	Shields
Ballew	Audubon	Mathews	Short
Beath	Hanson of	Mead	Snyder
Berry	Winnebago	Millhone	Sours
Bonnstetter	Helgason	Morton	Stanzel
Craven	Hollingsworth	Nelson of	Stiger
Davis	Hollis	Cherokee	Strachan
Dayton	Hook	Nelson of Story	Tamisiea
Ditto	Hopkins	O'Donnell	TePaske
Donlon	Hush	Osborn	Thiessen
Drake of Keokuk	Husted	Paisley	Thompson
Durant	Hutcheon	Pattison	Torgeson
Elliott	Kern	Peaco	Van Buren
Ellsworth	Koch	Pendray	Van Wert
Fabritz	Kohler	Randall	Wamstad
Felter	Lamb	Randolph	Watts
Figgins	Langland	Ratliff	Wearin
Finnern	Laughlin	Rawlings	Whiting
Forsling	Lepley	Reed	Witt
Garrett	Lichty	Reimers	Mr. Speaker
Gilmore	Long	Roe	

The nays were, none.

Absent or not voting, 16.

Aiken	Drake of	Hesse	Mayne
Allen	Muscatine	Hunt	Miller
Brown	Gallagher	Johnson of	Orr
Byers	Hansen of Scott	Marion	Simmer
	Hayes	McCaulley	

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 sections fifty-five hundred eighty-two (5582), fifty-five hundred eighty-three (5583), fifty-five hundred eighty-five (5585), and fifty-five hundred eighty-six (5586), Code of 1927, relating to township licenses, with report of committee recommending passage, was taken up for consideration.

Shields of Clarke offered the following amendment and moved its adoption:

Amend by adding thereto as section five (5) the following:

"that section fifty-five hundred eighty-two (5582) be amended by inserting in line five (5) after the word 'table' the words 'dance or'".

Hush of Montgomery moved the previous question.

Motion prevailed.

Amendment lost.

Whiting 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, 25.

Avery	Drake of	Hollis	Morton
Babcock	Muscatine	Laughlin	Osborn
Bair	Ellsworth	Lichty	Rawlings
Beath	Figgins	Long	Reed
Brown	Finnern	McDermott	Ryder
Craven	Garrett	McLain	Whiting
	Hollingsworth	Mead	

The nays were, 63.

Augustine	Hanson of	Mayne	Short
Ballew	Winnebago	Nelson of	Sours
Berry	Helgason	Cherokee	Stanzel
Bonnstetter	Hesse	Nelson of Story	Strachan
Davis	Hook	O'Donnell	Tamisiea
Dayton	Hopkins	Orr	TePaske
Donlon	Hush	Paisley	Thiessen
Durant	Husted	Pattison	Thompson
Elliott	Hutcheon	Peaco	Torgeson
Fabritz	Koch	Pendray	Van Buren
Felter	Kohler	Randall	Van Wert
Gilmore	Lamb	Randolph	Wamstad
Gissel	Langland	Ratliff	Watts
Greaser	McCaulley	Reimers	Wearin
Greene	McCreery	Roe	Witt
Hansen of Scott	Malone	Rylander	Mr. Speaker
	Mathews		

Absent or not voting, 20.

Aiken	Gallagher	Johnson of	Miller
Allen	Hansen of	Marion	Rutledge
Byers	Audubon	Kern	Shields
Ditto	Hayes	Lepley	Simmer
Drake of Keokuk	Hunt	Millhone	Snyder
Forsling			Stiger

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

House File No. 141, a bill for an act to repeal Chapter two (2),

Acts of the Forty-third (43rd) General Assembly, relative to salaries of state officials, with report of committee without recommendation, was taken up for consideration.

Felter of Warren moved that further action on House File No. 141 be deferred.

Motion prevailed.

House File No. 147, a bill for an act to amend section twenty-two hundred forty-seven (2247) and to repeal twenty-two hundred sixty-six (2266) of the code, 1927, and to enact a substitute therefor, relating to isolation of persons having communicable diseases and determination of such isolation of quarantine; and to repeal section twenty-two hundred sixty-seven (2267) of the code, 1927, relating to the report of termination of quarantine, and to amend sections twenty-two hundred sixty-eight (2268), twenty-two hundred seventy-four (2274) and twenty-two hundred seventy-five (2275) of the code, 1927, relating to fumigation, with report of committee recommending passage, was taken up for consideration.

Long 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, 85.

Aiken	Gissel	Long	Reimers
Augustine	Greaser	McCaulley	Roe
Avery	Greene	McCreery	Ryder
Babcock	Hansen of Scott	McDermott	Rylander
Bair	Helgason	McLain	Shields
Ballew	Hesse	Malone	Short
Beath	Hollingsworth	Mathews	Snyder
Berry	Hollis	Mayne	Stanzel
Bonnstetter	Hook	Mead	Strachan
Brown	Hopkins	Morton	TePaske
Craven	Hunt	Nelson of	Thiessen
Dayton	Hush	Cherokee	Thompson
Donlon	Husted	Nelson of Story	Torgeson
Drake of Keokuk	Hutcheon	Orr	Van Buren
Durant	Koch	Osborn	Van Wert
Ellsworth	Kohler	Pattison	Wamstad
Fabritz	Lamb	Pendray	Watts
Felter	Langland	Randall	Wearin
Figgins	Laughlin	Randolph	Whiting
Forsling	Lepley	Ratliff	Witt
Gallagher	Lichty	Rawlings	Mr. Speaker
Garrett		Read	

The nays were, 2.

Elliott Paisley

Absent or not voting, 21.

Allen	Gilmore	Johnson of	Peaco
Byers	Hansen of	Marion	Rutledge
Davis	Audubon	Kern	Simmer
Ditto	Hanson of	Millhone	Sours
Drake of	Winnebago	Miller	Stiger
Muscatine	Hayes	O'Donnell	Tamisiea
Finnern			

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

#### HOUSE FILE WITHDRAWN

Shields of Clarke asked and obtained unanimous consent to withdraw House File No. 72 from the committee on elections and from further consideration of the House.

#### CONSIDERATION OF BILLS

House File No. 190, a bill for an act to amend chapter sixty-four (64), acts of the forty-third (43rd) general assembly, relating to the inspector in the state department of health, and providing for an assistant to said inspector, and compensation and expense of said inspectors, with report of committee recommending passage, was taken up for consideration.

Long 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, 58.

Avery	Gallagher	Long	Ryder
Bair	Gissel	McCaulley	Rylander
Beath	Greene	McCreery	Strachan
Berry	Helgason	McDermott	Tamisiea
Bonnstetter	Hollingsworth	Malone	TePaske
Brown	Hollis	Morton	Thiessen
Craven	Hopkins	Nelson of	Thompson
Dayton	Hunt	Cherokee	Torgeson
Ditto	Hush	Nelson of Story	Van Buren
Donlon	Husted	Osborn	Van Wert
Durant	Hutcheon	Pattison	Wamstad
Ellsworth	Kern	Peaco	Whiting
Fabritz	Koch	Pendray	Witt
Figgins	Langland	Randolph	Mr. Speaker
Forsling	Lichty	Rawlings	

The nays were, 24.

Augustine	Gilmore	Lepley	Reed
Babcock	Greaser	McLain	Reimers
Ballew	Hook	Mathews	Roe
Davis	Kohler	Mead	Shields
Felter	Lamb	O'Donnell	Watts
Garrett	Laughlin	Orr	Wearin

Absent or not voting, 26.

Aiken	Hansen of	Johnson of	Rutledge
Allen	Audubon	Marion	Short
Byers	Hansen of Scott	Mayne	Simmer
Drake of Keokuk	Hanson of	Millhone	Snyder
Drake of	Winnebago	Miller	Sours
Muscatine	Hayes	Paisley	Stanzel
Elliott	Hesse	Randall	Stiger
Finnern		Ratliff	

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

House File No. 129, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305) and twenty-three hundred six (2306) of the code, 1927; to repeal sections twenty-two hundred eighty-one (2281) and twenty-two hundred eighty-eight (2288) of the code, 1927, and to enact substitutes therefor, relative to venereal diseases, and the duties of the state and local boards of health, and physicians pertaining to the same, with report of committee recommending passage, was taken up for consideration.

Gallagher of Iowa called up the amendment filed by him, found in the Journal of February 6th and moved its adoption.

Amendment adopted.

Mayne of Pottawattamie offered the following amendment and moved its adoption:

Amend by striking in lines five (5) and six (6) of section two (2) the words "the justice of the peace, municipal judge, or the court." and inserting in lieu thereof the following: "any court of record."

Amendment adopted.

## RESOLUTION

Randolph of Davis offered the following resolution:

*Whereas*, The Honorable J. F. Kline, a former member of the House of Representatives, from Davis County, during the Forty-second and

Forty-third General Assemblies, also a member of the Special Tax Committee, died in Bloomfield in the year 1929;

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That the Speaker appoint a committee of three to draft suitable resolutions of his life.*

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

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Randolph of Davis, Pattison of Jefferson and Ballew of Appanoose.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

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

Senate Concurrent Resolution No. 10, requesting the Governor to return Senate File No. 16, relating to the use of secondary road construction fund.

WALTER H. BEAM, *Secretary.*

#### SENATE CONCURRENT RESOLUTION NO. 10 CONSIDERED

*Be It Resolved by the Senate, the House Concurring:* That the Governor be and he is hereby respectfully requested to return Senate File No. 16 relating to the use of secondary road construction fund.

Unanimous consent having been granted for the immediate consideration of the resolution, Stiger of Tama moved its adoption.

Motion prevailed and the concurrent resolution was adopted.

Stiger of Tama moved that the House request the Senate to return Senate File No. 16.

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 herewith returns as requested Senate File No. 16, relating to the use of secondary road construction fund.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 209, a bill for an act governing approval of plats in cities having by the latest state or federal census a population of twenty-five thousand or over, and to prescribe conditions of such approval.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 207, a bill for an act relative to the bond of the director of the budget, and of the members of the appeal board.

\*

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGE CONSIDERED

Senate File No. 209, a bill for an act to amend section sixty-two hundred seventy-eight b 1 (6278-b1), Code, 1927, governing approval of plats in cities having by the latest State or Federal census a population of twenty-five thousand (25,000) or over, and to prescribe conditions of such approval.

Read first and second times and referred to committee on cities and towns.

#### AMENDMENTS FILED

Hollis of Black Hawk filed the following amendment to House Joint Resolution No. 7:

Amend section 2 of House Joint Resolution No. 7 by striking from lines six (6) and seven (7) the words "and nurseries".

Johnson of Marion filed the following amendment to House File No. 342:

Amend House File No. 342 by inserting after the comma (,) following the word therefrom in line five (5) of section one (1), the word "including".

Also further amend by striking from lines six (6) and seven (7) of section one (1), the following:

"and all other highly inflammable materials, substance or compounds".

Wearin of Mills filed the following amendments to House File No. 352:

Amend House File No. 352, section one (1), line three (3) by striking all after the word "oils" and inserting: "motor fuels or any other materials of any description".

Section four (4) line eight (8) insert after the word "buildings" the words "storage tanks".

Section four (4) line twenty (20) after the word year insert: "and likewise all other property including pumping or station grounds, buildings, storage tanks and tank yards, equipment grounds for any and all purposes with the estimated actual value thereof in such manner as may be required by the board for any of the said pipe line purposes above named".

Section twelve (12) line seven (7) by striking the word "exclusively".

Gallagher of Iowa filed the following amendment to House File No. 252:

Amend House File No. 252 by striking from lines six (6) and seven (7) of section one (1), the following words: "eight-tenths of".

Babcock of Chickasaw filed the following amendment to Senate File No. 148:

Amend Senate File No. 148, section one (1) by inserting after the word "court" and before the word "unless" in line four (4) the following: "either in person or by mail".

On motion of Simmer of Wapello 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, FEBRUARY 26, 1931.

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

Prayer was offered by the Rev. William H. Phelps, pastor of the First Presbyterian Church, Des Moines.

Journal of February 25th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hunt of Louisa for the day, on request of Drake of Muscatine; Hollis of Blackhawk for today and tomorrow, on request of Lichty of Blackhawk.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Bonnstetter of Kossuth, from citizens of Burt and Baneroft, favoring a diversion of the primary road funds; from citizens of Swea City, favoring a State Driver's License Law and State Highway Patrol; and from citizens of Kossuth county, opposing the county assessor plan. Roads and highways, motor vehicles and transportation.

By Hunt of Louisa, from the Inter-church Association of Morning Sun, favoring optional military training in state schools. State educational institutions.

By Thompson of Fayette, from members of the Board of Education of Fayette county, favoring a reduction of ten per cent in the minimum wages for teachers; and from a citizen of Hawkeye, favoring a State Driver's License Law and State Highway

Patrol. Schools and textbooks, and motor vehicles and transportation.

By Elliott of Scott, from citizens of Maysville and Davenport, favoring a diversion of the primary road funds. Roads and highways.

By Stanzel of Sac, from citizens of Schaller, favoring a diversion of the primary road funds. Roads and highways.

By Snyder of Hamilton, from citizens of Stratford, opposing the county assessor bill, opposing Senate File No. 120, favoring a regulation of trucks, favoring a tax on oleomargarine, favoring the regulation of public utilities, favoring optional bovine tubercular testing; from citizens of Hamilton, favoring a State Driver's License Law; from the board of supervisors of Hamilton county protesting House File No. 250; and from citizens of Webster City, opposing an amusement tax. Tax revision, motor vehicles and transportation, county and township organization.

By Torgeson of Worth, from the Lion's Club of Manly, favoring the regulation of the size of trucks. Motor vehicles and transportation.

By O'Donnell of Carroll, from citizens of Carroll county, favoring a regulation of public utilities; from citizens of Carroll county, favoring a tax on oleomargarine; from citizens of Carroll county, favoring a regulation of the size of trucks; from citizens of Carroll county, opposing Senate File No. 120; endorsing the resolutions for an investigation of Lieutenant Governor McFarlane and the administration and financial department of the State University of Iowa, favoring the county assessor plan, and making testing for bovine tuberculosis optional. Public utilities, tax revision, motor vehicles and transportation, banks and banking, animal industry, and state educational institutions.

By Ryder of Dubuque, from citizens of Worthington, favoring a diversion of the primary road funds. Roads and highways.

By Lichty of Black Hawk, from members of the Cedar Falls Commercial Club, favoring a diversion of the primary road funds. Roads and highways.

By Koch of Bremer, from citizens of Frederika and Denver,

favoring a diversion of the primary road funds. Roads and highways.

By Kohler of Plymouth, from citizens of Remsen, favoring a diversion of the primary road funds. Roads and highways.

By Dayton of Washington, from members of the Ministerial Association of Washington county, favoring optional military training in state schools. State educational institutions.

By Greaser of Benton, from citizens of Luzerne, favoring a diversion of the primary road funds. Roads and highways.

By Osborn of Decatur, from citizens of Garden Grove, favoring a diversion of the primary road funds. Roads and highways.

By Reimers of Lyon, from members of the Farmer's Union and residents of Lyon county, opposing the county assessor bill, favoring optional testing for bovine tuberculosis, opposing Senate File No. 120, favoring a tax on oleomargarine, favoring a regulation of the size of trucks, and favoring the regulation of public utilities. Tax revision.

By TePaske of Sioux, from citizens of Chatsworth, favoring a diversion of the primary road funds. Roads and highways.

By Figgins of Union, from citizens of Cromwell, favoring a diversion of primary road funds. Roads and highways.

By Fabritz of Wapello, from retail dealers of Ottumwa, opposing the tobacco tax. Tax revision.

By Davis of Delaware, from citizens of Ryan, favoring a State Driver's License Law; from citizens of Iowa, favoring a tax on lard, egg, and butter substitutes; favoring optional testing for bovine tuberculosis. Motor vehicles and transportation, tax revision, and animal industry.

By Finnern of Crawford, from citizens of Schleswig, favoring a diversion of the primary road funds. Roads and highways.

By Randall of Lucas, from citizens of Chariton, opposing Senate File No. 225. Compensation of public officers.

## REPORTS OF COMMITTEES

Berry of Monroe, 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. 176, a bill for an act to authorize the issuance of bonds for the purpose of replacing county public hospital buildings destroyed by fire, tornado, or other act of God, to provide the procedure for such authorization, and to authorize a levy of taxes for the retirement of said bonds and the interest thereon, and to this end to amend sections fifty-three hundred forty-eight (5348), and fifty-three hundred fifty-three (5353), code, 1927, relating to such hospitals, beg leave to report they have 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.

H. S. BERRY, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 165, a bill for an act to amend section fifty-two hundred fifty-three (5253) of the code, of Iowa, 1927, relating to the examination, audit and report of all county officers required under the law to report fees collected by him to the board of supervisors; to provide for the annual audit by the board of supervisors of books, records, and accounts of all county 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 indefinitely postponed.

H. S. BERRY, *Chairman*.

Passed on file.

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 306, a bill for an act to require cities and towns maintaining police or fire departments to provide for the indemnifying of its police or fire employees against liability or loss because of any claims for bodily injuries, death, or property damage by any such employee resulting from his operation of a vehicle while in the performance of his duties, and/or to require said city or town to defend said employee in any action brought against him on account of any such a claim and in case of a judgment, to pay same, beg leave to report they have had the same under consideration and have instructed me to report the same back

to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 341, a bill for an act to amend the law as it appears in chapter three hundred twelve (312) of the code of Iowa, 1927, relating to heating plants, water or gas works and electric plants; to provide for and authorize the use of surplus earned from the operation of municipal water plants in cities of forty thousand (40,000) or over, having a board of trustees managing such plant; to authorize the use of said surplus earnings in said cities for the purpose of acquiring property and erecting a building or buildings thereon for its use and for the use of other city departments or 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.

ED. R. BROWN, *Chairman.*

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 354, 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 be amended as follows, and when so amended the bill do pass:

That wherever the name "Eckhart" appears in the bill or title that the spelling thereof be corrected so as to read "Eckart."

L. B. FORSLING, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 73, a bill for an act to legalize the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, beg leave to report they have had 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 judiciary, to whom was referred House File No. 305, a bill for an act to amend section ten thousand nine hundred thirty-four-b nine (10934-b9) of the code, 1927, relating to the costs and expenses incident to disbarment 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 312, a bill for an act to amend section seventy-two hundred eighty-six (7286) code, 1927, relating to the execution and effect of a tax deed, and providing that said deed under certain circumstances shall be subject to special assessments, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 211, a bill for an act to repeal section twelve thousand eight hundred four (12804) of the code, 1927, and to enact a substitute therefor, providing for the selection of the Chief Justice of the Supreme Court for a term of six months, rather than a year, beg leave to report they have had 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 judiciary, to whom was referred House File No. 329, a bill for an act to amend section seventy-two hundred eighty-four (7284) of the code, 1927, so as to require county treasurers to record tax sale certificates and assignments thereof, together with the notices required in sections seventy-two hundred seventy-nine (7279) and seventy-two hundred eighty (7280) of the code, 1927, and the affidavit required by section seventy-two hundred eighty-two (7282) of the code, 1927, beg leave to report they have had the same under con-

sideration 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 judiciary, to whom was referred House File No. 372, a bill for an act to regulate the use and operation of motor vehicles in this state on the public highways thereof by nonresidents of this state; to fix and declare the legal effect of such use and operation; and to prescribe the procedure for serving original notices of suit on nonresidents for damages arising out of the use and operation in this state of such vehicles by nonresidents, beg leave to report they have had 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 judiciary, to whom was referred House File No. 307, a bill for an act to amend section ten thousand two hundred ninety-nine (10299) code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public 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:

Amend by striking lines nine (9), ten (10), eleven (11), and twelve (12) of section one (1) and inserting in lieu thereof the following:

That section ten thousand three hundred twelve (10312), code, 1927, be amended by adding at the end thereof the following:

"No part of the unpaid fund due the contractor shall be retained as provided in this chapter on claims for material furnished, other than materials".

Also by striking the words "and form" in line 9 of section 3.

That the title be amended by inserting at the end of line 4 thereof, "ten thousand three hundred twelve (10312)".

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House Joint Resolution No. 6, providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the general assembly of the state of Iowa, and providing an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be sent to the House for reference to the appropriation committee with recommendation for passage.

L. B. FORSLING, *Chairman.*

Report adopted and House Joint Resolution No. 6 was referred to committee on appropriations.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 57, a bill for an act to provide for the levy and assessment of dues by the governing boards of cemeteries against all unused lots or parts of lots to be used for the perpetual care and upkeep of all lots or parts of lots located within a cemetery; to provide for the forfeiture of title to any unused lot or unused portion of a lot in the event of failure to pay the said assessment; to provide for the sale of all forfeited lots or portions of lots and for the use of the receipts from the sale of the same and for the redemption of said lots by the owner, heir or legal representative, and to provide for a lien on the lots or portions of lots for any unpaid assessment, beg leave to report they have had 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.

Simmer of Wapello, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance, to whom was referred House File No. 112, a bill for an act to amend sections eighty-nine hundred thirty-nine (8939) and eighty-nine hundred forty (8940) as amended by the acts of the forty-third (43rd) general assembly, and section eighty-nine hundred forty-one (8941) of the code, 1927, relating to insurance other than life, and to authorize the insuring of titles of real estate, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:



Amend House File No. 112 by adding thereto a new section as follows:

"Sec. 4. That chapter two hundred twenty-eight (228) acts of the forty-third (43rd) general assembly be amended by adding thereto the following:

'8. Notwithstanding the provisions of the preceding paragraphs, any domestic company insuring titles to real estate may invest such an amount of its assets in the purchase or lease of a title plant in the county in which the principal place of business is located as may be approved by the commission of insurance.'".

Further amend the title by inserting after the figures "1927" in line five (5) thereof, the following:

"and chapter two hundred twenty-eight (228) acts of the forty-third (43rd) general assembly,".

LEONARD SIMMER, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on insurance, to whom was referred House File No. 251, a bill for an act to amend section nine thousand fifty-two (9052) and nine thousand fifty-three (9053) of the code, 1927, relating to the bringing of actions in quo warranto against mutual assessment insurance associations and prescribing the procedure in such actions, and to limiting the amount of assessments which may be levied upon members 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.

LEONARD SIMMER, *Chairman*.

Report adopted.

McCreery of Linn, from the committee on compensation of public officers, submitted the following report:

MR. SPEAKER: Your committee on compensation of public officers, to whom was referred House File No. 281, a bill for an act to amend section fifty-two hundred twenty-eight (5228), code of 1927, relative to certain fees provided for 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 by striking out the word "not" in the last line of section one (1), and inserting the following "until said fine is".

D. R. MCCREERY, *Chairman*.

Report adopted.

Wamstad of Mitchell, from the committee on commerce and trade, submitted the following report:

MR. SPEAKER: Your committee on commerce and trade, to whom was referred House File No. 377, a bill for an act to provide and adopt standard sets of specifications for use in the state of Iowa by all distributors of motor vehicle fuel, and requiring that no motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regulating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BREDE WAMSTAD, *Chairman.*

Report adopted.

Gilmore of Cedar, from the committee on constitutional amendments, submitted the following report:

MR. SPEAKER: Your committee on constitutional amendments, to whom was referred Senate Joint Resolution 5, proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to the contracting of debt by the State and the payment hereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. T. GILMORE, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on constitutional amendments, to whom was referred Senate Joint Resolution 2, proposing an amendment to article three (3) of the Constitution of the State of Iowa, by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

WM. T. GILMORE, *Chairman.*

Report adopted.

Bair of Buena Vista, 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. 162, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum

spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of motor vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand sixty-five (5065) of the code, 1927, relating to the total maximum weight of motor vehicles and loads thereon, beg leave to report they have had the same 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:

I. By striking the word "either" in line two (2) of section two (2).

II. By striking all of section eight (8) and by substituting in lieu thereof the following:

"Sec. 8. That section five thousand sixty-five (5065) of the code, 1927, as amended by section two (2) of chapter twenty-five (25) of the laws of the forty-third (43rd) General Assembly, be amended as follows:

1. By substituting the word 'three' for the word 'four' in line four (4).

2. By striking out all of said section five thousand sixty-five (5065) following the word 'weight' in line five (5) thereof, and substituting in lieu the following: 'of any vehicles or combination of vehicles shall not in any event exceed ten (10) tons for a single unit gross weight with a wheel base of eight (8) feet or less and five hundred (500) pounds additional for each additional foot or fraction thereof increase in length. The wheel base of a combination of vehicles shall be construed to mean, in this section, the over-all distance between the first and last axles of the vehicle or combination of vehicles. A wheel which carries two (2) or more tires, or dual wheels, or two (2) or more wheels on the same end of a given axle shall be considered as one (1) wheel.'"

III. By adding as section nine (9) the following:

"Sec. 9. Any person, firm or corporation engaged in the business of hauling bridge material, telephone and telegraph poles, or any other material for structural work which requires the use of a truck, or truck and trailer of a length in excess of those specified in section eight (8) hereof, shall first secure a permit from the highway commission, and the highway commission may in its discretion issue such a permit."

J. PARK BAIR, *Chairman*.

Report adopted.

Nelson of Story, from the committee on political and judicial districts, submitted the following report:

MR. SPEAKER: Your committee on political and judicial districts, to whom was referred House Files No. 11, No. 64, No. 171, and No. 356,

relating to the senatorial redistricting of Iowa, beg leave to report that they have had the same under consideration and recommend that all of the four state senatorial redistricting bills be returned to the House with the recommendation that the House resolve itself into a committee of the whole to consider all the bills, with the further recommendation that the bills be considered each separately without debate except that the author of each bill is given five minutes in which to explain the merits of the same, and that the one receiving the highest number of affirmative votes be adopted as the committee bill to be placed on the calendar.

We further recommend that in consideration of the bills by the House as a committee of the whole, they shall be considered in the order of their introduction, but that no vote shall be taken on any bill until each author has been given the opportunity to explain his bill to the committee of the whole.

FRED W. NELSON, *Chairman*.

Report adopted and House Files Nos. 11, 64, 171 and 356 were referred to the committee of the whole.

#### INTRODUCTION OF BILLS

House File No. 379, by TePaske of Sioux, a bill for an act to amend section eleven hundred fifty-seven (1157) of the code, 1927, relating to vacancies in office in cities and towns.

Read first and second times and referred to committee on cities and towns.

House File No. 380, by Forsling of Woodbury, a bill for an act to repeal chapter three (3) acts of the forty-third (43rd) general assembly, and to amend section two hundred thirty-five (235) code, 1927, relating to the free distribution of codes and session laws.

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

House File No. 381, by Witt of Butler, a bill for an act to repeal section fifty-two hundred sixty (5260) of the code, 1927, and to enact a substitute therefor relating to county expenditures.

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

House File No. 382, by Ballew of Appanoose, a bill for an act to amend the law as it appears in section thirty-six hundred forty-

one (3641) of the code, 1927, relating to the citizenship of mothers entitled to widow's aid.

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

House File No. 383, by Short of Woodbury, a bill for an act to amend section one hundred thirteen (113), code, 1927, relating to the examination of the financial condition and transactions of certain public offices, so as to provide for a like examination of all public school corporations except school townships and rural independent districts and for a uniform system of cost accounting in all school corporations.

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

House File No. 384, by TePaske of Sioux, a bill for an act to amend section twelve thousand eighty-eight (12088) of the code, 1927, relating to bonds in attachment proceedings.

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

#### BILLS REREFERRED

Forsling of Woodbury asked and obtained unanimous consent to have Senate File No. 131 withdrawn from the committee on judiciary and referred to committee on public lands and buildings.

Hollingsworth of Boone asked and obtained unanimous consent to have House File No. 347 withdrawn from the committee on public utilities and rereferred to committee on cities and towns.

#### CONSIDERATION OF BILLS

Whiting of Johnson asked and obtained unanimous consent to have Senate File No. 16 withdrawn from the table.

Whiting of Johnson moved to reconsider the vote by which Senate File No. 16 passed the House.

Motion prevailed.

Whiting of Johnson asked and obtained unanimous consent to reconsider the vote by which Senate File No. 16 passed to its third reading.

Whiting of Johnson and Stiger of Tama offered the following amendment to Senate File No. 16 and moved its adoption:

Amend Senate File No. 16 by striking therefrom section one (1) and substituting therefor the following:

"Section 1. That section eleven (11) of chapter twenty (20), acts of the forty-third (43rd) general assembly, be amended by adding thereto the following:

"7. To the payment of county road bonds authorized under chapter two hundred forty-two (242), code of 1927 or 1924, prior to July 4, 1929'".

Amendment adopted.

Whiting 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, 88.

Augustine	Garrett	McCreery	Rylander
Avery	Gilmore	McDermott	Shields
Babcock	Gissel	McLain	Short
Ballew	Greaser	Malone	Simmer
Beath	Hansen of Scott	Mathews	Snyder
Berry	Hanson of	Mayne	Sours
Bonnstetter	Winnebago	Mead	Stanzel
Brown	Helgason	Millhone	Stiger
Craven	Hesse	Morton	Strachan
Davis	Hollingsworth	Nelson of	Tamisiea
Dayton	Hook	Cherokee	TePaske
Ditto	Hopkins	Nelson of Story	Thiessen
Donlon	Hush	Osborn	Thompson
Drake of	Husted	Pattison	Torgeson
Muscatine	Hutcheon	Peaco	Van Buren
Durant	Kern	Pendray	Van Wert
Elliott	Koch	Randall	Wamstad
Ellsworth	Kohler	Ratliff	Watts
Fabritz	Lamb	Rawlings	Wearin
Felter	Langland	Reed	Whiting
Figgins	Lepley	Reimers	Witt
Finnern	Lichty	Rutledge	Mr. Speaker
Gallagher	Long	Ryder	

The nays were, none.

Absent or not voting, 20.

Aiken	Greene	Hunt	O'Donnell
Allen	Hansen of	Johnson of	Orr
Bair	Audubon	Marion	Paisley
Byers	Hayes	Laughlin	Randolph
Drake of Keokuk	Hollis	McCauley	Roe
Forsling		Miller	

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

Whiting of Johnson moved that the vote by which Senate File No. 16 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

The House resumed consideration of House File No. 129, a bill for an act to amend sections twenty-two hundred eighty-five (2285), twenty-three hundred five (2305) and twenty-three hundred six (2306) of the code, 1927; to repeal sections twenty-two hundred eighty-one (2281) and twenty-two hundred eighty-eight (2288) of the code, 1927, and to enact substitutes therefor, relative to venereal diseases, and the duties of the state and local boards of health, and physicians pertaining to the same, was taken up for consideration.

Long 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, 65.

Avery	Garrett	Long	Roe
Babcock	Gilmore	McDermott	Rutledge
Beath	Gissel	McLain	Ryder
Berry	Hansen of	Malone	Rylander
Bonnstetter	Audubon	Mead	Simmer
Brown	Helgason	Millhone	Sours
Dayton	Hollingsworth	Morton	Stanzel
Ditto	Hook	Nelson of	Stiger
Donlon	Hopkins	Cherokee	Strachan
Drake of	Hush	Osborn	Tamisiea
Keokuk	Husted	Pattison	TePaske
Durant	Kohler	Peaco	Thiessen
Ellsworth	Lamb	Pendray	Thompson
Fabritz	Langland	Randolph	Torgeson
Figgins	Laughlin	Rawlings	Wamstad
Finnern	Lepley	Reed	Whiting
Gallagher	Lichty	Reimers	Mr. Speaker

The nays were, 10.

Ballew	Hansen of Scott	Hutcheon	Wearin
Elliott	Hesse	Mathews	Witt
Greaser		Van Wert	

Absent or not voting, 33.

Aiken	Felter	Kern	Paisley
Allen	Forsling	Koch	Randall
Augustine	Greene	McCaulley	Ratliff
Bair	Hanson of	McCreery	Shields
Byers	Winnebago	Mayne	Short
Craven	Hayes	Miller	Snyder
Davis	Hollis	Nelson of Story	Van Buren
Drake of	Hunt	O'Donnell	Watts
Muscatine	Johnson of	Orr	
	Marion		

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 make an appropriation for the expenses incurred in the election contest of Hall vs. Fabritz, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Van Buren of Jones, the amendments proposed by the committee, found in the Journal of February 13th, were adopted.

McCreery of Linn called up the amendment filed by the contest committee and found in the Journal of February 18th and moved its adoption.

Amendment adopted.

McCreery 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, 87.

Augustine	Elliott	Hesse	Millhone
Avery	Ellsworth	Hollingsworth	Morton
Babcock	Fabritz	Hook	Nelson of
Bair	Felter	Hopkins	Cherokee
Ballew	Figgins	Husted	Nelson of Story
Beath	Finnern	Hutcheon	Osborn
Berry	Forsling	Kern	Paisley
Bonnstetter	Gallagher	Koch	Pattison
Brown	Gilmore	Lamb	Peaco
Craven	Gissel	Langland	Pendray
Davis	Greaser	Laughlin	Randall
Dayton	Greene	Lichty	Randolph
Ditto	Hansen of	Long	Ratliff
Donlon	Audubon	McDermott	Rawlings
Drake of Keokuk	Hansen of Scott	McLain	Reed
Drake of	Hanson of	Malone	Reimers
Muscatine	Winnebago	Mathews	Roe
Durant	Helgason	Mead	Rylander



Shields	Stiger	Thompson	Watts
Short	Strachan	Torgeson	Wearin
Simmer	Tamisiea	Van Buren	Witt
Snyder	TePaske	Van Wert	Mr. Speaker
Sours	Thiessen	Wamstad	

The nays were, none.

Absent or not voting, 21.

Aiken	Hunt	McCaulley	Rutledge
Allen	Hush	McCreery	Ryder
Byers	Johnson of	Mayne	Stanzel
Garrett	Marion	Miller	Whiting
Hayes	Kohler	O'Donnell	
Hollis	Lepley	Orr	

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

House File No. 40, a bill for an act to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brown of Polk the amendments proposed by the committee, found in the Journal of February 13th, were adopted.

Brown 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, 95.

Aiken	Ditto	Forsling	Helgason
Augustine	Donlon	Gallagher	Hesse
Avery	Drake of Keokuk	Garrett	Hollingsworth
Babcock	Drake of	Gilmore	Hook
Bair	Muscatine	Gissel	Hopkins
Beath	Durant	Greaser	Hush
Berry	Elliott	Greene	Husted
Bonnstetter	Ellsworth	Hansen of	Hutcheon
Brown	Fabritz	Audubon	Kern
Craven	Felter	Hansen of Scott	Koch
Davis	Figgins	Hanson of	Kohler
Dayton	Finnern	Winnebago	Lamb

Langland	Morton	Reed	TePaske
Laughlin	Nelson of	Reimers	Thiessen
Lepley	Cherokee	Roe	Thompson
Lichty	Nelson of Story	Rylander	Torgeson
Long	Osborn	Shields	Van Buren
McCaulley	Paisley	Short	Van Wert
McCreery	Pattison	Simmer	Wamstad
McDermott	Peaco	Snyder	Watts
McLain	Pendray	Sours	Wearin
Malone	Randall	Stanzel	Whiting
Mathews	Randolph	Stiger	Witt
Mead	Ratliff	Strachan	Mr. Speaker
Millhone	Rawlings	Tamisiea	

The nays were, none.

Absent or not voting, 13.

Allen	Hollis	Mayne	Orr
Ballew	Hunt	Miller	Rutledge
Byers	Johnson of	O'Donnell	Ryder
Hayes	Marion		

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

Brown of Polk moved that the vote by which House File No. 40 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 236, a bill for an act to make an appropriation for the expenses incurred in the election contest wherein L. W. Hatter was contestant and J. P. Gallagher was incumbent, with report of committee recommending amendment and passage, was taken up for consideration.

Van Buren of Jones moved that the amendments proposed by the committee, found in the Journal of February 13th, be adopted.

Committee amendments lost.

Simmer 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, 83.

Augustine	Ballew	Brown	Ditto
Avery	Beath	Craven	Donlon
Babcock	Berry	Davis	Drake of Keokuk
Bair	Bonnstetter	Dayton	Durant

Elliott	Hush	Mead	Simmer
Fabritz	Hutcheon	Millhone	Snyder
Felter	Kern	Morton	Sours
Figgins	Koch	Nelson of	Stanzel
Finnern	Kohler	Cherokee	Stiger
Gallagher	Lamb	O'Donnell	Tamisiea
Garrett	Langland	Paisley	TePaske
Forsling	Laughlin	Peaco	Thiessen
Gilmore	Lepley	Pendray	Thompson
Gissel	Long	Randolph	Torgeson
Greaser	McCaulley	Ratliff	Van Buren
Greene	McCreery	Reed	Van Wert
Hanson of	McDermott	Reimers	Wamstad
Hesse	McLain	Roe	Watts
Hollingsworth	Malone	Rylander	Whiting
Winnebago	Mathews	Shields	Witt
Helgason	Mayne	Short	Mr. Speaker
Hopkins			

The nays were, 5.

Ellsworth	Hook	Osborn	Strachan
Hansen of Scott			

Absent or not voting, 20.

Aiken	Hansen of	Johnson of	Pattison
Allen	Audubon	Marion	Randall
Byers	Hayes	Lichty	Rawlings
Drake of	Hollis	Miller	Rutledge
Muscatine	Hunt	Nelson of Story	Ryder
	Husted	Orr	Wearin

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

Senate File No. 72, a bill for an act to repeal section two hundred thirty-seven (237) of the code and to enact a substitute therefor, relating to the distribution of early laws, 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, 81.

Augustine	Dayton	Ellsworth	Gissel
Babcock	Ditto	Fabritz	Greene
Bair	Donlon	Figgins	Hansen of
Ballew	Drake of Keokuk	Finnern	Audubon
Beath	Drake of	Forsling	Hansen of Scott
Bonnstetter	Muscatine	Gallagher	Hansen of
Brown	Durant	Garrett	Winnebago
Davis	Elliott	Gilmore	Hesse

Hook	McLain	Randall	Stiger
Hopkins	Malone	Randolph	Strachan
Hush	Mathews	Ratliff	Tamisiea
Husted	Mayne	Rawlings	TePaske
Hutcheon	Millhone	Reed	Thiessen
Kern	Morton	Reimers	Thompson
Koch	Nelson of	Roe	Torgeson
Kohler	Cherokee	Ryder	Van Buren
Lamb	O'Donnell	Rylander	Van Wert
Langland	Osborn	Shields	Wamstad
Lepley	Paisley	Short	Wearin
McCaulley	Pattison	Simmer	Whiting
McCreery	Peaco	Sours	Mr. Speaker
McDermott			

The nays were, none.

Absent or not voting, 27.

Aiken	Greaser	Laughlin	Pendray
Allen	Hayes	Lichty	Rutledge
Avery	Helgason	Long	Snyder
Berry	Hollingsworth	Mead	Stanzel
Byers	Hollis	Miller	Watts
Craven	Hunt	Nelson of Story	Witt
Felter	Johnson of	Orr	
	Marion		

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

House File No. 279, a bill for an act to authorize the issuance of a patent to certain land in Jones County, Iowa, with report of committee recommending passage, was taken up for consideration.

Van Buren of Jones called up the amendment filed by him and found in the Journal of February 16th and moved its adoption.

Amendment adopted.

Van Buren 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, 88.

Augustine	Davis	Felter	Hansen of
Avery	Dayton	Figgins	Audubon
Babcock	Ditto	Finnern	Hansen of Scott
Bair	Donlon	Forsling	Helgason
Ballew	Drake of Keokuk	Gallagher	Hesse
Beath	Drake of	Garrett	Hook
Berry	Muscatine	Gilmore	Hopkins
Bonnstetter	Durant	Gissel	Hush
Brown	Ellsworth	Greaser	Husted
Craven	Fabritz	Greene	Hutcheon

Kern	Mead	Rawlings	TePaske
Koch	Millhone	Reed	Thiessen
Kohler	Morton	Reimers	Thompson
Lamb	Nelson of	Roe	Torgeson
Langland	Cherokee	Ryder	Van Buren
Laughlin	Osborn	Rylander	Van Wert
Lepley	Paisley	Shields	Wamstad
Long	Pattison	Short	Watts
McCreery	Peaco	Simmer	Wearin
McDermott	Pendray	Sours	Whiting
McLain	Randall	Stanzel	Witt
Malone	Randolph	Stiger	Mr. Speaker
Mathews	Ratliff	Tamisiea	

The nays were, none.

Absent or not voting, 20.

Aiken	Hayes	Lichty	O'Donnell
Allen	Hollingsworth	McCauley	Orr
Byers	Hollis	Mayne	Rutledge
Elliott	Hunt	Miller	Snyder
Hanson of	Johnson of	Nelson of Story	Strachan
Winnebago	Marion		

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

Senate File No. 148, a bill for an act to amend section ten thousand four hundred twenty-nine (10,429) of the Code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof, was taken up for consideration.

Babcock of Chickasaw called up the amendment filed by him, found in the Journal of February 25th and moved its adoption.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by striking from line seven (7) of section one (1) the following: “, or the physical condition of either of the parties,”.

Amendment adopted.

Hush of Montgomery offered the following amendment as a substitute for the amendment filed by Mr. Babcock and moved its adoption:

Amend by inserting in line four of section one (1) after the word “court” as it first appears in said line, the following: “who shall issue certificates therefor which shall be accepted as notice in any county of the State”.

Kern of Polk moved that further action on Senate File No. 148 be deferred.

Motion prevailed.

Wearin of Mills invoked Rule 58 with reference to House File No. 294.

Torgeson of Worth moved that House File No. 294 be rereferred to the committee on State Educational institutions and that the committee be permitted to retain House File No. 294 indefinitely.

Van Buren of Jones moved the previous question.

Motion prevailed.

Greene of Pottawattamie moved that the motion of Torgeson of Worth be laid on the table.

The Speaker ruled that if the motion of Mr. Greene prevailed, that the motion and House File No. 294 would be on the table.

Greene of Pottawattamie asked and obtained unanimous consent to withdraw his motion to table.

On the question "Shall the motion to rerefer House File No. 294 prevail?" a roll call was demanded.

The ayes were, 25.

Aiken	Durant	Lichty	Simmer
Babcock	Figgins	Malone	Snyder
Bonnstetter	Greaser	Mead	Thompson
Davis	Hanson of	Pendray	Torgeson
Donlon	Winnebago	Randall	Wamstad
Drake of	Helgason	Roe	Witt
Muscatine	Lamb	Rylander	

The nays were, 71.

Augustine	Greene	McCreery	Reed
Avery	Hansen of	McDermott	Reimers
Bair	Audubon	McLain	Rutledge
Ballew	Hansen of Scott	Mathews	Ryder
Beath	Hesse	Millhone	Shields
Berry	Hollingsworth	Morton	Short
Brown	Hook	Nelson of	Sours
Craven	Hopkins	Cherokee	Stiger
Ditto	Hush	Nelson of Story	Strachan
Drake of Keokuk	Husted	O'Donnell	Tamisiea
Elliott	Hutcheon	Orr	TePaske
Ellsworth	Kern	Osborn	Thiessen
Fabritz	Koch	Paisley	Van Buren
Felter	Kohler	Pattison	Van Wert
Finnern	Langland	Peaco	Watts
Forsling	Laughlin	Randolph	Wearin
Gallagher	Long	Ratliff	Whiting
Garrett	McCauley	Rawlings	Mr. Speaker
Gissel			

Absent or not voting, 12.

Allen	Gilmore	Hunt	Lepley
Byers	Hayes	Johnson of	Mayne
Dayton	Hollis	Marion	Miller
			Stanzel

Motion lost, and House File No. 294 was placed on the calendar.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Garrett of Wayne asked and obtained unanimous consent to have five hundred additional copies of House File No. 342 printed.

#### MOTION TO RECONSIDER CALLED UP

Brown of Polk called up the motion to reconsider the vote by which House File No. 70 failed to pass the House, found in the Journal of February 14th and moved its adoption.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 67.

Augustine	Greene	McCreery	Reed
Avery	Hanson of	McDermott	Roe
Babcock	Winnebago	McLain	Rutledge
Bair	Helgason	Mayne	Rylander
Beath	Hollingsworth	Mead	Shields
Brown	Hopkins	Millhone	Short
Craven	Husted	Morton	Simmer
Dayton	Hutcheon	Nelson of	Snyder
Ditto	Kern	Cherokee	Strachan
Donlon	Koch	Nelson of Story	Tamisiea
Durant	Kohler	Orr	TePaske
Elliott	Lamb	Osborn	Thompson
Ellsworth	Langland	Pattison	Torgeson
Felter	Laughlin	Peaco	Wamstad
Forsling	Lichty	Pendray	Wearin
Gallagher	Long	Randolph	Witt
Gissel	McCauley	Rawlings	Mr. Speaker
Greaser			

The nays were, 11.

Ballew	Malone	Ryder	Van Wert
Bonnstetter	Mathews	Sours	Whiting
Gilmore	O'Donnell	Thiessen	

Absent or not voting, 30.

Aiken	Figgins	Hollis	Paisley
Allen	Finnern	Hook	Randall
Berry	Garrett	Hunt	Ratliff
Byers	Hansen of	Hush	Reimers
Davis	Audubon	Johnson of	Stanzel
Drake of Keokuk	Hansen of Scott	Marion	Stiger
Drake of	Hayes	Lepley	Van Buren
Muscatine	Hesse	Miller	Watts
Fabritz			

Motion prevailed and the House reconsidered.

Brown of Polk moved to reconsider the vote by which House File No. 70 was ordered to its third reading.

Motion prevailed.

Brown of Polk asked and obtained unanimous consent to have Senate File No. 209 substituted for House File No. 70.

Senate File No. 209, a bill for an act to amend section sixty-two hundred seventy-eight b 1 (6278-b1), Code, 1927, governing approval of plats in cities having by the latest State or Federal census a population of twenty-five thousand (25,000) or over, and to prescribe conditions of such approval, was taken up for consideration.

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

Amend Section one (1) of Senate File No. 209 by striking therefrom, lines one (1), two (2), three (3), four (4), five (5), six (6) and seven (7), and inserting in lieu thereof, the following:

"Section 1. That section sixty-two hundred seventy-eight b one (6278-b1), code of 1927 be and the same is hereby amended by adding to said section the following:"

Amendment adopted.

Brown 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, 72.

Augustine	Figgins	Hopkins	Morton
Avery	Gallagher	Husted	Nelson of
Babcock	Garrett	Hutcheon	Cherokee
Bair	Gissel	Kern	Nelson of Story
Beath	Greaser	Kohler	Orr
Berry	Greene	Lamb	Osborn
Brown	Hansen of	Langland	Paisley
Craven	Audubon	Lepley	Pattison
Ditto	Hansen of Scott	Lichty	Peaco
Donlon	Hanson of	McCreery	Randolph
Durant	Winnebago	McDermott	Ratliff
Elliott	Helgason	McLain	Reed
Ellsworth	Hesse	Mayne	Roe
Fabritz	Hollingsworth	Mead	Rutledge
Felter	Hook	Millhone	Shields



Short	Tamisiea	Torgeson	Whiting
Simmer	TePaske	Van Buren	Witt
Stiger	Thiessen	Van Wert	Mr. Speaker
Strachan	Thompson	Wamstad	

The nays were, 7.

Ballew	Malone	O'Donnell	Wearin
Bonnstetter	Mathews	Sours	

Absent or not voting, 29.

Aiken	Finnern	Johnson of	Randall
Allen	Forsling	Marion	Rawlings
Byers	Gilmore	Koch	Reimers
Davis	Hayes	Laughlin	Ryder
Dayton	Hollis	Long	Rylander
Drake of Keokuk	Hunt	McCaulley	Snyder
Drake of	Hush	Miller	Stanzel
Muscatine		Pendray	Watts

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

Brown of Polk moved that the vote by which Senate File No. 209 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

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

Senate File No. 116, a bill for an act relative to exemption of certain securities issued by railroad and public service utilities corporations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 45, a bill for an act to create a Court of Claims, to prescribe its jurisdiction, and to provide a method for the selection of judges thereof, and to prescribe the procedure in said court.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 23, a bill for an act relative to the number of judges in and for the twenty-first Judicial District of Iowa.

WALTER H. BEAM, *Secretary*.

## SENATE MESSAGES CONSIDERED

Senate File No. 116, a bill for an act to amend the law as it appears in section four (4) of chapter ten (10) of the acts of the forty-third general assembly so as to remove from the exemptions from the provisions of the Iowa securities act certain securities issued by certain railroad and public service utilities corporations.

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

Senate File No. 45, a bill for an act to create a Court of Claims, to prescribe its jurisdiction, and to provide a method for the selection of Judges thereof, and to prescribe the procedure in said Court.

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

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 207 and 263.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*Chairman Senate Committee.*

Report adopted.

Orr of Clayton, 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. 56.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 207 and 263.

Senate File No. 56.

## BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 26th day of February, 1931, sent to the governor for his approval:

House Files Nos. 207 and 263.

G. H. HESSE, *Acting Chairman.*

Report adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he has approved the following bills:

February 20th, House File No. 154.

February 23rd, House File No. 16.

February 25th, House Files Nos. 164 and 35.

The following speeches were delivered at the meeting of the Iowa Pioneer Lawmakers' Association held in the House Chamber February 18th:

The following address of welcome was given by Representative George M. Hopkins of Guthrie county:

*Mr. President, members of the Pioneer Lawmakers' Association:*

We are mighty glad to have you with us this afternoon. Your work and your lives have been an inspiration to those who followed you.

We almost envy you the thrilling experiences that you have had. You were real trail blazers leading the way to better legislation. You wrote some mighty fine laws. The one relating to township rural schools has stood the test of more than eighty years, and is a challenge to present lawmakers to make a better one. You made a very lasting property tax law. It is liked so very well that it will take the united efforts of the suffering taxpayer to improve it. It has been your privilege to work with many of Iowa's great lawmakers, John A. Kasson, James F. Wilson, J. B. Grinnell, S. J. Kirkwood, James Wilson, John Y. Stone, Samuel Merrill, George D. Perkins, John H. Gear, William Larrabee and many others.

I wish to briefly speak of the life of my boyhood hero, Hon. John A. Kasson. Born in Massachusetts, he acquired a well rounded out education; gave the address of welcome to Louis Kossuth at St. Louis; was one of the founders of the Republican party; located in Des Moines, Iowa, in 1857; was a delegate to the Republican National Convention in Chicago, 1860, and wrote the platform on which Abraham Lincoln was elected president; served as first assistant postmaster general, 1861-62, and served three terms in Congress; was appointed delegate to the international postal parley at Paris, 1863, and was one of the most influential delegates there. This was the first international postal agreement. As minister to Germany, he became one of Bismarck's most respected friends. After returning from Berlin he served three more terms in Congress. His remaining life was devoted to the Department of State as special negotiator of reciprocity treaties, being a worthy successor in that respect of James G. Blaine. During his period of activity he was Iowa's greatest scholar, statesman and orator.

Des Moines wanted a new capitol building. Polk county elected Mr. Kasson to the legislature. He introduced the resolution for a new capitol building and after a terrific parliamentary struggle secured the necessary appropriation. Later the capitol extension program was put over and resulted in giving Iowa's capitol a most beautiful setting.

After the capitol had been completed an appropriation was made by the legislature to get Iowa's most noted men's pictures painted to adorn the walls of the governor's rooms. Word was sent to Kasson, then in Russia, that his picture was wanted. Accordingly he employed an artist to paint it. It was shipped to the state house, C. O. D. The charges amounted to several thousand dollars and further, the painting was so very large that it occupied altogether too much space. This created a great amount of controversy. In order to relieve the situation, Mr. Kasson's picture was taken to the attic of the capitol. When the historical building was completed Mr. Kasson's picture was taken out of the attic and placed in the art gallery to the delight of his admiring friends.

We are glad to have you here and talk over events of the pioneer lawmaking days, of which we have profitably learned by your good laws and good work. I want you to feel, as your shadows are falling far towards the east, that the lawmakers of the Forty-fourth General Assembly, love, honor and respect you.

Senator L. H. Doran also expressed welcome in the following address:

*Mr. President, gentlemen of the Forty-fourth General Assembly and Members of the Pioneer Lawmakers' Association:*

It is indeed an honor this afternoon, on behalf of the Senate of the Forty-fourth General Assembly, to extend to you Pioneer Lawmakers of Iowa a hearty welcome home. As I stand before you this afternoon I see many familiar faces of men whom I observed here when I came as a boy to visit the session while my father had the privilege of serving with you. You have labored long and served well. The records of your achievements still live and are apparent here and throughout the state.

When I think of the pioneers of Iowa, I am reminded of that beautiful poem:

"There are loyal hearts; there are spirits brave;  
There are souls that are pure and true.  
Then give to the world the best you have,  
And the best will come back to you.

"For life is the mirror of king and slave.  
It is what you are and do.  
Then give to the world the best you have,  
And the best will come back to you."

As pioneers, you have given the best you have to the great state of Iowa, and the best has come back to you, because you see evidences on every hand of the results of your labors in this great state of Iowa, which is in the greatest nation of the world.

Since your labors here, the economic structure of the world has been thrown out of balance as a result of the World War. History tells us in that war that over ten million men and women were killed; and a committee recently appointed by the League of Nations, in its report to the league, tells us that as a result of that war there has been lost to the world thirty-seven million unborn. With all the financial depression that we have had, this government is now paying the price of victory in that war. Then, it would seem, great as the problems are that are facing us today as members of this Forty-fourth General Assembly, and other legislative assemblies throughout the United States, the greatest problem confronting all of us is not the problem of taxation or tax revision. Is it not well at this time that each one of us should ask ourselves, "What are we doing in order to prevent another such a catastrophe as the World War?" As a result of that war, the problems confronting this Assembly have been made more complex and difficult of solution. In your day and in your grandfathers' day, it was the desire on the part of everyone at some time to own a home that they could call their own, while today the greatest desire seems to be to own a better and more high-powered car than that of our neighbors. When Henry Ford put the world on wheels and provided a method by

which people could pay for their automobile as they ride, it was the means of the springing up of finance companies of various kinds, until today a large per cent of our problems can be traced to the abuse of credit.

However complex and difficult of solution as are the problems confronting this assembly, they are no more difficult than the problems that confronted you gentlemen in these halls when you labored here. We of the Forty-fourth General Assembly realize the value of experience. We not only welcome you as Pioneer Lawmakers this afternoon; we welcome you here at any time. We need and will appreciate your counsel. We of the Forty-fourth have a rich heritage as a result of your labors. May we prove faithful to the trust thus imposed upon us. As for you, Pioneer Lawmakers of Iowa, may the wreaths you have won never wither, nor the star of your glory grow dim.

Hon. George M. Titus of Muscatine gave the following address on behalf of the association:

*Mr. President, members of the Pioneer Lawmakers' Association and the Forty-fourth General Assembly:*

On behalf of the pioneer lawmakers I wish to thank the Senator and member of the House who have so ably expressed your cordial welcome to us. We are pleased to be here. We appreciate your stopping the mills of legislation long enough to greet us. For the last two years I have served as the "Kingfish" of this organization. That, you know, is the new name for the presiding officer. While serving in this capacity, I have been asked a great many questions about the association. I find that it is not generally understood. Before introducing the first speaker in our part of this afternoon's program, I will take a few moments to explain the objects and purposes of the association. It was organized in 1886. We are not "incorporated". We are simply an association and have no dues. We are held together by brotherly love and mutual admiration. Requisites for membership are as follows: Twenty years after you first serve in a state office or in the General Assembly, you automatically become a member of this association. Just why that period was established I am unable to say, but I think it probably means that, figuratively speaking, during that period you are to enter into the Chamber of Reflection, where your conscience will be cleared and you will, in twenty years, ripen into the wisest period of your life. By reason of our superior legislative and public office experience, we are sometimes called the third house, or House of Lords. That is the reason you are asked to rise while we enter the House chamber, and remain standing until we are seated. This is a delicate compliment to our superior wisdom. We meet biennially during the session of the General Assembly in order that we may be convenient to give you free counsel and advice. At this point I might say that if the Forty-fourth General Assembly has some very serious legislative problems, we will be most willing to assist you. We think it is quite generally conceded

that the pioneer lawmakers are beyond doubt the wisest body of men in the whole state. This being true, it is not surprising that practically all the governors of Iowa are chosen from our association. The present governor, Dan W. Turner, John Hammill, Nate Kendall; I cannot remember, when a governor served as such without being a member of our association. This may be a little disappointing to some of our younger men that have ambitions on that line. I am simply mentioning the condition that may be necessary if your ambitions are to be gratified.

I think it will be entirely proper for me to say in this presence that most of the pioneer lawmakers were chosen under the old convention system, when the women did not vote and it was not necessary to consider personal appearance. That probably resulted to our advantage.

At a similar meeting with the Forty-second General Assembly, I stated I thought it was rather the best looking assembly I ever saw in the Capitol. I am forced to admit that the Forty-fourth compares very favorably with them. If it were not for fear of criticism from my Republican brethren, I might say if you had a few more Democrats you might be 100 per cent. I am not in favor of overwhelming majorities. The state of Iowa has suffered politically from its reputation of being rock-rooted Republican. Under other conditions some of the prominent men mentioned by the senator in his address of welcome might have served as President of the United States if they had not lived in Iowa.

As I look over this assembly today, I recall my experience in the other chamber over thirty years ago. That does not mean that I am so very old at this time. I was very young when I came. Some people are embarrassed after middle life when asked their age. I am not. I am past fifty-two and I do not care who knows it. In the days when I served, as well as now, most all the members had young lady secretaries. These young ladies, in their idle moments, constituted themselves a committee to classify the members as to personal appearance, legislative ability, etc. I learned through my secretary that Senator Funk and I were by them placed in Class A on this line. I served on the appropriations committee at both sessions. The responsibility placed upon members of that committee and assisting in spending other people's money served to seriously affect my physical condition. As a result, under the head of personal appearance I think the young ladies reduced me to Class C, and I question whether I ever returned to "normalcy" since.

We have cycles in politics as well as in business. Some forty-two years ago a Democratic cycle swept over Iowa. Governor Boies, a Democrat, was nominated at Sioux City in 1889 and was duly elected. The campaign was on the wet and dry issue, prohibition and anti-prohibition.

We have with us today a gentleman from Muscatine, who served as chairman of the Democratic convention in Sioux City when Governor Boies was nominated. This gentleman was elected to the Twenty-third General Assembly from Muscatine county and was chairman of the Democratic caucus in that General Assembly that was deadlocked for six weeks, being evenly divided. He was also elected to the Twenty-fourth General Assembly. He served as United States consul-general

to Switzerland under President Cleveland. Recovering somewhat from all these handicaps, he drifted into the literary field and has written several books that have secured national reputation. Among them is the history of the state of California, the history of Rhode Island, and in a few weeks the history of the State of Iowa, written by him, will appear.

I take great pleasure in introducing to you the Honorable Irving B. Richman, of Muscatine.

Hon. Irving B. Richman of Muscatine was then introduced and addressed the Joint Convention as follows:

*President of the Iowa Pioneer Lawmakers' Association and Gentlemen of the Forty-fourth General Assembly:*

As preliminary to the few words which I am to address to you today, let me quote from a Muscatine County newspaper of the long ago.

"Thursday, October 31, 1889.

"So you are going to vote for I. B. Richman, are you? Can you tell why? Is it because he is a representative Democrat? It can't be that, for you will remember that he's a newcomer in that camp, who didn't climb the fence until he thought the 'cherries were ripe.'

"Because he is a Republican? No, for he tore up his certificate of membership in that organization when he went over after the cherries.

"Because he is a representative man? Please run over the 'elements' which go to make up our citizenship and find, if you can, the one of which he is representative.

"Is it because he is the farmer's friend? the merchant's friend? the friend of the people? or the disinterested friend of his party? You know he is none of these, then why, in the name of common sense, will you cast your ballot to send this specimen of unripe egotism—this fledgling lawyer—this inexperienced boy to Des Moines as the chosen representative of the progressive, pushing, sensible, industrious voters of this grand county of Muscatine? Gentlemen, you won't do it."

But they *did*; wherefor the "boy's" appearance before you this afternoon before you, "boys" along with himself.

"We're twenty! We're twenty! Who says we are more?  
Gray temples at twenty?—Yes! white if we please;  
Where the snow flakes fall thickest there's nothing can freeze!  
Yes, we're boys,—always playing with tongue or with pen,—  
And I sometimes have asked,—Shall we ever be men?  
Shall we always be youthful, and laughing and gay,  
Till the last dear companion drops smiling away?

Then here's to our boyhood, its gold and its gray!  
The stars of its winter, the dews of its May!  
And when we have done with our lifelasting toys,  
Dear Father, take care of thy children,

THE BOYS!"



My topic, gentlemen, is:

"Pioneer Iowa Lawmakers Who Were Democrats."

I

"Fifty Equals Fifty"

Only once in the political history of Iowa since 1855, when Augustus Caesar Dodge as United States senator was superseded in office by James Larlan, and since 1859, when George Wallace Jones as senator was superseded by James W. Grimes, has it been true that the Democratic party in the state has stood on anything like a legislative equality with the Republicans. The time referred to was 1890 when the lower house of the Iowa General Assembly was equally divided between the two parties, the democratic membership (helped out by an Independent or two) being fifty which was likewise the membership of the Republicans.

At this time not only was the lower house of the Iowa Assembly half Democratic but the Democrats had the (for them) unique experience of possessing the Iowa governorship.

For four years prior to 1888 the national democracy had held the presidency of the United States in the person of Grover Cleveland of the state of New York. In 1888, however, Cleveland had been displaced by Benjamin Harrison of Indiana, and the success in Iowa of the Democrats in 1889 marked the interim reaction against the party in power.

In Iowa this reaction was reinforced by a reaction against the prohibitory liquor law of the state effective in 1889. It was as a strong exponent of this particular reaction that in 1889 Horace Boies was made Iowa's governor. Boies, it is unnecessary to remind this gathering, was a distinguished lawyer of Waterloo, a man of the highest character, ability and dignity.

In 1889 it befell your speaker of this afternoon to preside at the preliminary session of the Democratic State Convention, held in Sioux City, which placed Horace Boies in nomination. How far back this event now seems may be realized from the circumstance that the period was that of Gilbert and Sullivan in light opera. When therefore the preliminary chairman of the Sioux City convention (your speaker) made reference in his convention address, to the rapidity with which James S. Clarkson of Iowa (first assistant postmaster general under Harrison) was severing the political necks of holdover Democratic postmasters, and when, in particular, the chairman improvised the Gilbertian stanza—

And you, my dear postmasters all,  
(Who yet your places keep),  
He's got you on the list,  
You'll shortly be dismissed,  
You'll shortly be dismissed—

the response in the form of cheers and laughter was all that could be desired.

But to recur to the Iowa House of Representatives in the (for Iowa Democrats) *annus mirabilis* of 1890. The first important business was the election of a Clerk and a Speaker. The Democratic candidate for Clerk was none other than the broad minded and scholarly Frederick W.

Lehman of Des Moines, later Solicitor General of the United States.

At this period, too, Albert B. Cummins of Des Moines had political aspirations, and it was common remark that, if the Republicans of Iowa did not soon awaken to this interesting fact, Cummins, infected as he already was, by anti-Republican virus, might have to be reckoned with as a Democrat. The Republican awakening, he it said, took place and what followed for Mr. Cummins, in the way of brilliant political service, is too well known to require mention.

The membership of the Iowa House in 1890 being, then, an even thing as between political parties, the choice of Clerk and Speaker, especially of Speaker, became a protracted struggle. Fifty votes for John T. Hamilton of Linn County, the Democratic candidate; fifty votes for Silas Wilson of Cass County, the Republican candidate; such (without deduction for pairs) was the unvarying outcome of each call of the roll.

One thing only (except fiery declamation) wrought for diversion and that was influenza which in the winter of 1889-90 (a winter of noxious weather) raged mercilessly in Des Moines, reducing the hall of Representatives to something not unlike a hospital ward.

## II

### Democrats of the Iowa House of 1890.

Just here your speaker may be pardoned reference to an acknowledged fact of the time of the fifty-fifty deadlock, namely, the high standing, in point of character, ability and sartorial correctness, of the fifty who were Democrats. From Linn County there was the handsome, courteous, resolute John T. Hamilton of Cedar Rapids, Speaker of the House. From Iowa County there was the versatile and astute N. B. Holbrook of Marengo. From Allamakee County, the solid yet winning John Dayton of Waukon. From Keokuk County, the upstanding, outstanding J. C. Beem of What Cheer. From Woodbury County, the good looking and worth-while W. G. Clarke of Sioux City, newly graduated from Brown University. From Plymouth County, the alert, faultlessly groomed and sartorially exquisite William H. Dent of Le Mars. From Clinton County, the youthful appearing and capable George S. Gardiner of Lyons. As for the Republicans, they as a body (may I whisper the fact) failed to compare with the Democrats, although here and there among them were men not only intellectually capable but also sartorially minded. There was, for example, John W. Luke of Franklin County, long-headed and circumspect; James E. Blythe of Cerro Gordo County, dashing and resourceful; and Daniel Cady Chase of Webster County, young, aggressive, and the wit of the entire House.

But the Democrats of the Iowa House of 1890, how did they break the deadlock, for break it they did. They did it by introducing the following Resolution:

#### Resolution to End Deadlock

February 18, 1890

"Whereas, it has been demonstrated beyond all cavil by five consecutive weeks of daily balloting that upon the question of organization this house is a tie, and that neither side thereof will voluntarily yield the permanent speakership to the other, and

Whereas, the present deadlock is manifestly being perpetuated to the detriment of the public business and the exhaustion of the public patience, and

Whereas, it is a method provided in the statutes of this State for determining the election in the case of a tie vote, that lots shall be cast, therefore, be it

Resolved, that it is the sense of this house, regardless of party, that the question, "to which side shall the speakership fall?" be determined by lot in accordance with some plan to be agreed upon by the Conference Committees."

The Resolution was so fair, giving no advantage to either side, that the Republicans of the Iowa House, fearing the popular voice, felt themselves forced to concede to the Democrats the speakership, and so bring the deadlock to an end.

### III

#### Liquor Control in Iowa

1889—1931.

Gathered in Des Moines this February day in 1931 we, members (aforetime) of the Iowa lawmaking body, look back, some of us, forty-one years. We are regarded as legislative pioneers. The term pioneer, however, is relative, no Einstein is needed to tell us that. In 1890 the members of the Iowa General Assembly looked back upon the period of Dodge and Jones, of Harlan and Grimes, as in Iowa the period of the genuine legislative pioneer; and forty years hence, in 1971, it will be ourselves who—dust though we, many of us, will then long have been—will hold the position of pioneers, legislatively, of the genuine breed.

In this connection let me be a bit daring and speak for a moment on a topic which, a living topic in Iowa and the nation in 1889, is even more a living topic in the nation (whether so in Iowa or not) today, I mean liquor control. Today in the nation and in Iowa we have the spectacle of a law absolutely deleting (more absolutely in Iowa than in the nation) the manufacture and use of intoxicants, yet a law, which, whatever of lip service it may command, is by multitudes secretly despised and by multitudes deliberately set at naught.

Today, in a word, conditions in Iowa in respect to the consumption of liquor are surprisingly as they were in 1889. Addressing the Iowa Democratic State Convention of 1889, your speaker said: "We of the Democratic party heartily concur in the dominant sentiment in favor of temperance. We oppose prohibition because we have seen that as a temperance measure it is a consummate failure." And, in 1889, looking back into the time then called pioneer—the time of the 1850's—there were to be met with appraisals of prohibition (for even in the 1850's prohibition was the law in Iowa) such as this from the Muscatine Journal: "Now (1856) that the Supreme Court of Iowa has pronounced our prohibitory liquor law constitutional, why is it not enforced? Is it to remain a dead letter upon our statute books? Is the great cause of temperance thus to be scandalized and brought to open shame?"

The aim of prohibition, be it at no time forgotten, is not temperance but total abstinence—an aim never in all likelihood susceptible of

attainment by man. Unsuccessful nevertheless as prohibition in Iowa and elsewhere was in the 1850's and again in the 1880's, and little successful as it is in the same quarters today, there is perhaps this to be said for it. By the agitation (agitation, be it noted, not coercion) brought with it, it may have advanced temperance in lands like Great Britain—the latter a land in certain of its classes of a sodden inebriety which now shows signs of abatement.

But—and this, regarding liquor control, is my principal point—were prohibition to be repealed (XVIII Amendment, Volstead Act and all); and were there to be substituted for it the plan of liquor control advocated by Governor Alfred E. Smith or Senator Dwight Morrow; and, furthermore, were the Smith or Morrow plan to prove in practice as little of a success as prohibition; the Smith or Morrow plan, by virtue of the agitation sure to attend it, might well accomplish for temperance all the little that thus far prohibition itself has accomplished; and this without the meddlesomeness and murderousness of prohibition—a meddlesomeness and murderousness subversive of Anglo-Saxon justice and repellent to the Anglo-Saxon spirit. As I have said, the attainable goal of anti-liquor legislation of any sort is probably never anywhere to be total abstinence. Temperance it may be. Temperance through progressive enlightenment—as in Great Britain.

#### IV

##### The Pioneer and the Domination of Private Wealth

Thus far I have spoken chiefly of the pioneer lawmaker in America as a lawmaker of 1890 or earlier. But the pioneer lawmaker may be a lawmaker of 1931. In this role he is giving, and may wisely continue to give, attention to issues known specifically as economic.

As our nation has grown in population and in wealth, there has developed a domination by private capital ("big business," we call it) upon which the pioneer lawmaker,—and for the most part the pioneer lawmaker alone,—has shown a disposition to lay a restraining hand. Among the States of the Union which today, in a sense, are yet pioneer may be named Wisconsin, Iowa, Minnesota, the Dakotas, Nebraska and Kansas. These states, through such representatives of them as, in Wisconsin, the La Follettes; in Minnesota, Henrik Shipstead; in North Dakota, Gerald P. Nye; in Iowa, Smith W. Brookhart; in Nebraska, George W. Norris are making in Congress a stiff fight against domination on the part of private wealth—a domination often ingeniously camouflaged,—which threatens the public weal. Exploitation of national natural resources; the enactment, in favor of high prices, of absurdly high tariffs on manufactured goods, these are some of the things, actual and political, which are now being combatted by lawmakers still to be called pioneer.

#### V

##### The Middle West a Holding Concern for the Nation

Having pointed out that yet today in America it is the pioneer—the pioneer lawmaker—who of all lawmakers seeks most ardently the common weal, let us not fail to take account of the fact that the states

already named as yet pioneer are states of the middle west. In all our history as a nation, since the rise of the middle west as a distinct factor, this section has operated politically as, so to say, a national holding concern. It was so in the 1840's when Iowa was admitted to the Union; when the great issue was not prohibition but (*absit omen!*) Slavery. It was so in the 1870's when, groaning under tyranny by the railroads, Illinois and Iowa passed their memorable Granger laws. May it not be that a holding concern—a concern moderating between extremes—will the middle west be in the days for America to come? In the matter of exorbitant tariffs the middle west (even Iowa) will not forever support the east. In the matter of liquor control, the middle west (even Iowa) may break with the fanaticism of the south.

Long, therefore, live the middle west—land of the lawmaker still a pioneer! As the heart of the middle west, long live Iowa! As a badly needed element in the politics of Iowa, long live the Iowa Democrats—and may their tribe increase!

Former Senator Leslie E. Francis gave the following address on behalf of the Pioneer Lawmakers:

*Mr. Chairman, Gentlemen of the Forty-fourth General Assembly and Members of the Pioneer Lawmakers' Association:*

I recall with some amusement that twenty years ago when I first attended a meeting of this character and saw those ancient gentlemen march in as we did a few moments ago, I felt that it was a bit reckless for men so advanced in years to be so far from home. Learning that twenty years must pass before I would be eligible for membership in the Pioneer Lawmakers Association I felt that day to be very far indeed in the future, but now that it has passed the time looking backward seems very short. A thousand years in the sight of the Lord is but a day, and twenty years when it has passed seems as but half a day to the members of this association.

The distinguished gentleman who has just spoken described a deadlock that lasted five weeks. I attended such a deadlock myself. Twenty years ago the death of Senator Dolliver imposed upon the legislature the duty of electing a United States senator. From the opening day of the session to the last day the struggle continued. Every day we marched over here, the Honorable Representative standing in deference to us. At the fifty-ninth minute of the eleventh hour of that last day we elected to the Senate of the United States that distinguished citizen of Iowa, William S. Kenyon.

In all the years since I left the Senate I have been interested in legislative work, and have watched your deliberations, often with envy, for I never enjoyed any work more than that during my years here. Whenever I have been in other states I have always visited their legislatures but I have never found such real interest in their work and such determination to accomplish good for the people as in the legislatures of Iowa.

I may be violating all rules of decorum at a meeting of this kind, but

I shall speak briefly upon two public questions of great moment to the people and taxpayers of Iowa. I shall offer you a lot of valuable advice wholly without charge.

Sixteen years ago I presented to the Senate a public utilities bill. After a long struggle it passed the Senate but was defeated in the House. It lost there almost wholly because it contained a provision making franchises indeterminate. The members were afraid of a franchise that did not expire at some specified date.

You have before you at this time a new public utilities bill. It also contains an indeterminate franchise provision. That clause will meet intense opposition and it should unless the bill contains proper safeguards. Those safeguards are three in number and if they are broad and ample the public will be fully protected.

The first is the right given the municipality or state to purchase the utility. The language used in conferring that right should be carefully considered by the lawyers of the assembly.

The second is the right to regulate the service to be rendered. This is the least important of the three, as self preservation will demand reasonable service and yet it should be carefully provided for.

The third is the most important of all—indeed it is the vital thing in any utility bill. I refer to the fixing of rates. One of the most important questions today is the regulation of rates fixed by public utilities. A species of insanity seems to grip the average man about the time he is placed in control of any form of public utility. He seems obsessed with the idea of milking the public to the very last drop. And if he has a monopoly he is often able to do exactly that. For more than a decade the railroads of our nation have taken advantage of every opportunity to increase rates. The result is competition by bus and truck that is giving alleged captains of industry sleepless nights. But with such utilities as telephone, electric light, gas, water, etc., competition is impossible and regulation of rates is the only protection the public has.

Much litigation has developed over the question of valuation of utility assets and the Supreme Court of the United States has adopted a rule that apparently recognizes replacement cost as an element in fixing values. Of course the value of the utility is vital in fixing rates for the rate so fixed must be such as will give to the utility a fair return (usually 6%) upon such value. It is at once clear therefore that a utility bill to be of any benefit whatsoever to the paying public must be most carefully drawn in the last particular especially. The bill I have before me is wholly defective in this respect. I take the liberty of offering a paragraph covering the question of fixing rates. I have drawn this with the utmost care and believe it covers the entire field. With that paragraph in the bill there will be no occasion to fear the indeterminate franchise, and when the commission acts there is little probability of reversal by the courts. I read the proposed paragraph as follows:

"The commission shall fix a rate that shall bring to the utility furnishing the service a fair and reasonable return upon its investment, giving due consideration to the original cost of all elements and things used and useful in furnishing such service, repairs thereon, depreciation thereof, the then value of such elements and things so used and useful

in their condition at the time such rate is fixed, the then replacement cost of such elements and things as under then existing conditions and efficient practice would be used and useful in rendering such service, the just and necessary expense of giving such service, the value of such service so rendered and all other facts and matters required in determining what is in fact such fair and reasonable rate and return, and the finding of the commission shall be presumptively fair and reasonable and the party attacking same shall have the burden of proving that the rate so fixed is not fair and reasonable."

I wish to speak briefly upon another subject close to the hearts and pocket books of the people—TAXATION. Taxes have reached a point making the ownership of property almost prohibitive. In the years since I ceased to be with you taxes have increased many times over. Spending the public money has ceased to be merely an avocation—it has become an art. Every legislature adds new departments, creates new offices, new judges, new something that costs money, but no departments are ever abolished or consolidated.

The Fish and Game Department collects more than a Hundred Thousand Dollars each year and after twenty years what have we to show for it? You create a Highway Commission and give it autocratic power. It spends around Two Million Dollars each year in salaries—overhead if you please—mostly for engineers, and who gives it a thought?—there is more money where that came from so who should worry? And there are other instances I might mention if time permitted—plenty of them.

You have before you a number of bills the purpose of which is to reduce taxes. Upon those bills I offer no opinion but I do say to you most emphatically that there is just one way to reduce taxes—AND THAT IS TO REDUCE EXPENSES.

Governor Carroll very wisely remarked in his address to us this morning that in his observation almost every man appointed to head any department or project immediately made every effort within his power to secure an increase appropriation. I think I know the reason for this—it is EGOTISM—he feels that he is a bigger man if he has more people under him.

For more than a year the Committee on Retrenchment and Reform created by the Thirty-fifth General Assembly gave careful consideration and intensive study to reduction of expenses by simplification of governmental affairs. That committee consisted of ten men then well known over the state. A report was prepared and published. Today but one copy remains and I hold it in my hand. The chairman of the committee was Senator J. H. Allen of Pocahontas. I think that report should be preserved for it is even more fitting to conditions today than when it was prepared. I had the pleasure of writing that document and I shall hand it to the son of our chairman, the brilliant young representative from Pocahontas county, with the request that he have it printed in your journal. And I ask that every member of this body read that report. You will find it very difficult, as did we, to legislate any one out of office—much easier to legislate them in—but the people cannot and will not always bear these ever increasing burdens uncomplainingly and a remedy must and will be found and used. And all that is suggested in that

report relative to state affairs will apply to county business. And to schools.

I regret that time forbids further discussion. It is a pleasure to appear before you, gentlemen of the Forty-fourth General Assembly, and to renew the happy acquaintances of years ago. I wish you unlimited success in your work here this winter. And from your deliberations may there come to the people of Iowa relief from burdens that are too heavy to longer bear.

#### AMENDMENTS FILED

Torgeson of Worth filed the following amendment to House File No. 121:

Amend House File No. 121 as follows:—Strike out the words in line six (6) “and said commission”.

Forsling of Woodbury filed the following amendment to Senate File No. 49:

Amend Senate File No. 49 as follows:

1. By striking all of Section I and inserting in lieu thereof the following:

SECTION 1. Section twenty-five hundred eighty-five-b twelve (2585-b12), code, 1927, is amended by inserting after the word “barber” in line 18 thereof, the following:

“or student in a barber school approved by the board of barber examiners or registered barber apprentice while pursuing a regular course of study of barbering”

Also by adding after the word “study” in line 12 of said section the following:

“or students attending schools approved by the barber examiners”

2. By inserting after the word “course” in line 5 of Section 3, the following:

“both of theory and practice”

3. By inserting after the word “college” in the last line of Section 3, the following: “by a student during the first three months of his course”

Hush of Montgomery filed the following amendment to Senate File No. 148:

Amend Senate File No. 148 by striking from line six (6) of section one (1) the words: “or in case of accident or sickness the attending physician”.



TePaske of Sioux filed the following amendment to Senate File No. 49:

Amend Senate File No. 49 by striking therefrom lines thirty-four (34), thirty-five (35), thirty-six (36) and thirty-seven (37) of section three (3).

Morton of Wright filed the following amendment to the committee amendment to House File No. 155:

Amend the committee amendment to House File No. 155 by striking out the word "two" in line two (2) of paragraph fifteen (15) and substituting therefor the word "four".

Hush of Montgomery filed the following amendment to Senate File No. 148:

I offer the following as a substitute for the bill as amended and all pending amendments:

Amend by striking all after the enacting clause and by inserting in lieu thereof the following:

Section 1. That section ten thousand four hundred twenty-nine (10429) of the code, 1927, be amended by adding thereto the following:

"No license shall be issued until the fifth day after application has been made therefor, unless a judge of the district court of the county wherein the marriage is to be solemnized, or referee appointed by him for that purpose, shall find that public policy requires that the marriage be solemnized without delay, in which case he shall enter an order to that effect, whereupon the clerk shall issue the license at once. The clerk shall keep a record of all applications made and orders in reference thereto.

The application shall be in writing and made to the clerk of the county where either party resides and filed with such clerk who shall issue a certificate therefor, on which certificate the clerk of any county may issue the license to marry the same as though the application had been made in such county. When both parties are non-residents of the state, the application may be made in any county."

MR. SPEAKER AND MEMBERS OF THE HOUSE: I move to amend House File No. 294 by striking section five (5) from the bill.

On motion of Bair of Buena Vista 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, FEBRUARY 27, 1931.

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

Prayer was offered by the Rev. Frank A. Wilder, pastor of the Methodist Church, Moulton, Iowa.

Journal of February 26th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Roe of Allamakee for the day, on request of Watts of Van Buren; Berry of Monroe for the day, on request of Reed of Mahaska; Long of Cerro Gordo for the day, on request of Reed of Mahaska; Rutledge of Webster for the day, on request of Hopkins of Guthrie; Beath of Adams for the day, on request of Hopkins of Guthrie; Ryder of Dubuque for the day, on request of Whiting of Johnson; Hunt of Louisa for the day, on request of Drake of Muscatine.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Nelson of Story, from dentists of Ames, favoring an amendment to the Iowa law regarding the obtaining of spirituous liquors for professional use; and from citizens of Kelley, favoring a diversion of the primary road funds. Suppression of intemperance, and roads and highways.

By Mathews of Des Moines, from citizens of Burlington, favoring an old age pension, and protesting the income tax law. County and township organization and tax revision.

By Randall of Lucas, from citizens of Chariton and Russell, favoring a diversion of the primary road funds. Roads and highways.

By Helgason of Emmet, from citizens of Estherville, favoring a diversion of the primary road funds. Roads and highways.

By Pattison of Jefferson, from citizens of Batavia and Fairfield, favoring a diversion of the primary road funds. Roads and highways.

By Brown of Polk, from citizens of Des Moines, favoring a State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By Thompson of Fayette, from the Oelwein division of the Order of Benefit Association of Railway Employees, favoring a regulation of trucks. Motor vehicles and transportation.

By Witt of Butler, from citizens of New Hartford, favoring a State Driver's License Law and State Highway Patrol. Motor vehicles and transportation.

By Hesse of O'Brien, from citizens of Sanborn, and the Sheldon Commercial Club, opposing an amusement tax. Ways and means.

By Snyder of Hamilton, from citizens of Blairsburg, favoring making military training optional in state schools; and from the Jewell chapter of the Will H. Dilg Conservation League, favoring an investigation as to whether or not the fish and game department is complying with the law regarding commercial fishing; and from the Homeward Cemetery Improvement Association of Ellsworth, favoring House File No. 57. State educational institutions, fish and game, and public lands and buildings.

By Osborn of Decatur, from citizens of Decatur City, favoring a diversion of the primary road funds. Roads and highways.

#### HOUSE FILES WITHDRAWN

Wamstad of Mitchell asked and obtained unanimous consent to have House File No. 130 withdrawn from the committee on commerce and trade and from further consideration of the House.

Malone of Cass asked and obtained unanimous consent to have House File No. 77 withdrawn from further consideration of the House.

Randolph of Davis asked and obtained unanimous consent to have House File No. 349 withdrawn from the committee on fish and game and from further consideration of the House.

## HOUSE FILE REREFERRED

Van Buren of Jones asked and obtained unanimous consent to have House File No. 294 rereferred to the committee on appropriations.

## REPORTS OF COMMITTEES

Hush of Montgomery, from the committee on ways and means, submitted the following reports:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 368, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five percent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years, beg leave to report they have had the same 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 in line six (6) the words: "by five percent (5%).", and insert in lieu thereof the following: "so that the total funds raised by taxation shall be five percent (5%) less than that raised by the 1930 levy."

HOMER HUSH, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 297, a bill for an act to amend section fifty-four hundred twenty-five (5425), code, 1927, relating to the license fee on dogs, beg leave to report it has had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

HOMER HUSH, *Chairman.*

Report adopted.

Torgeson of Worth, from the committee on banks and banking, submitted the following reports:

MR. SPEAKER: Your committee on banks and banking, to whom was referred Senate File No. 106, a bill for an act to amend section twenty (20) of Chapter Thirty (30), Acts of the Forty-third (43rd) General Assembly, relating to the issuance by trust companies of debentures or 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.

S. R. TORGESON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on banks and banking has introduced to the House, House File No. 397, a bill for an act to amend section eleven (11), chapter thirty (30) of the Acts of the Forty-third (43rd) General Assembly, relating to Bank drafts and Cashiers' Checks given for clearings, or drafts given for the transportation of funds.

The committee on banks and banking recommends to the House that the bill do pass.

S. R. TORGESON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on banks and banking has introduced to the House, House File No. 396, a bill for an act relating to stopping payment on checks and drafts.

The committee on banks and banking recommends to the House that the bill do pass.

S. R. TORGESON, *Chairman.*

Report adopted.

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following reports:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred Senate File No. 200, a bill for an act to repeal the law as it appears in section three thousand eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 267, a bill for an act to amend section thirty-eight hundred seventy-three (3873), code, 1927, and to repeal section thirty-eight hundred seventy-four (3874), code, 1927, relating to teachers' examinations, beg leave to report they have had the same under consid-

eration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 283, a bill for an act to amend the law as it appears in section forty-one hundred nineteen (4119), code, 1927, relating to the county board of 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.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks has introduced to the House, House File No. 395, a bill for an act to amend section thirty-eight hundred ninety-nine (3899) of the code, 1927, and chapter one hundred ninety-four (194) of the code, 1927, relating to teacher training courses.

The committee on schools and textbooks recommends to the House that the bill do pass.

GEO. M. HOPKINS, *Chairman*.

Van Buren of Jones, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 231, a bill for an act to make an appropriation to pay the cost of paving certain streets which pass through or are adjacent to property belonging to the state university of Iowa, Iowa 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 be indefinitely postponed.

G. J. VAN BUREN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 265, a bill for an act to make an appropriation for the expenses incurred in the election contest of Maneor-Berry, beg leave to report they have had the same 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 three (3) and four (4) the words and figures "seven hundred thirty dollars and forty-seven cents (\$730.47)" and inserting in lieu thereof the words and figures "four hundred thirty dollars and forty-seven cents (\$430.47)".

Also amend by striking from lines ten (10) and eleven (11) the figures "300.00" and insert in lieu thereof in each instance the figures "150.00".

Further amend said bill by striking from line nineteen (19) the figures "\$730.47" and inserting in lieu thereof "\$430.47".

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 351, a bill for an act to make appropriation to Thomas Logan, William Ross, Fink Brothers, P. A. Clemmer, the Union Prairie Church, E. R. Bartz, Mrs. James Shada, and Dale Taylor, for damages done by articles thrown by a rotary snow plow, operated by the Iowa State Highway Commission, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Bair of Buena Vista, 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. 256, a bill for an act to amend chapter one hundred thirty-one (131), acts of the forty-third (43rd) general assembly, relating to operation of motor trucks, and limiting the maximum weight of motor trucks or trailers, and the loads 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.

J. PARK BAIR, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 255, a bill for an act to amend chapter one hundred twenty-nine (129), acts of the forty-third (43rd)

general assembly, relating to regulation of motor trucks, so as to provide for the levy and collection of a tax for the maintenance and repair of the highways, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. PARK BAIR, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred Senate File No. 125, a bill for an act to amend section four thousand eight hundred sixty-seven (4867) of the Code, 1927, relating to general exemptions of motor vehicles, beg leave to report they have had 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. PARK BAIR, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred Senate File No. 107, a bill for an act to amend the law as it appears in chapter two hundred fifty-one a one (251-a1) and section forty-seven hundred fifty-five b thirty-eight (4755-b38) of the code of Iowa 1927 by striking the word "gasoline" wherever it appears and substituting the words "motor vehicle fuel", and defining the words "motor vehicle fuel", beg leave to report they have had 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. PARK BAIR, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 126, a bill for an act to amend section five thousand one hundred and five-a forty-one (5105-a41), code of 1927, relating to taxation of motor vehicle 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 indefinitely postponed.

J. PARK BAIR, *Chairman.*

Passed on file.



Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 254, a bill for an act to amend chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) General Assembly, relating to regulation of motor trucks and making said chapter applicable to carriers of freight under contract for compensation for hire, beg leave to report they have 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. PARK BAIR, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 285, a bill for an act to amend sections forty-nine hundred eight (4908), and forty-nine hundred ten (4910), Code, 1927, relating to the computation of the annual license fee on motor vehicles, beg leave to report they have had 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. PARK BAIR, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 244, a bill for an act relating to the licensing of motor vehicle operators and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways; to make uniform the law relating thereto and establishing a state department of public safety, beg leave to report they have had the same 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. Insert a comma (,) after the word "firm" in line fifteen (15) of section one (1).
2. Correct the spelling of the word "vehicle" in line ten (10) of paragraph b of section four (4).
3. Correct the spelling of the word "current" in line eleven (11) of paragraph b of section four (4).
4. Change the word "requires" in line five (5) of paragraph c of section ten (10) to "required".

5. Insert the word "the" after the word "of" in line two (2) of section eleven (11).

6. Change the word "license" in line two (2) of paragraph b of section thirteen (13) to "licensee".

7. Correct the spelling of the word "thereon" in line three (3) of paragraph e of section thirteen (13).

8. Strike the figures "31st" in line two (2) of paragraph a of section sixteen (16) and insert in lieu thereof the words "thirty-first".

9. Correct the spelling of the word "vehicle" in line four (4) of paragraph b of section sixteen (16).

10. Change the word "an" in line ten (10) of section seventeen (17) to "and".

11. Change the word "seem" in line eleven (11) of section seventeen (17) to "deem".

12. Strike line two (2) of section eighteen (18).

13. Correct the spelling of "contributed" in line ten (10) of section nineteen (19).

14. Correct the spelling of the word "court" in line one (1) of section twenty (20).

15. Insert commas (,) after the word "department" in line three (3) and the word "act" in line four (4) of section twenty (20).

16. Strike the word "commissioner" in line nine (9) of section twenty (20) and insert in lieu thereof "Secretary of State".

17. Strike all of section twenty-two (22) and renumber the succeeding sections.

18. Change the word "revoke" in line three (3) of paragraph "first" in section twenty-three (23) to "revoked".

19. Correct the spelling of the word "display" in line one (1) of paragraph "third" of section twenty-three (23) and "displaying" in line two (2).

20. Change the word "revoke" in line three (3) of paragraph "fourth" of section twenty-three (23) to "revoked".

21. Change the maximum penalty in section thirty (30) from five hundred dollars (\$500.00) to one hundred dollars (\$100.00).

22. Strike sections thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), thirty-seven (37), thirty-eight (38), thirty-nine (39) and renumber sections forty (40), forty-one (41) and forty-two (42).

J. PARK BAIR, *Chairman*.

Report adopted.

Ellsworth of Hardin, from the committee on public health, submitted the following reports:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 260, a bill for an act to amend section fourteen hundred ninety (1490) of the code, 1927, relating to pipes and flues for deleterious gases, beg leave to report they have had the same 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 inserting in lieu thereof the following:

"Section 1. That section fourteen hundred ninety (1490) of the code, 1927, be amended by inserting after the comma following the word "print-shop" in line two (2) thereof, the words "public automobile garages, repair shops,".

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 259, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code, 1927, relating to the licensing of dentists, beg leave to report they have had 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. O. ELLSWORTH, *Chairman.*

Report adopted.

Reimers of Lyon, from the committee on departmental affairs, submitted the following report:

MR. SPEAKER: Your committee on departmental affairs has introduced to the House, House File No. 385, a bill for an act to repeal the law as it appears in chapter three hundred sixty-nine (369) of the code of 1927 creating and relating to the office of Commerce Counsel, and providing that the Attorney General shall perform the duties heretofore performed by the Commerce Counsel, and authorizing the appointment of a special assistant attorney general for that purpose.

The committee on departmental affairs recommends to the House that the bill do pass.

O. J. REIMERS, *Chairman.*

## INTRODUCTION OF BILLS

House File No. 385, by committee on departmental affairs, a bill for an act to repeal the law as it appears in chapter three hundred sixty-nine (369) of the code of 1927 creating and relating to the office of Commerce Counsel, and providing that the Attorney General shall perform the duties heretofore performed by the Commerce Counsel, and authorizing the appointment of a special assistant attorney general for that purpose.

Read first and second times and passed on file.

House File No. 386, by Augustine of Ringgold, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the code, 1927, relating to compensation of the county attorney in counties having a population of less than twenty thousand.

Read first and second times and referred to committee on compensation of public officers.

House File No. 387, by Elliott of Scott, a bill for an act to amend section sixty-seven hundred seventy-eight, (6778), of the Code, 1927, to make provisions of section seven (7) of Senate File One Hundred Seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities.

Read first and second times and referred to committee on cities and towns.

House File No. 388, by Gissell of Buchanan and TePaske of Sioux, a bill for an act to amend section twenty-nine hundred two (2902) of the code, 1927, as amended by chapter seventy-eight (78) acts of the forty-third (43rd) general assembly, relating to the prohibition of gambling devices, sales of intoxicating liquors and other violations of law at county and district fairs.

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

House File No. 389, by Millhone of Page, a bill for an act to repeal sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred seventy-seven (3877), code, 1927, and to enact substitutes therefor, relating to teachers' certificates.

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

House File No. 390, by committee on claims, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa.

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

House File No. 391, by Snyder of Hamilton, a bill for an act to authorize the council of any city or town to enter into the business of acquiring for sale and selling motor fuels, when, in the judgment of said council, said motor fuels are being sold at an exorbitant price in said city or town.

Read first and second times and referred to committee on cities and towns.

House File No. 392, by Kern of Polk, a bill for an act to amend chapter five hundred twenty-two (522) of the code, 1927, relating to partition procedure.

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

House File No. 393, by Pendray of Jackson, a bill for an act prohibiting lobbyists from the floor of the House of Representatives and Senate except upon invitation of such House of Representatives or Senate; and requiring that all lobbyists register with the secretary of state; and providing for a penalty for a violation thereof.

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

House File No. 394, by Torgeson of Worth, a bill for an act to repeal section forty-three hundred seventeen (4317) code, 1927, and to enact a substitute therefor, and to amend section forty-four hundred three (4403), code, 1927, relating to school funds.

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

House File No. 395, by committee on schools and textbooks, a bill for an act to amend section thirty-eight hundred ninety-nine (3899) of the code, 1927, and chapter one hundred ninety-four (194) of the code, 1927, relating to teacher training courses.

Read first and second times and passed on file.

House File No. 396, by committee on banks and banking, a bill for an act relating to stopping payment on checks and drafts.

Read first and second times and passed on file.

House File No. 397, by committee on banks and banking, a bill for an act to amend Section eleven (11), chapter thirty (30) of the acts of the forty-third (43rd) general assembly, relating to Bank drafts and Cashiers' Checks given for clearings, or drafts given for the transportation of funds.

Read first and second times and passed on file.

House File No. 398, by Watts of Van Buren, a bill for an act to amend the law as it appears in Paragraph 10, section two thousand one hundred thirty-six (2136) of the Code of Iowa so as to permit dentists to buy, use, and keep for use whiskey, in addition to alcohol, for use in the course of their profession.

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

House File No. 399, by Finnern of Crawford, a bill for an act granting power and authority to cities and towns, including cities acting under special charter and the board of trustees of municipal-owned utility plants to buy, sell, and dispose of electrical, gas, water, and heating equipment, fixtures, appliances, and merchandise, and to furnish service for the same.

Read first and second times and referred to committee on cities and towns.

House File No. 400, by Kern of Polk, a bill for an act to amend section eighty-nine hundred forty-three (8943), code, 1927, relating to execution of policies of insurance.

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

House File No. 401, by Finnern of Crawford, a bill for an act to provide that taxes on farm equipment, including live stock, machinery and grain shall be a lien on such property and shall continue as a lien on such property when sold, and providing for the recovery of such taxes from the owners, purchasers or vendees.

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

House File No. 402, by Ellsworth of Hardin and Mayne of Pottawattamie, a bill for an act to amend, revise and recodify the law as it appears in Chapter 89 of Title V of the Code of 1927, relating to the practice of civil engineering and the examination and licensing of civil engineers.

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

House File No. 403, by Morton of Wright, McCaulley of Calhoun, Elliott of Scott, Avery of Clay and Orr of Clayton, a bill for an act to repeal section five hundred twenty-six a one (526-a1) of the code, 1927, relating to the organizing and constituting the state into nine (9) congressional districts and to enact a substitute therefor.

Read first and second times and referred to committee on judicial and political districts.

House File No. 404, by Torgeson of Worth, a bill for an act to amend section forty-six hundred twenty-six (4626), of the code, 1927, pertaining to the duties of the state highway commission, and fixing the salary of the chief engineer of the said state highway commission at seven thousand dollars (\$7,000.00).

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

House File No. 405, by Morton of Wright, a bill for an act to amend section five hundred twenty-three-b one (523-b1), Code, 1927, relating to the manner of electing township trustees.

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

#### CONSIDERATION OF BILLS

House File No. 228, a bill for an act to amend sections thirty-one hundred thirteen (3113) and thirty-one hundred fifteen (3115) of the code, 1927, pertaining to the definition and labeling of stock tonics, with report of committee recommending passage, was taken up for consideration.

Husted 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?" Rule 18 was invoked.

The ayes were, 76.

Augustine	Forsling	Langland	Pendray
Avery	Garrett	Lepley	Randall
Babcock	Gissel	Lichty	Randolph
Bair	Greaser	McCaulley	Rawlings
Bonnstetter	Greene	McCreery	Reed
Brown	Hansen of	McDermott	Shields
Craven	Audubon	McLain	Snyder
Dayton	Hansen of Scott	Malone	Stanzel
Ditto	Helgason	Mathews	Stiger
Donlon	Hollingsworth	Mayne	Strachan
Drake of Keokuk	Hook	Mead	Tamisia
Drake of	Hopkins	Millhone	TePaske
Muscatine	Hush	Morton	Thiessen
Durant	Husted	Nelson of	Thompson
Elliott	Johnson of	Cherokee	Van Buren
Ellsworth	Marion	Nelson of Story	Van Wert
Fabritz	Kern	Osborn	Wamstad
Felter	Koch	Paisley	Watts
Figgins	Kohler	Pattison	Whiting
Finnern	Lamb	Peaco	Mr. Speaker

The nays were, 4.

Davis	Hutcheon	Sours	Wearin
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Absent or not voting, 28.

Aiken	Hanson of	Long	Rutledge
Allen	Winnebago	Miller	Ryder
Ballew	Hayes	O'Donnell	Rylander
Beath	Hesse	Orr	Short
Berry	Hollis	Ratliff	Simmer
Byers	Hunt	Reimers	Torgeson
Gallagher	Laughlin	Ro	Witt
Gilmore			

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

Husted of Madison moved that the vote by which House File No. 228 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

The House resumed consideration of Senate File No. 148, a bill for an act to amend section ten thousand four hundred twenty-nine (10,429) of the Code, 1927, relating to marriage licenses,



and prescribing regulations for the issuance thereof, was taken up for consideration.

Hush of Montgomery called up the substitute amendment filed by him and found on page 762 of the Journal of February 26th and moved its adoption.

Motion prevailed and substitute was made.

Substitute amendment adopted.

Ratliff of Henry moved the previous question.

Motion prevailed.

Whiting 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, 50.

Bonnstetter	Hollingsworth	McCreery	Simmer
Brown	Hopkins	McLain	Snyder
Craven	Hush	Mathews	Sours
Davis	Husted	Morton	Stanzel
Donlon	Hutcheon	Nelson of	Strachan
Durant	Johnson of	Cherokee	TePaske
Fabritz	Marion	Pattison	Thiessen
Felter	Koch	Randall	Thompson
Gallagher	Lamb	Randolph	Torgeson
Gissel	Langland	Ratliff	Van Wert
Hansen of	Lepley	Reed	Wamstad
Audubon	Lichty	Rylander	Whiting
Helgason	McCaulley	Shields	Mr. Speaker
Hesse			

The nays were, 37.

Augustine	Elliott	McDermott	Rawlings
Avery	Ellsworth	Malone	Short
Babcock	Figgins	Mayne	Stiger
Bair	Garrett	Mead	Tamisiea
Ballew	Greaser	Nelson of Story	Van Buren
Dayton	Greene	O'Donnell	Watts
Ditto	Hansen of Scott	Osborn	Wearin
Drake of Keokuk	Hook	Paisley	Witt
Drake of	Kern	Peaco	
Muscatine	Laughlin	Pendray	

Absent or not voting, 21.

Aiken	Forsling	Hunt	Reimers
Allen	Gilmore	Kohler	Roe
Beath	Hanson of	Long	Rutledge
Berry	Winnebago	Millhone	Ryder
Byers	Hayes	Miller	
Finnern	Hollis	Orr	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Kern of Polk moved that the vote by which Senate File No. 148 failed to pass the House be reconsidered.

Greene of Pottawattamie moved to lay the motion to reconsider on the table.

On the question, "Shall the motion to reconsider be laid on the table?" a roll call was demanded.

The ayes were, 30.

Babcock	Elliott	Laughlin	Short
Bair	Ellsworth	Mayne	Stiger
Ballew	Figgins	Mead	Tamisiea
Craven	Garrett	O'Donnell	Torgeson
Dayton	Greaser	Osborn	Van Buren
Drake of Keokuk	Greene	Peaco	Watts
Drake of Muscatine	Hansen of Scott	Pendray	Wearin
	Hook	Randall	

The nays were, 52.

Avery	Hollingsworth	McLain	Simmer
Bonnstetter	Hopkins	Malone	Snyder
Brown	Hush	Mathews	Sours
Ditto	Husted	Morton	Stanzel
Donlon	Hutcheon	Nelson of Cherokee	Strachan
Durant	Johnson of Marion	Nelson of Story	TePaske
Fabritz	Kern	Paisley	Thiessen
Felter	Koch	Pattison	Thompson
Gallagher	Langland	Ratliff	Van Wert
Gissel	Lepley	Rawlings	Wamstad
Hansen of Audubon	Lichty	Reed	Whiting
Helgason	McCreery	Rylander	Witt
Hesse	McDermott	Shields	Mr. Speaker

Absent or not voting, 26.

Aiken	Finnern	Hunt	Orr
Allen	Forsling	Kohler	Randolph
Augustine	Gilmore	Lamb	Reimers
Beath	Hanson of Winnebago	Long	Roe
Berry	Hayes	McCaulley	Rutledge
Byers	Hollis	Millhone	Ryder
Davis		Miller	

Motion to lay motion to reconsider on the table lost.

House File No. 302, a bill for an act creating a park board in cities having a population of one hundred twenty-five thousand (125,000) or more and providing the powers and duties of such board, with report of committee on cities and towns recommending passage, was taken up for consideration.

Brown 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, 62.

Avery	Garrett	Lichty	Reed
Babcock	Gissel	McCaulley	Rylander
Bair	Greaser	McCreery	Short
Ballew	Greene	McDermott	Stanzel
Bonnstetter	Hansen of	McLain	Stiger
Brown	Audubon	Malone	Strachan
Davis	Helgason	Mead	TePaske
Dayton	Hesse	Millhone	Thompson
Donlon	Hollingsworth	Morton	Torgeson
Drake of	Hook	Nelson of	Van Wert
Muscatine	Hopkins	Cherokee	Wamstad
Durant	Husted	Nelson of Story	Watts
Elliott	Hutcheon	Osborn	Wearin
Ellsworth	Kern	Paisley	Whiting
Felter	Lamb	Pattison	Witt
Figgins	Lepley	Randolph	Mr. Speaker
Forsling			

The nays were, none.

Absent or not voting, 46.

Aiken	Gilmore	Langland	Rawlings
Allen	Hansen of Scott	Laughlin	Reimers
Augustine	Hanson of	Long	Roe
Beath	Winnebago	Mathews	Rutledge
Berry	Hayes	Mayne	Ryder
Byers	Hollis	Miller	Shields
Craven	Hunt	O'Donnell	Simmer
Ditto	Hush	Orr	Snyder
Drake of Keokuk	Johnson of	Peaco	Sours
Fabritz	Marion	Pendray	Tamisiea
Finnern	Koch	Randall	Thiessen
Gallagher	Kohler	Ratliff	Van Buren

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

McCaulley of Calhoun in the chair.

House File No. 261, a bill for an act to repeal section thirty-eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau, with report of committee recommending passage, was taken up for consideration.

Hopkins 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, 60.

Avery	Felter	Lepley	Rylander
Babcock	Figgins	McCauley	Shields
Ballew	Garrett	McCreery	Sours
Bonnstetter	Gissel	McDermott	Stanzel
Brown	Greaser	McLain	Stiger
Craven	Hansen of	Millhone	Strachan
Dayton	Audubon	Morton	Tamisiea
Ditto	Hansen of Scott	Nelson of	TePaske
Donlon	Hesse	Cherokee	Thompson
Drake of Keokuk	Hollingsworth	Nelson of Story	Torgeson
Drake of	Hook	Paisley	Van Wert
Muscatine	Hopkins	Pattison	Wamstad
Durant	Hutcheon	Pendray	Watts
Elliott	Kern	Randall	Wearin
Ellsworth	Koch	Randolph	Whiting
Fabritz	Lamb	Reed	

The nays were, none.

Absent or not voting, 48.

Aiken	Hanson of	Laughlin	Rawlings
Allen	Winnebago	Lichty	Reimers
Augustine	Hayes	Long	Roe
Bair	Helgason	Malone	Rutledge
Beath	Hollis	Mathews	Ryder
Berry	Hunt	Mayne	Short
Byers	Hush	Mead	Simmer
Davis	Husted	Miller	Snyder
Finnern	Johnson of	O'Donnell	Thiessen
Forsling	Marion	Orr	Van Buren
Gallagher	Kohler	Osborn	Witt
Gilmore	Langland	Peaco	Mr. Speaker
Greene		Ratliff	

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

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Kern of Polk asked and obtained unanimous consent to have three hundred additional copies of House File No. 289 printed.

#### 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. 133, a bill for an act to define certain terms relating to motor vehicles and traffic on highways.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 86, a bill for an act relating to the improvement of primary road system and the use of the primary road fund.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 90, a bill for an act to provide for the merger and/or consolidation of a corporation organized under the laws of this State for the purpose of constructing and operating a bridge with a corporation organized for a similar purpose in an adjacent state.

Also, that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 163, a bill for an act relating to removal of snow and ice from sidewalks.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 16, a bill for an act relating to the use of secondary road construction fund.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 209, a bill for an act governing approval of plats in cities having by the latest State or Federal census a population of twenty-five thousand (25,000) or over.

Also, that the Senate has concurred in House amendments Nos. 1 and 3 and refused to concur in No. 2 to the following bill in which the concurrence of the Senate was asked:

Senate File No. 77, a bill for an act to provide the right of way on secondary roads, to provide for the erection of signs on said roads and to provide a penalty for the violation of the directions embraced on said signs.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 133, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle

may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand sixty-five (5065) of the Code, 1927, relating to the total maximum weight of motor vehicles and loads thereon.

Read first and second times and substituted for House File No. 162.

Senate File No. 86, a bill for an act to amend the provisions of section four thousand seven hundred fifty-five b eight (4755-b8), Code of 1927, relating to the improvement of the primary road system and the use of the primary road fund.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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 it has examined and finds correctly enrolled:

House Files Nos. 23 and 90.

Senate Files Nos. 16, 72 and 209.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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. 23 and 90.

Senate Files Nos. 16, 72 and 209.

#### BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 27th day of February, 1931, sent to the governor for his approval:

House File No. 23.

House File No. 90.

G. H. HESSE, *Acting Chairman.*

Report adopted.

#### MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which Senate File No. 148 failed to pass the House.

GEO. A. KERN.

On motion of Elliott of Scott the House recessed until 4:00 p. m. today.

The House reconvened, McCaulley of Calhoun in the chair.

#### REPORT OF COMMITTEE

Byers of Linn, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 108, a bill for an act to amend section five hundred forty-seven (547) of the code, 1927, relating to time of filing petitions and affidavits for the purpose of nominating 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 do pass.

FRANK C. BYERS, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 406, by Whiting of Johnson, a bill for an act relating to indebtedness for township road purposes and to provide for and authorize the levy, imposition, and collection of a tax annually to pay said indebtedness.

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

House File No. 407, by Ditto of Osceola, a bill for an act providing for regulation of the sale and distribution of substances commonly known as antifreeze and containing methanol.

Read first and second times and referred to committee on commerce and trade.

House File No. 408, by committee on claims, a bill for an act to make an appropriation to C. A. Knutson, administrator of the estate of Bertel M. Bertelsen for damages resulting from the operation of an automobile by the department of agriculture.

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

House File No. 409, by committee on claims, a bill for an act to make an appropriation to Brown & Cook, Ottumwa, Iowa, and Harry Yoss, Seranton, Iowa.

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

House File No. 410, by committee on claims, a bill for an act to make an appropriation to Winnebago County, Iowa, Emmet County, Iowa, Louisa County, Iowa, Muscatine County, Iowa, and Hancock County, Iowa, for drainage and secondary road assessments.

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

House File No. 411, by committee on claims, a bill for an act to make an appropriation to William Hirsch and Fred Heldermer for damages resulting from a collision with a car owned and driven by the Iowa state board of education.

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

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:



House File No. 4, a bill for an act relating to and defining the powers and duties of the state board of assessment and review.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 169, a bill for an act requiring all horse drawn vehicles and all other vehicles not now required to have lights, when on the highways of this state, to provide a light on said vehicles.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 135, a bill for an act providing for a method of execution of stock certificates, and regulating the use of facsimile signatures thereon.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 202, a bill for an act providing for parole of prisoners in the penitentiary and reformatories.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 22, a bill for an act relating to publication of notice of hearing of completion of public drainage improvements.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 247, a bill for an act to legalize proceedings relating to the issuing of bonds by the consolidated school district of Bode, in the county of Humboldt, state of Iowa.

Also, 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 relating to bonding powers of trustees of city heating plants, water or gas works and electric plants in cities having a population in excess of twenty-five thousand (25,000) and less than seventy-five thousand (75,000).

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 123, a bill for an act to provide for the establishment of offices for the receipt of deposits, paying of checks and for other clerical duties other than at the principal place of business of a banking institution.

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

Senate Concurrent Resolutiton No. 9, relating to enlarging the connecting channels of the Great Lakes and the St. Lawrence River.

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 a tax levy for park improvement.

Also, 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 relating to the possession of machine guns.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 194, a bill for an act to amend section eleven thousand seven hundred forty-four (11744) of the Code, 1927, relating to sheriff's deeds, and making provision for the issuance of sheriff's deed in case of the death of the holder of the certificate.

Also, 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 the law as it appears in section thirty (30) of chapter fifty-seven (57) of the acts of the forty-third general assembly relating to the carrying of firearms in motor vehicles so as to permit peace officers, while pursuing criminals, to carry loaded guns, rifles, etc., in a motor vehicle.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 70, a bill for an act to amend section twelve thousand five hundred fifty-four (12554) of the Code, 1927, relating to fines and forfeitures and the disposition thereof.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 152, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents of the state.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 4

1. Amend House File No. 4 by striking out of line 13 of section one (1) the word "their" and inserting in lieu thereof the word "its".

2. That paragraph nine (9) of section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third General Assembly be and the same is hereby amended by striking out of line sixty-six (66) the words "county board of equalization" and substituting in lieu thereof the words,

"board of review"; also by striking out of line sixty-nine (69) thereof the words "county board of equalization", and inserting in lieu thereof, "any board of review".

3. Amend section seventeen (17) of chapter two hundred five (205) Acts of the Forty-third General Assembly by inserting after paragraph nine (9) the following as paragraph nine-a (9a):

"(9a). To correct errors, irregularities, or omissions in assessments of individual taxpayers by adding to the tax list any omitted property or by raising, lowering, or abating an assessment found to be erroneous or excessive; provided, however, that before making any increase in any assessment or assessment of any property as omitted property the board shall notify the owner of record or person assessed with such property by registered mail addressed to such person at his last known place of residence notifying him to appear before said board within ten (10) days from the mailing of said notice and show cause why such increase or addition should not be made; provided, however, that any party aggrieved by the action of the State Board may within twenty (20) days after such action has been taken appeal from the action of the State Board to the District Court of the county where the property is situated by serving on the chairman of the State Board a written notice of appeal in the same manner as provided for the service of original notices. The State Board shall notify the county auditor or county treasurer of any such correction or change and the county auditor or county treasurer shall amend the assessment roll and/or tax list to conform to the order of the Board; but no correction or change of assessment shall be made by the State Board after the expiration of five (5) years from the date when such assessment was made or should have been made."

4. By adding to said House File No. 4 the following:

"Sec. 4. That section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third General Assembly be and the same is hereby amended by adding thereto the following:

"16. To certify to the Auditor of State on January first of each year the aggregate of each state tax for each county for said year."

"Sec. 5. That section thirty-four (34), chapter two hundred five (205), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting in line fourteen (14) after the word "act", the following words, to-wit:

"except as provided in paragraph three (3) of section one hundred two (102), Code, 1927".

"Sec. 6. That section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly be and the same is hereby repealed."

"Sec. 7. Chapter two hundred five (205) Acts of the Forty-third Gen-

eral Assembly as herein amended is hereby made applicable to cities acting under special charter.

"Sec. 8. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Walker News, a newspaper published at Walker, Iowa, and the Freeman-Journal, a newspaper published at Webster City, Iowa."

#### SENATE MESSAGES CONSIDERED

Senate File No. 194, a bill for an act to amend section eleven thousand seven hundred forty-four (11744) of the Code, 1927, relating to sheriff's deeds, and making provision for the issuance of sheriff's deed in case of the death of the holder of the certificate.

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

Senate File No. 155, a bill for an act to repeal the law as it appears in section twelve thousand nine hundred sixty b one (12960-b1) of the code of 1927 relating to the possession of machine guns, and to enact a substitute therefor.

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

Senate File No. 21, a bill for an act to amend Section one (1) of Chapter one hundred nineteen (119) of the Acts of the Fortieth General Assembly relating to a tax levy for park improvement purposes for the sole purpose of grading, beautifying and otherwise improving certain lands acquired for park purposes and improving the driveways or boulevards connecting one park with another.

Read first and second times and referred to committee on cities and towns.

Senate File No. 152, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents of the state.

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

Senate File No. 70, a bill for an act to amend section twelve thousand five hundred fifty-four (12554) of the Code, 1927, relating to fines and forfeitures and the disposition thereof.

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

Senate File No. 151, a bill for an act to amend the law as it appears in section thirty (30) of chapter fifty-seven (57) of the acts of the forty-third general assembly relating to the carrying of firearms in motor vehicles so as to permit peace officers, while pursuing criminals, to carry loaded guns, rifles, etc., in a motor vehicle.

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

Allen of Pocahontas asked and obtained unanimous consent to have the following statement printed in the Journal:

**MR. SPEAKER:** As a member of this House of Representatives and as one carrying out a delegated task for the people of the State of Iowa, I rise to a point of personal privilege.

A joint legislative committee is engaged in an inquiry into affairs concerning the State University of Iowa.

This inquiry was decided upon by the general assembly after attention had been directed to details of administration which seemed to warrant investigation, for the good of Iowa's educational institutions.

Since this inquiry opened, it has been apparent to members of the committee that hostility to the investigation existed in certain circles and among certain members of the Iowa press.

The so-called university lobby has been in evidence about the state house and in the committee sessions since the investigation was requested by Governor Dan Turner and since the inquiry formally opened.

It is my belief that the actual opening of the Committee's sessions was delayed several weeks by this lobby, while the investigation resolution was being re-drafted in the Senate, and that some persons closely allied with the university administration would, even now, hamper the committee in the free and impartial discharge of its duty.

In this connection, I desire to call the attention of the House to a signed editorial, written by Roland White, editor of the Daily Iowan, a University of Iowa publication, and that publication's representative at the press table in the committee room. An editorial in which it is stated that the state university is being treated as a "political football" rather than an educational institution. This editorial also states that a faction composed of enemies of the administration of the university (I am quoting now) "controls, includes or influences Governor Dan Turner, Attorney General John Fletcher, the Iowa House of Representatives, and four of the six members of the investigating committee." It is also intimated

that unfair methods have been permitted by the committee in the taking of testimony.

As stated, this article appears in the Daily Iowan, date of Friday, Feb. 27. This university publication is conducted for the purpose of assisting aspiring journalists in the practice of their profession, for the purpose of publishing news of the state university and news of a general nature.

I submit that since the Board of Education and officials of the university have joined its critics in demanding an investigation of the charges filed, they might be assumed to desire fair and impartial handling of the news of the inquiry.

I submit that fair and impartial handling of the news of the investigation should be expected by the board members, university officials, and the general assembly, especially in the university's own publication used as a medium for teaching impartial and honest journalism.

An editor of a country newspaper and as a member of this general assembly, I am a sincere advocate of the freedom of the press.

I believe there is no disposition on the part of any committee member to dictate to the press of the state, or to influence its attitude on the matter under investigation. However, the committee and the general assembly, and the state officials of Iowa are entitled to fair treatment at the hands of the press; to treatment in keeping with their sincerity of purpose and their desire to protect the best interests of all departments and agencies of government.

It is my desire to go on record with a denial that the investigating committee has been influenced by enemies of the state university, if there are such enemies, and a denial that any consideration, other than a desire to assure Iowa the best possible administration of her educational institutions, has prompted the inquiry now under way.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Greene of Pottawattamie asked and obtained unanimous consent to have five hundred additional copies of House File No. 403 printed with map accompanying same.

#### AMENDMENTS FILED

Tamisiea of Harrison filed the following amendment to House File No. 307:

Amend House File No. 307 by inserting after the word "days" in line 16, of Section One (1.) the following:

"or by itemized invoices rendered to contractor during the progress of the work."

Wearin of Mills filed the following amendment to House File No. 294:

Amend House File No. 294 by striking section five (5) from the bill.

Whiting of Johnson filed the following amendment to Senate File No. 49:

Amend Senate File No. 49, by adding thereto the following sections:

Sec. 6. That chapter one hundred twenty-four-B two (124-B2) of the code, 1927, be amended by inserting immediately following section twenty-five hundred eighty-five-b fifteen (2585-b15), the following:

"2585-b15a. If the proprietor or person in charge of any barber shop or barber school fails to comply with the sanitary rules or any other rules that may be prescribed by the state department of health, as provided in the preceding section or sections, or fails to maintain said barber shop or barber school as required by said rules, the state department of health may, in writing, notify said person of such failure, and if said rules and regulations are not complied with, within five (5) days after mailing said written notice, the department shall then, through the county attorney, file information against said offender, in a court of competent jurisdiction, setting out the instant violation or violations, as the case may be, and if the court after hearing both sides of the controversy, finds that said proprietor or person in charge of said barber shop or barber school is guilty of the charges made, he shall then be found guilty of a misdemeanor and the court, in its discretion, may order the shop or school closed and may further, in his discretion, order the revocation of the license of said proprietor or person in charge of said shop or school. It shall be the duty of the county attorney in each county to assist and aid the state department or its inspectors enforce any meritorious charges or claims that might be presented to him to the end that flagrant violations may be dealt with by the courts."

Sec. 7. That chapter seventy-one (71), of the forty-third (43d) general assembly be repealed.

McCreery of Linn filed the following amendment to Senate File No. 107:

Amend Senate File No. 107 by adding at the end thereof the following:

Sec. 4. That the law as it appears in section fifty hundred ninety-three a five (5093-a5) of the code, 1927, be and the same is hereby amended by inserting in line eight (8) thereof immediately following the word "gallons" therein the following: "of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act, and".

Sec. 5. That the law as it appears in section fifty hundred ninety-three b-one (5093-b1), of the code, 1927, be and the same is hereby amended by striking from line sixteen (16) thereof the word "and" and substituting in lieu thereof a comma (,) ; by striking the period (.) from line sixteen (16) thereof and substituting in lieu thereof a comma (,) and adding thereto the following: "the number of gallons of motor vehicle fuel and/or of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act."

On motion of Greene of Pottawattamie the House adjourned until Monday, March 9th, at 2:00 p. m.



# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 9, 1931.

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

Prayer was offered by the Rev. A. A. Howe, pastor of the Methodist Church, Buffalo Center, Iowa.

Journal of February 27th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Short of Woodbury, from cooperative farmers and citizens of Seymour, opposing the county assessor plan. Tax revision.

By Bair of Buena Vista, from teachers of Clinton and Lyons, favoring an amendment granting a standard elementary certificate to teachers of fifteen years of experience, regardless of college training. Schools and textbooks.

By Tamisiea of Harrison, from the city council of Missouri Valley, opposing House File No. 353. Ways and means.

By Simmer of Wapello, from retail dealers of Ottumwa, opposing the tobacco tax; from citizens of Eddyville, favoring a restriction of trucks and busses; and from coal dealers and operators of Wapello county, supporting House File No. 143. Tax revision, motor vehicles and transportation, and cities and towns.

By Rylander of Marshall, from the Bangor meeting of Friends, favoring optional military training in state educational institutions; from citizens of LeGrand, favoring a diversion of the primary road fund; and from citizens of Iowa, favoring a restriction of trucks and busses. State educational institutions, roads and highways, and motor vehicles and transportation.

By Thompson of Fayette, from the West Union Post of the American Legion, favoring compulsory military training in state educational institutions; and from the town council of Hawkeye, favoring a diversion of the primary road fund. State educational institutions, and roads and highways.

By Lepley of Grundy, from citizens of Iowa, favoring a tax on substitutes for butter, lard and eggs; and from citizens of Iowa, favoring removing the state-wide compulsory provisions from the Bovine Tuberculin Test law. Agriculture, and animal industry.

By Koch of Bremer, from citizens of Readlyn, favoring a diversion of the primary road fund. Roads and highways.

By Drake of Muscatine, from citizens of Iowa, favoring removing the state-wide compulsory provisions from the Bovine Tuberculin Test law. Animal industry.

By Rutledge of Webster, from the county board of supervisors of Webster county, favoring House File No. 85. Roads and highways.

By Ellsworth of Hardin, from the American Legion of Iowa Falls, opposing an amusement tax. Tax revision.

By Gallagher of Iowa, from teachers of Clinton and Lyons county, asking for a change in the laws relative to the granting of teachers' certificates. Schools and textbooks.

#### HON. SMITH W. BROOKHART INVITED TO ADDRESS THE ASSEMBLY

Torgeson of Worth moved that the House extend an invitation to the Hon. Smith W. Brookhart, U. S. Senator from Iowa, to address the House at 2:45 p. m. today, and that a committee of three be appointed to notify the Senate of the invitation that was extended to the Hon. Smith W. Brookhart.

Motion prevailed, and the Speaker appointed as a committee to notify the Senate: Torgeson of Worth, Short of Woodbury and Hush of Montgomery.

#### RESOLUTION

Short and Forsling of Woodbury, and Mayne and Greene of Pottawattamie, offered the following resolution:

*Whereas*, The Congress of the United States in the Rivers and Harbors Act of 1927 authorized a navigation project on the Missouri River from Kansas City, Missouri, to Sioux City, Iowa, and the sum of Twenty-seven million dollars authorized appropriation has already been approved for such development, and

*Whereas*, The lower Missouri River project from St. Louis to Kansas City will be completed and open for barges at the end of the present year, or in any event in 1932, and

*Whereas*, While great relief will be given to both the agriculture and industry of the lower part of the Missouri Valley with the completion of the navigation project to Kansas City, we regard it as a matter of economic justice and necessity for the government to speedily carry forward in a larger way than at present, the upper Missouri River development work, and concurrently with the work on the lower Missouri river.

*Therefore, Be It Resolved*, By the House of Representatives of the State of Iowa, the Senate concurring, that in the interest of transportation relief and the future development of both the agriculture and industry of the upper Missouri River valley, which has the longest haul and the highest freight rate of any agricultural country in the world, we urge upon the administration at Washington, the Secretary of War and the Army Engineers to immediately make sufficient allotments and provide for such immediate expenditure thereof as will carry out the mandate of Congress contained in the Rivers and Harbors Act of 1930 that at least five million dollars a year shall be expended for this part of the approved national system of inland waterways.

*Be It Further Resolved*, That in addition to said expenditure of at least five million dollars annually on the upper Missouri River as directed by Congress, and in pursuance of the declared policy of the Administration expressed in an interview of the Hon. Patrick J. Hurley, Secretary of War, in December, 1930, additional allotments should be provided for the upper river improvement as fast as the requirements of the lower river project are diminished.

*Be It Further Resolved*, That this resolution, duly certified, be transmitted to the President of the United States, to the Secretary of War, and to the Chief of the United States Army Engineers.

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

Motion prevailed and the resolution was adopted.

#### INTRODUCTION OF BILLS

House File No. 412, by Wamstad of Mitchell, a bill for an act to amend chapter four hundred thirty-two (432) code, 1927, so

as to define the term "commodity of commerce" as used in sections ninety-eight hundred eighty-five (9885) and ninety-eight hundred eighty-six (9886), thereof.

Read first and second times and referred to committee on commerce and trade.

House File No. 413, by Gallagher of Iowa, a bill for an act to amend section twenty-one hundred ninety-one (2191) of the code, 1927, relating to powers of the state department of health.

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

House File No. 414, by Hopkins of Guthrie, a bill for an act to amend section three (3), chapter one hundred (100), acts of the forty-third (43rd) general assembly, relating to school elections.

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

House File No. 415, by Kern of Polk, a bill for an act to amend section fifty-seven hundred twelve (5712), code, 1927, relating to civil service.

Read first and second times and referred to committee on cities and towns.

House File No. 416, by Bair of Buena Vista, a bill for an act to establish the congressional districts of this state, and to repeal section five hundred twenty-six-a one (526-a1), Code, 1927.

Read first and second times and referred to committee on judicial and political districts.

House File No. 417, by Brown of Polk, a bill for an act relating to dogs and the licensing thereof, and to repeal section fifty-four hundred twenty-five (5425), code 1927.

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

House File No. 418, by Brown of Polk, a bill for an act to amend section fifty-four hundred thirty-four (5434) code, 1927, relating to the listing by the assessor of dogs for taxation.

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

House File No. 419, by Greene of Pottawattamie, a bill for an act to amend section sixty-two (62) of the code, 1927, providing for the payment of publications.

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

House File No. 420, by Greene of Pottawattamie, a bill for an act to amend section four hundred twenty-six (426) of the code, 1927, providing for the payment of publication of the federal census.

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

House File No. 421, by Tamisiea of Harrison, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation.

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

#### SENATE CONCURRENT RESOLUTION CONSIDERED

Orr of Clayton called up Senate Concurrent Resolution No. 9, printed on pages 802 and 803 of today's Journal, and moved its adoption.

Motion prevailed and the concurrent resolution was adopted.

#### CONSIDERATION OF SENATE AMENDMENT

TePaske of Sioux called up Senate File No. 77 with House amendments and moved that the House recede from its amendments to section six (6).

On the question, "Shall the House recede?"

The ayes were, 70.

Babcock	Felter	Hesse	McDermott
Ballew	Figgins	Hollingsworth	McLain
Beath	Finnern	Hollis	Malone
Berry	Forsling	Hopkins	Mayne
Bonnstetter	Gallagher	Hunt	Mead
Craven	Garrett	Hush	Morton
Davis	Gissel	Hutcheon	Nelson of
Ditto	Greaser	Johnson of	Cherokee
Donlon	Greene	Marion	Nelson of Story
Drake of Keokuk	Hansen of	Koch	Orr
Durant	Audubon	Kohler	Paisley
Ellsworth	Hansen of Scott	Lamb	Pattison
Fabritz	Helgason	Long	Peaco

Reed	Sours	Thiessen	Watts
Reimers	Stanzel	Thompson	Wearin
Rutledge	Stiger	Van Buren	Whiting
Ryder	Tamisiea	Van Wert	Witt
Short	TePaske	Wamstad	Mr. Speaker
Snyder			

The nays were, 4.

Brown	Kern	Rylander	Torgeson
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Absent or not voting, 34.

Aiken	Elliott	Lepley	Pendray
Allen	Gilmore	Lichty	Randall
Augustine	Hanson of	McCaulley	Randolph
Avery	Winnebago	McCreery	Ratliff
Bair	Hayes	Mathews	Rawlings
Byers	Hook	Millhone	Roe
Dayton	Husted	Miller	Shields
Drake of	Langland	O'Donnell	Simmer
Muscatine	Laughlin	Osborn	Strachan

House recedes from amendment No. 2.

#### SPECIAL ORDER MADE

Wamstad of Mitchell asked and obtained unanimous consent to have House File No. 377 made a special order for Thursday, March 12th, at 10:00 a. m.

#### CONSIDERATION OF BILLS

House File No. 17, a bill for an act to amend section ten thousand seven hundred ninety-four (10794), Code of Iowa, 1927, relating to jurisdiction of district judges, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Reimers of Lyon, the amendments proposed by the committee, found in the Journal of February 17th, were adopted.

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

On the question "Shall the bill pass?"

The ayes were, 80.

Aiken	Bair	Beath	Bonnstetter
Babcock	Ballew	Berry	Brown

Craven	Hansen of Scott	Malone	Snyder
Davis	Helgason	Mead	Sours
Donlon	Hesse	Millhone	Stanzel
Drake of Keokuk	Hollingsworth	Morton	Stiger
Drake of Muscatine	Hollis	Nelson of Cherokee	Strachan
Durant	Hopkins	Nelson of Story	Tamisiea
Ellsworth	Hush	Orr	TePaske
Fabritz	Hutcheon	Paisley	Thiessen
Felter	Johnson of Marion	Pattison	Trompson
Figgins	Kern	Peaco	Torgeson
Finnern	Koch	Randall	Van Buren
Forsling	Kohler	Reed	Van Wert
Gallagher	Lamb	Reimers	Wamstad
Garrett	Lepley	Roe	Watts
Gissel	Long	Rutledge	Wearin
Greaser	McCaulley	Ryder	Whiting
Greene	McDermott	Rylander	Witt
Hansen of Audubon	McLain	Short	Mr. Speaker

The nays were, none.

Absent or not voting, 28.

Allen	Hanson of	Laughlin	Osborn
Augustine	Winnebago	Lichty	Pendray
Avery	Hayes	McCreery	Randolph
Byers	Hook	Mathews	Ratliff
Dayton	Hunt	Mayne	Rawlings
Ditto	Husted	Miller	Shields
Elliott	Langland	O'Donnell	Simmer
Gilmore			

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 REREFERRED

Berry of Monroe asked and obtained unanimous consent to have House File No. 176 rereferred to the committee on county and township organization.

#### HON. SMITH W. BROOKHART ADDRESSES THE HOUSE

The hour having arrived for the address by the Hon. Smith W. Brookhart, the Speaker appointed Drake of Muscatine, Drake of Keokuk and Whiting of Johnson to escort him to the Speaker's station.

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 421, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he has approved the following bills:

February 27, House Files Nos. 99 and 207.

March 2d, House Files Nos. 90, 23 and 263.

## AMENDMENTS FILED

Felter of Warren filed the following amendment to House File No. 141:

Amend House File No. 141 by adding thereto the following:

"Section 2. This act shall be in full force and effect from and after January 1, 1933."

Rutledge of Webster filed the following amendment to House File No. 250:

Amend House File No. 250 by striking sections one (1) and two (2) thereof and by inserting in lieu thereof the following:

"Section 1. Amend section fifty-one hundred twenty-five (5125), code, 1927, by striking the last paragraph thereof."

Also amend House File No. 250 by renumbering the sections.

Wamstad of Mitchell filed the following amendment to Senate File No. 107:

Amend Senate File No. 107 by striking all of section 3 and substituting in lieu thereof the following:

"Sec. 3. "Motor vehicle fuel" shall mean and include any substance or combination of substances which is intended to be or is capable of being used for the purpose of propelling or running by combustion any internal combustion engine and kept for sale or sold for that purpose, except the products commonly known as kerosene and/or distillate or petroleum products of lower gravity (Baume scale) when not used for compounding or combining with any motor vehicle fuel."



## SENATE CONCURRENT RESOLUTION NO. 9

*Whereas*, Economic authorities in the United States and Canada, after officially both as Joint Commissions and severally, have repeatedly and unanimously declared that enlarging the connecting channels of the Great Lakes and the St. Lawrence River to admit uninterrupted movement of ocean borne commerce from and into the Great Lakes, is economically sound and necessary to raise the competitive position, establish economic equality, permit future development and effect the return of prosperity to the vast continental areas of both countries, and

*Whereas*, Over the past five years diplomatic correspondence has brought the two nations into agreement on the assignment of tasks and division of costs, said correspondence having allocated to the United States the construction and cost of all improvements in international waters—which includes the deepening to 27 feet of the connecting channels of the upper Great Lakes, a new lock at the Soo corresponding in dimensions to the locks in the New Welland Ship Canal and the improvement of the international stretch of the St. Lawrence River from Lake Ontario to the 45th parallel (opposite Cornwall), where the river ceases to form the boundary line between the two countries, and allocating to Canada the completion of the New Welland Ship Canal and the improvement of the river from the 45th parallel aforesaid to the sea, and

*Whereas*, Approximately one-half of the tasks assigned to each Government has either been completed, is in process of completion or already authorized by one or other of the two Governments, and approximately one-half of the total cost of the through Seaway has either been expended, in process of being expended or involved in authorizations already made, all of which has been carried out and is capable of being completed without any treaty, and

*Whereas*, Engineering authorities in Canada and the United States, acting officially both as Joint Boards and severally, have agreed upon engineering plans and costs and unanimously declared that the International Rapids Section (48 miles) of the St. Lawrence River, extending from Ogdensburg to the International Boundary must, for economic reasons, be developed for navigation and power jointly, and

*Whereas*, The State of New York, with the clear intent of delaying or obviating the completion of a through Seaway, via the St. Lawrence, and advancing a deep water route across the State of New York, has caused to be prepared engineering plans—which if permitted to be carried out—will, under the most favorable conditions postpone through navigation seventeen years, but predictably a generation, and in the meantime afford New York opportunity to transfer its barge canals to the Federal Government and—under the pseudonym “all-American”—embark the Government upon the staggering and almost useless expense of deepening or widening them for the passage of lake ships down to the port of New York for transfer to the ocean carrier, but not admitting the ocean ship to the Great Lakes, thus denying to mid-continental areas direct access to the sea, and

*Whereas*, No development of this International Rapids Section of the River can be undertaken by either country or any agency in either country without an agreement or treaty appropriate thereto, having first been entered into between Canada and the United States, and

*Whereas*, The landlocked interior of the United States is deeply concerned and in emergent need of the relief which would accrue to that area by the opening of such Seaway and the citizens of New York state also are directly interested in the improvement and early utilization of the large reservoir of cheap power which would be made available by such joint development, and

*Whereas*, The need exists for a formula or plan that will effect the development of this section of the river for navigation and power at the earliest possible date, by employing the most practical, the most expeditious and best agency or agencies for that purpose,

*Therefore Be It Resolved*, By the Senate of the State of Iowa, the House concurring, that the President of the United States be and is hereby memorialized to proceed to a treaty with Canada for the development of the aforesaid International Rapids Section of the St. Lawrence River at the earliest possible date and in accordance with the plans agreed upon by the Joint Board of Engineers, or such amendment to or changes in said plans as may be subsequently adopted by such Joint Board, and

*Be It Resolved*, That in such improvement all permanent works such as dams and navigation works be constructed by the Governments of the United States and Canada, along the general lines of assignment of tasks and division of costs outlined in the correspondence between the two countries, but not the power house, super-structures or installation of power machinery, and

*Be It Further Resolved*, That the Congress of the United States be and is hereby memorialized to enact the necessary preliminary legislation declaring all lands and the entire flow of the St. Lawrence River—extending from the shore to the international boundary line in the river—from Lake Ontario to the 45th parallel, where the river ceases to form the boundary between the two nations, necessary for the purpose of navigation of said waters and the waters connected therewith.

On motion of Berry of Monroe 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 10, 1931.

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

Prayer was offered by the Rev. J. A. Farnham, pastor of the Methodist Episcopal church, Odebolt, Iowa.

Journal of March 9th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Gilmore of Cedar, from citizens of Cedar county, favoring amending the bovine tuberculin test law, removing the compulsory provisions thereof. Animal industry.

By Brown of Polk, from railroad employes of Polk county, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Figgins of Union, from 925 citizens of Iowa, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Rylander of Marshall, from citizens of Marshall county, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Strachan of Humboldt, from citizens of Renwick, protesting against a tax on tobacco; from teachers of Clinton and Lyons counties, favoring an amendment relating to teachers' certificates. Tax revision, and schools and textbooks.

By Bonnstetter of Kossuth, from teachers of Clinton and Lyons counties, relating to teachers' certificates; and from citizens of

Wesley township, Kossuth county, favoring a reduction in mileage paid to county officials. Schools and textbooks, and county and township organization.

By Wearin of Mills, from the Mills County American Legion Auxiliary, favoring compulsory military training in state educational institutions. State educational institutions.

By Ellsworth of Hardin, from citizens of Eldora, asking for the regulation of trucks. Motor vehicles and transportation.

By Hutcheon of Greene, from the city council of Jefferson, opposing House File No. 353. Ways and means.

By Nelson of Story, from citizens of Story county, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Pattison of Jefferson, from railroad employes of Jefferson county, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Dayton of Washington, from the Burlington Shippers Association and Burlington Chamber of Commerce, from citizens of Brighton, from the Wellman Community Club, and from the railroad employes of Washington county, favoring a restriction of trucks and motor busses; from citizens of Ainsworth, favoring a state driver's license law and state highway patrol; and from the O'Brien County School Masters' Association, opposing Senate File No. 39. Motor vehicles and transportation, and schools and textbooks.

By Craven of Jasper, from citizens of Jasper county, opposing the county assessor bill, and pertaining to the regulation of motor busses and trucks on our public highways. Tax revision, and motor vehicles and transportation.

By Drake of Muscatine, from citizens of Wilton, favoring a diversion of the primary road fund. Roads and highways.

By Mathews of Des Moines, from citizens of Des Moines county, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Van Buren of Jones, from teachers of Clinton and Lyons counties, relating to teachers' certificates. Schools and textbooks.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Elliott of Scott for the day, on request of Hansen of Scott; Drake of Keokuk for the day, on request of Hansen of Scott; McCreery of Linn for the day, on request of Van Buren of Jones; Lichty of Black Hawk for the day, on request of Van Buren of Jones; Johnson of Marion for the day, on request of Witt of Butler.

## REPORTS OF COMMITTEES

Brown of Polk, from the committee on cities and towns, submitted the following report:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 331, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1927, as amended by chapter one hundred eighty-eight (188), acts of the forty-third (43rd) general assembly, relating to taxes for particular purposes in cities and towns, and providing for a levy of two (2) mills for park purposes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 292, a bill for an act to repeal section fifty-six hundred ninety-nine (5699), code of 1927, relating to appointments of chiefs of police and chiefs of fire departments in cities having police and fire departments under civil service, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, 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 fifty-six hundred ninety-nine (5699), code, 1927 be repealed and the following enacted in lieu thereof:

Section 1. In cities under the commission plan, the chief of the fire department shall be appointed by the superintendent of public safety from the civil service list, and the chief of police shall be appointed by the superintendent of public safety, both of which appointments shall be with the approval of the council. In cities under the manager plan the manager shall make such appointments, and in all other cities, such

appointments shall be made by the mayor, but the chief of the fire department shall be chosen from the civil service list."

ED. R. BROWN, *Chairman*.

Report adopted.

#### ADDITIONAL COPIES OF HOUSE FILE ORDERED PRINTED

Pattison of Jefferson asked and obtained unanimous consent to have three hundred additional copies of House File No. 217 printed.

#### INTRODUCTION OF BILLS

House File No. 422, by Snyder of Hamilton, a bill for an act to amend section thirty-two hundred thirty-six (3236) of the code, 1927, relating to the sale of food commodities by weight, or in United States standard containers.

Read first and second times and referred to committee on dairy and food.

House File No. 423, by Morton of Wright, a bill for an act to amend section twenty-four (24), chapter one hundred (100), acts of the forty-third (43rd) general assembly, and sections forty-two hundred twenty (4220), forty-two hundred twenty-nine (4229), code, 1927; also sections forty-two hundred twenty-eight (4228), code, 1927, as amended by chapter thirty-five (35), acts of the forty-third (43rd) general assembly, and forty-two hundred forty (4240), code, 1927, as amended by chapter one hundred four (104), acts of the forty-third (43rd) general assembly, relating to school boards.

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

House File No. 424, by Mayne of Pottawattamie, a bill for an act to amend the law as it appears in section forty-one hundred fifty-two (4152), code of 1927, relating to the subdivision of independent school districts.

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

House File No. 425, by Lichty of Black Hawk, a bill for an act to amend section six thousand six hundred sixty-nine (6669) of the code, 1927, relating to the duties of city manager.

Read first and second times and referred to committee on cities and towns.

House File No. 426, by Lichty of Black Hawk, a bill for an act to amend section five thousand eight hundred eighteen (5818) and section five thousand eight hundred twenty-two (5822) of the code, 1927, relating to Riverfront Improvement Commission.

Read first and second times and referred to committee on cities and towns.

House File No. 427, by Tamisiea of Harrison, a bill for an act to repeal sections seventy-four hundred sixty-six (7466), and seventy-four hundred seventy-six (7476), code, 1927, and to enact a substitute therefor, relating to the classification of land within drainage districts.

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

House File No. 428, by Peaco of Clinton, a bill for an act authorizing and empowering the board of railroad commissioners to issue orders and hold hearings necessary to properly safeguard the health and safety of employees and passengers of railroads, and further authorizing the board of railroad commissioners, its agents and employees, to enter upon the premises and make examinations necessary for the carrying out of this act, and further providing for a penalty for a violation of any of said provisions.

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

House File No. 429, by Stiger of Tama, a bill for an act to amend Section twelve thousand three hundred and forty-three (12,343) of the code of 1927, relating to the sale of lands in actions for partition at private sale.

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

#### SPECIAL ORDERS MADE

Van Buren of Jones asked and obtained unanimous consent to have House File No. 106 made a special order for Wednesday, March 11th, at 10:00 a. m.

Drake of Muscatine asked and obtained unanimous consent to have Senate File No. 54 made a special order for Friday, March 13th, at 10:00 a. m.

### CONSIDERATION OF BILLS

House File No. 265, a bill for an act to make an appropriation for the expenses incurred in the election contest of Maneor vs. Berry, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Avery of Clay the amendments proposed by the committee, found in the Journal of February 27th, were adopted.

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

On the question "Shall the bill pass?"

The ayes were, 74.

Augustine	Greaser	Laughlin	Reed
Avery	Greene	Lepley	Reimers
Babcock	Hansen of	Long	Roe
Ballew	Audubon	McLain	Ryder
Beath	Hansen of Scott	Malone	Short
Berry	Hanson of	Mathews	Snyder
Bonnstetter	Winnebago	Mayne	Sours
Craven	Hayes	Mead	Strachan
Davis	Helgason	Millhone	TePaske
Ditto	Hollingsworth	Nelson of	Thiessen
Donlon	Hollis	Cherokee	Thompson
Drake of	Hook	O'Donnell	Torgeson
Muscatine	Hopkins	Orr	Van Buren
Durant	Hush	Osborn	Van Wert
Fabritz	Husted	Paisley	Wamstad
Felter	Hutcheon	Pattison	Wearin
Figgins	Koch	Peaco	Whiting
Forsling	Kohler	Pendray	Witt
Garrett	Langland	Randall	Mr. Speaker
Gilmore		Rawlings	

The nays were, 1.

Ellsworth

Absent or not voting, 33.

Aiken	Gallagher	Lichty	Rutledge
Allen	Gissel	McCaulley	Rylander
Bair	Hesse	McCreery	Shields
Brown	Hunt	McDermott	Simmer
Byers	Johnson of	Miller	Stanzel
Dayton	Marion	Morton	Stiger
Drake of Keokuk	Kern	Nelson of Story	Tamisia
Elliott	Lamb	Randolph	Watts
Finnern		Ratlift	



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

House File No. 96, a bill for an act to amend the law as it appears in section fifty-six hundred ninety-six (5696) of the Code of 1927, relating to the giving of examinations to applicants for positions and for promotions by the civil service commission in certain cities so as to authorize the giving of examinations for promotions in cities having a population under fifty-thousand (50,000) once in two years instead of annually, with report of committee recommending passage, was taken up for consideration.

Hayes 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, 80.

Augustine	Gilmore	Long	Rawlings
Avery	Greaser	McCaulley	Reed
Babcock	Greene	McDermott	Reimers
Bair	Hansen of	McLain	Roe
Ballew	Audubon	Malone	Ryder
Beath	Hansen of Scott	Mathews	Short
Bonnstetter	Hanson of	Mayne	Snyder
Brown	Winnebago	Mead	Sours
Craven	Hayes	Millhone	Stanzel
Davis	Helgason	Morton	Strachan
Ditto	Hollingsworth	Nelson of	TePaske
Donlon	Hollis	Cherokee	Thiessen
Drake of	Hook	O'Donnell	Thompson
Muscatine	Hopkins	Orr	Torgeson
Durant	Husted	Osborn	Van Buren
Ellsworth	Hutcheon	Paisley	Wamstad
Fabritz	Koch	Pattison	Watts
Figgins	Kohler	Peaco	Wearin
Finnern	Langland	Pendry	Whiting
Gallagher	Laughlin	Randall	Witt
Garrett	Lepley	Ratliff	Mr. Speaker

The nays were, none.

Absent or not voting, 28.

Aiken	Forsling	Kern	Rutledge
Allen	Gissel	Lamb	Rylander
Berry	Hesse	Lichty	Shields
Byers	Hunt	McCreery	Simmer
Dayton	Hush	Miller	Stiger
Drake of Keokuk	Johnson of	Nelson of Story	Tamisiea
Elliott	Marion	Randolph	Van Wert
Felter			

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

House File No. 141, a bill for an act to repeal Chapter two (2), Acts of the Forty-third (43rd) General Assembly, relative to salaries of state officials, with report of committee without recommendation, was taken up for consideration.

Felter of Warren called up the amendment filed by him and found in the Journal of March 9th and moved its adoption.

Amendment adopted.

Felter 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?" Rule 18 was invoked.

The ayes were, 42.

Babcock	Forsling	Koch	Pendray
Berry	Garrett	Lepley	Randall
Bonnstetter	Gissel	McDermott	Ratliff
Brown	Greaser	McLain	Reed
Craven	Greene	Malone	Roe
Donlon	Hansen of	Mathews	Stanzel
Drake of	Audubon	Mead	TePaske
Muscatine	Helgason	Nelson of	Thiessen
Durant	Hook	Cherokee	Thompson
Fabritz	Hopkins	Osborn	Torgeson
Felter	Husted	Peaco	Wearin
Finnern			

The nays were, 45.

Aiken	Hansen of Scott	Long	Short
Augustine	Hanson of	Mayne	Simmer
Avery	Winnebago	Millhone	Sours
Bair	Hayes	Morton	Strachan
Beath	Hollingsworth	Nelson of Story	Van Buren
Byers	Hollis	O'Donnell	Van Wert
Davis	Hush	Orr	Wamstad
Ditto	Hutcheon	Paisley	Watts
Ellsworth	Kohler	Pattison	Whiting
Figgins	Langland	Rawlings	Witt
Gallagher	Laughlin	Reimers	Mr. Speaker
Gilmore		Ryder	

Absent or not voting, 21.

Allen	Hunt	Lichty	Rylander
Ballew	Johnson of	McCaulley	Shields
Dayton	Marion	McCreery	Snyder
Drake of Keokuk	Kern	Miller	Stiger
Elliott	Lamb	Randolph	Tamisiea
Hesse		Rutledge	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the house.

Short of Woodbury moved to reconsider the vote by which House File No. 141 failed to pass the House.

Hayes of Dubuque moved that the motion to reconsider be laid on the table.

Motion to lay on the table lost.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, hereby request a call of the House on the vote for reconsideration of the question on House File No. 141.

I. M. REED  
W. J. McLAIN  
H. S. BERRY  
ORA E. HUSTED  
N. M. NELSON

The roll was called to ascertain the absentees.

The roll disclosed that all members were present except Allen, Drake of Keokuk, Elliott, Johnson of Marion, Lichty, McCreery, Miller, and Shields, who, on motion, were excused from the call of the House.

Hush of Montgomery moved the previous question.

Motion prevailed.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 54.

Babcock	Forsling	Hutcheon	Randall
Beath	Gallagher	Koch	Randolph
Berry	Garrett	Kohler	Ratliff
Bonnstetter	Gissel	Lamb	Reed
Brown	Greaser	Lepley	Roe
Craven	Greene	McDermott	Short
Davis	Hansen of	McLain	Snyder
Dayton	Audubon	Malone	Stanzel
Donlon	Helgason	Mathews	Tamisiea
Durant	Hollingsworth	Mead	TePaske
Ellsworth	Hook	Nelson of	Thiessen
Fabritz	Hopkins	Cherokee	Thompson
Felter	Hush	Peaco	Torgeson
Finnern	Husted	Pendray	Wearin

The nays were, 45.

Aiken	Hayes	Nelson of Story	Simmer
Avery	Hesse	O'Donnell	Sours
Bair	Hollis	Orr	Stiger
Ballew	Hunt	Osborn	Strachan
Byers	Kern	Paisley	Van Buren
Ditto	Langland	Pattison	Van Wert
Drake of	Laughlin	Rawlings	Wamstad
Muscatine	Long	Reimers	Watts
Figgins	McCauley	Rutledge	Whiting
Gilmore	Mayne	Ryder	Witt
Hansen of Scott	Millhone	Rylander	Mr. Speaker
Hanson of	Morton		
Winnebago			

Absent or not voting, 9.

Allen	Elliott	Lichty	Miller
Augustine	Johnson of	McCreery	Shields
Drake of Keokuk	Marion		

Motion prevailed and the House reconsidered.

Torgeson of Worth moved to reconsider the vote by which House File No. 141 passed to its third reading.

Motion lost.

Felter 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?" Rule 18 was invoked.

The ayes were, 51.

Babcock	Garrett	Lepley	Reed
Beath	Gissel	McDermott	Roe
Berry	Greaser	McLain	Rylander
Bonnstetter	Greene	Malone	Short
Craven	Hansen of	Mathews	Snyder
Donlon	Audubon	Mead	Stanzel
Drake of	Helgason	Nelson of	Tamisiea
Muscatine	Hollingsworth	Cherokee	TePaske
Durant	Hook	Peaco	Thiessen
Fabritz	Hopkins	Pendray	Thompson
Felter	Husted	Randall	Torgeson
Finnern	Koch	Randolph	Watts
Forsling	Kohler	Ratliff	Wearin
Gallagher	Lamb		

The nays were, 48.

Aiken	Byers	Hansen of Scott	Hunt
Augustine	Davis	Hanson of	Hush
Avery	Ditto	Winnebago	Hutcheon
Bair	Ellsworth	Hayes	Kern
Ballew	Figgins	Hesse	Langland
Brown	Gilmore	Hollis	Laughlin

Long	Orr	Rutledge	Van Buren
McCaulley	Osborn	Ryder	Van Wert
Mayne	Paisley	Simmer	Wamstad
Millhone	Pattison	Sours	Whiting
Morton	Rawlings	Stiger	Witt
Nelson of Story	Reimers	Strachan	Mr. Speaker
O'Donnell			

Absent or not voting, 9.

Allen	Elliott	Lichty	Miller
Dayton	Johnson of	McCreery	Shields
Drake of Keokuk	Marion		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Senate File No. 49, a bill for an act to amend the law as it appears in chapter one hundred twenty-four b2 (124-b2) of the code of 1927 relating to the practice of barbering so as to provide additional qualifications and regulations for applicants for barber's license, was taken up for consideration, having been substituted for House File No. 178.

Forsling of Woodbury called up the amendments filed by him and found in the Journal of February 26th and moved their adoption.

Amendments adopted.

TePaske of Sioux called up the amendment filed by him and found in the Journal of February 26th and moved its adoption.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 35.

Babcock	Greaser	Langland	Sours
Beath	Hanson of	Laughlin	Stanzel
Craven	Winnebago	McLain	Stiger
Davis	Hayes	Malone	TePaske
Durant	Hollis	Nelson of Story	Thompson
Felter	Hook	Pendray	Wamstad
Finnern	Hush	Roe	Watts
Gallagher	Hutcheon	Ryder	Wearin
Gilmore	Kohler	Snyder	Whiting

The nays were, 56.

Aiken	Gissel	Mathews	Reed
Augustine	Greene	Mayne	Reimers
Avery	Hansen of	Mead	Rutledge
Bair	Audubon	Morton	Rylander
Ballew	Hansen of Scott	Nelson of	Short
Berry	Helgason	Cherokee	Simmer
Bonnstetter	Hollingsworth	O'Donnell	Strachan
Donlon	Hopkins	Orr	Tamisia
Darke of	Husted	Osborn	Thiessen
Muscatine	Koch	Paisley	Torgeson
Ellsworth	Lamb	Pattison	Van Buren
Fabritz	Lepley	Peaco	Van Wert
Figgins	Long	Randolph	Witt
Forsling	McCaulley	Ratliff	Mr. Speaker
Garrett	McDermott	Rawlings	

Absent or not voting, 17.

Allen	Drake of Keokuk	Johnson of	Millhone
Brown	Elliott	Marion	Miller
Byers	Hesse	Kern	Randall
Dayton	Hunt	Lichty	Shields
Ditto		McCreery	

Amendment lost.

Whiting of Johnson called up the amendment filed by him and found in the Journal of February 27th and moved its adoption.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 48.

Babcock	Greaser	Malone	Sours
Beath	Hanson of	Mathews	Stanzel
Berry	Winnebago	Mead	Stiger
Brown	Hesse	Nelson of Story	Strachan
Craven	Hollingsworth	Osborn	TePaske
Dayton	Hook	Pendray	Van Buren
Ditto	Hopkins	Randolph	Van Wert
Drake of	Hush	Reed	Wamstad
Muscatine	Husted	Roe	Watts
Durant	Hutcheon	Ryder	Wearin
Felter	Kern	Rylander	Whiting
Finnern	Langland	Snyder	Mr. Speaker
Gilmore	McLain		

The nays were, 50.

Aiken	Ellsworth	Greene	Hunt
Augustine	Fabritz	Hansen of	Koch
Avery	Figgins	Audubon	Kohler
Bair	Forsling	Hansen of Scott	Lamb
Ballew	Gallagher	Hayes	Laughlin
Bonnstetter	Garrett	Helgason	Lepley
Donlon	Gissel	Hollis	Long

McCaulley	O'Donnell	Ratliff	Tamisiea
McDermott	Orr	Rawlings	Thiessen
Mayne	Paisley	Reimers	Thompson
Millhone	Pattison	Rutledge	Torgeson
Morton	Peaco	Short	Witt
Nelson of Cherokee	Randall	Simmer	

Absent or not voting, 10.

Allen	Drake of Keokuk	Johnson of	McCreery
Byers	Elliot	Marion	Miller
Davis		Lichty	Shields

Amendment lost.

Kern of Polk moved the previous question.

Motion prevailed.

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, 67.

Aiken	Gallagher	Lepley	Rawlings
Augustine	Garrett	Long	Reed
Avery	Greene	McCaulley	Reimers
Babcock	Hansen of	McLain	Rutledge
Bair	Audubon	Mathews	Ryder
Ballew	Hansen of Scott	Mayne	Rylander
Berry	Hayes	Millhone	Short
Bonnstetter	Helgason	Morton	Simmer
Brown	Hollingsworth	Nelson of	Stanzel
Craven	Hollis	Cherokee	Stiger
Ditto	Hook	Orr	Strachan
Donlon	Hopkins	Osborn	Tamisiea
Drake of	Hunt	Paisley	Thiessen
Muscatine	Hutcheon	Pattison	Torgeson
Ellsworth	Kern	Peaco	Whiting
Fabritz	Koch	Randolph	Witt
Figgins	Kohler	Ratliff	Mr. Speaker
Forsling	Lamb		

The nays were, 29.

Beath	Hanson of	Mead	TePaske
Dayton	Winnebago	Nelson of Story	Thompson
Durant	Hesse	Pendray	Van Buren
Felter	Hush	Randall	Van Wert
Finnern	Husted	Roe	Wamstad
Gilmore	Langland	Snyder	Watts
Gissel	McDermott	Sours	Wearin
Greaser	Malone		

Absent or not voting, 12.

Allen  
Byers  
Davis  
Drake of Keokuk

Elliott  
Johnson of  
Marion

Laughlin  
Lichty  
McCreery

Miller  
O'Donnell  
Shields

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

Forsling of Woodbury moved that the vote by which Senate File No. 49 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

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

Senate File No. 284, a bill for an act to make provisions of Section seven (7) of Senate File One Hundred Seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities.

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

Senate Concurrent Resolution No. 12, relative to speedily carrying forward the navigation project on the upper Missouri river concurrently with that on the lower Missouri river.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGE CONSIDERED

Senate File No. 284, a bill for an act to amend Section Sixty-seven Hundred Seventy-eight, (6778), of the Code, 1927, to make provisions of Section Seven (7) of Senate File One Hundred Seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities.

Read first and second times and referred to committee on cities and towns.

#### SENATE CONCURRENT RESOLUTION NO. 12

*Whereas*, The Congress of the United States in the Rivers and Harbors Act of 1927 authorized a navigation project on the Missouri River from



Kansas City, Missouri, to Sioux City, Iowa, and the sum of twenty-seven million (27,000,000) dollars authorized appropriation has already been approved for such development, and

*Whereas*, The lower Missouri River project from St. Louis to Kansas City will be completed and open for barges at the end of the present year, or in any event in 1932, and

*Whereas*, While great relief will be given to both the agriculture and industry of the lower part of the Missouri Valley with the completion of the navigation project to Kansas City, we regard it as a matter of economic justice and necessity for the government to speedily carry forward in a larger way than at present, the upper Missouri River development work, and concurrently with the work on the lower Missouri River.

*Therefore, Be It Resolved by the Senate, the House concurring*, That in the interest of transportation relief and the future development of both the agriculture and industry of the upper Missouri River Valley, which has the longest haul and the highest freight rate of any agricultural country in the world, we urge upon the Administration at Washington, the Secretary of War, and the Army Engineers to immediately make sufficient allotments and provide for immediate expenditure thereof as will carry out the mandate of Congress contained in the Rivers and Harbors Act of 1930, that at least five million (5,000,000) dollars a year shall be expended for this part of the approved national system of inland waterways.

*Be It Further Resolved*, That in addition to said expenditure of at least five million (5,000,000) dollars annually on the upper Missouri River as directed by Congress, and in pursuance of the declared policy of the Administration expressed in an interview of the Honorable Patrick J. Hurley, Secretary of War, in December, 1930, additional allotments should be provided for the upper river improvement as fast as the requirements of the lower river project are diminished.

*Be It Further Resolved*, That this resolution, duly certified, be transmitted to the President of the United States, to the Secretary of War, and to the Chief of the United States Army Engineers.

#### SENATE CONCURRENT RESOLUTION CONSIDERED

On request of Forsling of Woodbury, unanimous consent having been obtained, Senate Concurrent Resolution No. 12 was called up for consideration.

Mr. Forsling moved the adoption of the concurrent resolution.

Motion prevailed and the concurrent resolution was adopted.

## SPECIAL ORDER MADE

Nelson of Story asked and obtained unanimous consent to have the report of the committee on judicial and political districts, found in the Journal of February 26th, made a special order for 9:30 a. m. Friday, March 13th.

## HOUSE RESOLUTION WITHDRAWN

Short of Woodbury asked and obtained unanimous consent to have the House resolution, relating to carrying out the mandates of the Rivers and Harbors Act of 1927, found in the Journal of March 9th, withdrawn.

## PROOF OF PUBLICATION

The official proof of publication of House File No. 373, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding of a special election for the purpose of authorizing a one mill levy for the establishment, improvement, maintenance and operation of an airport and in issuing airport certificates for such purpose, and to authorize the annual levying of such tax and the anticipation of the collection of such tax by the issuance of said certificates, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

## AMENDMENTS FILED

Greaser of Benton filed the following amendments to Senate File No. 133:

Amend Senate File No. 133 as follows:

- I. By striking the word "either" in line two (2) of section two (2).
- II. By striking all of section eight (8) and by substituting in lieu thereof the following:

Sec. 8. That section five thousand sixty-five (5065) of the code, 1927, as amended by section two (2) of chapter twenty-five (25) of the laws of the Forty-third (43rd) General Assembly, be amended as follows:

1. By substituting the word "three" for the word "four" in line four (4).
2. By striking out all of said section five thousand sixty-five (5065) following the word "weight" in line five (5) thereof, and substituting in lieu the following: "of any vehicles or combination of vehicles shall not

in any event exceed ten (10) tons for a single unit gross weight with a wheel base of eight (8) feet or less and five hundred (500) pounds additional for each additional foot or fraction thereof increase in length. The wheel base of a combination of vehicles shall be construed to mean, in this section, the over-all distance between the first and last axles of the vehicle or combination of vehicles. A wheel which carries two (2) or more tires, or dual wheels, or two (2) or more wheels on the same end of a given axle shall be considered as one (1) wheel."

III. By adding as section nine (9) the following:

Sec. 9. Any person, firm or corporation engaged in the business of hauling bridge material, telephone and telegraph poles, or any other material for structural work which requires the use of a truck, or truck and trailer of a length in excess of those specified in section eight (8) hereof, shall first secure a permit from the highway commission, and the highway commission may in its discretion issue such a permit."

Forsling of Woodbury, chairman of the committee on judiciary, filed the following amendment to House File No. 57:

MR. SPEAKER: Your committee on judiciary to which was referred House File No. 57 by Wearin, move that said bill be amended as follows:

By striking all after the enacting clause and substituting therefor the following:

Section 1. The ownership or right in or to an unoccupied cemetery lot or part thereof shall upon abandonment revert to the person or corporation having ownership and charge of the cemetery containing such lots; the continued failure to maintain or care for a cemetery lot for a period of twenty (20) years shall create and establish the presumption that the same has been abandoned. Abandonment shall not be deemed complete unless after such twenty (20) year period there shall have been given by the reversionary owner to the recorded owner, or if he be deceased or his whereabouts unknown, to the heirs of such deceased, notice declaring the lot to be abandoned. The notice may be served personally on the owner or his heirs, or may be served by the mailing of the notice by registered mail to the owner, or his heirs as the case may be, to their last known address. In the event that the address of the owner or his heirs cannot be ascertained, then notice of such abandonment shall be by one publication in the official newspaper of the county in which the cemetery is located.

Sec. 2. If within one year from the time of serving such notice the recorded owner or his heirs shall in writing give the reversionary owner notice that in fact there has been no such abandonment, then shall the presumption of abandonment no longer exist.

In case the abandonment has been complete as herein provided the reversionary owner of the abandoned lot may sell the same and convey title thereto. Any funds realized from the sale of such lots shall constitute

a fund to be used solely for the perpetual care and upkeep of such lot or portion of lot so sold and likewise any occupied portion thereof.

This law shall not apply to a cemetery lot or tract for which perpetual care has been provided by will, by order of court or by contract with the original grantor.

And further amend by striking the title of House File No. 57 and substituting the following:

"An act to provide for the declaration of abandonment of rights to unoccupied and abandoned cemetery lots and reversion of ownership after abandonment."

Allen of Pocahontas filed the following amendment to Senate File No. 54:

Amend Senate File No. 54 by adding at the end of the Code Sec. 7771 the following to-wit:

After the completion of a power project under such permit, as determined by the Executive Council, the State of Iowa or any public agency or political subdivision of the state within which any part of such power project is located, severally or jointly, may at any time acquire and take over, all right, title and interest in any such power project and any interest in real property necessary therefor, by purchase, or by condemnation or expropriation, in accordance with the laws of the state governing the acquisition of private property for public purposes by condemnation or expropriation.

If at any time after the expiration of twenty years after the completion of such power project, the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenue or profits but shall be limited to the sum of; (1) the actual cost of construction, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the power project and acquiring such interest in real property and (4) actual expenditures for necessary improvements.

Such acquisition of the power production project may be exclusive of any distribution system or franchise.

On motion of Bair of Buena Vista 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 11, 1931.

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

Prayer was offered by the Rev. I. Halleen, pastor of the First Evangelical Free Church, Boone, Iowa.

Journal of March 10th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Ballew of Appanoose, from citizens of Exline, favoring a diversion of the primary road fund; and from citizens of Appanoose county, opposing a tobacco tax. Roads and highways, and tax revision.

By Byers of Linn, from citizens of Cedar Rapids and Mt. Vernon, favoring optional military training in state educational institutions; and from teachers of Linn county, favoring an amendment to Senate File No. 236 granting a Standard Elementary Certificate to teachers of fifteen years' teaching experience. State educational institutions, and schools and textbooks.

By Craven of Jasper, from citizens of Jasper county, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Dayton of Washington, from teachers of Clinton and Lyons, favoring granting a Standard Elementary Certificate to teachers of fifteen years' teaching experience. Schools and textbooks.

By Ellsworth of Hardin, from citizens of Ackley, favoring a regulation of trucks. Motor vehicles and transportation.

By Felter of Warren, from citizens of Ackworth, favoring a diversion of the primary road fund; and from members of New Virginia M. E. church and citizens of Warren county, favoring optional military training in state educational institutions. Roads and highways, and state educational institutions.

By Gilmore of Cedar, from citizens of Cedar county, opposing compulsory military training in state educational institutions. State educational institutions.

By Hansen of Audubon, from citizens of Audubon county, favoring optional bovine tuberculin testing, and a tax on oleomargarine, and opposing Senate File No. 120 and the county assessor plan; and from members of the Lion's Club of Audubon, opposing House File No. 353. Animal industry and ways and means.

By Kern of Polk, from citizens of Des Moines, favoring a diversion of the primary road fund; from citizens of Polk county, favoring a state driver's license law; from members of the Y. W. C. A. and the Parent Teacher Association of Des Moines, favoring optional military training in state educational institutions; from citizens of Polk county, protesting the county assessor plan. Roads and highways, motor vehicles and transportation, state educational institutions, and tax revision.

By Nelson of Cherokee, from 544 citizens of Cherokee county, favoring optional Bovine tuberculin testing. Animal industry.

By Osborn of Decatur, from railroad employes of Decatur county, favoring a regulation of trucks and motor busses; and from citizens of Lamoni, favoring a diversion of the primary road funds. Motor vehicles and transportation, and roads and highways.

By Pattison of Jefferson, from railroad employes of Des Moines county, favoring a regulation of trucks and motor busses; and from teachers of Clinton and Lyons, favoring granting a Standard Elementary Certificate to teachers of fifteen years' teaching experience. Motor vehicles and transportation, and schools and textbooks.

By Pendray of Jackson, from citizens of Jackson county, favoring optional Bovine tuberculin testing. Animal industry.

By Randall of Lucas, from citizens of Lucas county, favoring

a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rawlings of Monona, from citizens of Turin, favoring a diversion of the primary road fund; and from citizens of Monona county, favoring a state driver's license law. Roads and highways, and motor vehicles and transportation.

By Ratliff of Henry, from railroad employes of Henry county, and Des Moines county, and from the Burlington Shippers Association and Burlington Chamber of Commerce, favoring a regulation of trucks and motor busses; and from citizens of Mt. Pleasant, Mt. Union and New London, opposing the county assessor bill and Senate File No. 120, favoring an investigation of the State University of Iowa and charges brought against Lieutenant Governor Arch McFarlane, favoring making Bovine tuberculin testing optional, favoring a tax on oleomargarine, regulating public utilities and regulating trucks and motor busses. Motor vehicles and transportation, animal industry, and tax revision.

By Rutledge of Webster, from citizens of Clare and Callender, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Thiessen of Clinton, from teachers of Clinton and Lyons, favoring granting a Standard Elementary Certificate to teachers of fifteen years' teaching experience. Schools and textbooks.

By Rylander of Marshall, from citizens of Marshalltown, favoring a regulation of trucks and motor busses; and from citizens of Marshall county, favoring optional military training in state educational institutions. State educational institutions.

By Paisley of Lee, from teachers of Clinton and Lyons, favoring granting a Standard Elementary Certificate to teachers of fifteen years' teaching experience. Schools and textbooks.

By Short of Woodbury, from members of the P. T. A. of Danbury, favoring optional military training in state educational institutions. State educational institutions.

By Snyder of Hamilton, from members of the legislative committee of the Hamilton County Farm Bureau, commending Governor Turner in his stand on increases in state appropriations; and from members of the Legion posts of Hamilton county, favor-

ing compulsory military training in state educational institutions. Appropriations, and state educational institutions.

By Stanzel of Sae, from citizens of Auburn, favoring a diversion of the primary road fund. Roads and highways.

By Tamisiea of Harrison, from citizens of Dunlap, opposing optional military training at state institutions. State educational institutions.

By Whiting of Johnson, from the committee on conservation, Iowa Academy of Science, protesting Senate File No. 219. Conservation of resources.

#### REPORTS OF COMMITTEES

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following reports:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 299, a bill for an act to repeal sections thirty-eight hundred eighty-one (3881) and thirty-eight hundred eighty-nine (3889), code, 1927, relating to teachers' certificates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 300, a bill for an act to repeal sections forty-four hundred fifty-six (4456), forty-four hundred fifty-seven (4457) and forty-four hundred fifty-eight (4458) of the code, 1927, and to enact a substitute therefor relating to county uniformity of textbooks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred Senate File No. 224, a bill for an act to amend the law as it appears in sections forty-four hundred seventy-five (4475), forty-five hundred two (4502), and forty-five hundred three (4503) of the code, 1927, relating to the purchase and sale of school lands, beg leave to report



they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks has introduced to the House, House File No. 441, a bill for an act to amend sections forty-three hundred twenty-two (4322) and forty-three hundred twenty-three (4323), code of 1927, relating to common school libraries.

The committee on schools and textbooks recommends to the House that the bill do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred Senate File No. 39, a bill for an act to repeal section forty-three hundred forty-one (4341), and section forty-three hundred forty-two (4342), code, 1927, and to enact a substitute therefor, relating to the minimum wages paid to public school teachers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman*.

Passed on file.

Bair of Buena Vista, from the committee on motor vehicles and transportation, submitted the following reports:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred Senate File No. 199, a bill for an act to authorize city and town councils to establish school zones within the limits of said city and town, and to require all motor vehicles, when movable stop signs are in place in the streets, to come to a stop before entering said zones, beg leave to report they have had 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. PARK BAIR, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on motor vehicles and transportation has introduced to the House, House File No. 439, a bill for an act to so amend chapter one hundred thirty-one (131), acts of the forty-third (43rd) general assembly, relating to motor vehicles and trailers and to

the license fee therefor, that certain small motor trucks will be withdrawn from the operation of the said chapter one hundred thirty-one (131).

The committee on motor vehicles and transportation recommends to the House that the bill do pass.

J. PARK BAIR, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on motor vehicles and transportation has introduced to the House, House File No. 440, a bill for an act to amend chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) general assembly by amending the definition of a "motor truck" and the definition of a "truck operator" in section one (1) thereof; to change the penalty for the violation of said chapter in section twenty-six (26) thereof; to amend section eighteen (18) thereof relative to the manner in which the load shall be carried.

The committee on motor vehicles and transportation recommends to the House that the bill do pass.

J. PARK BAIR, *Chairman*.

Report adopted.

Van Buren of Jones, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 408, a bill for an act to make an appropriation to C. A. Knutson, administrator of the estate of Bertel M. Bertelsen for damages resulting from the operation of an automobile by 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.

G. J. VAN BUREN, *Chairman*.

Report adopted.

## INTRODUCTION OF BILLS

House File No. 430, by Simmer of Wapello, a bill for an act to enable cities and towns, by ordinance, to examine, license and bond persons, firms and corporations installing or altering electrical apparatus, conductors and equipment for the utilization of light, heat and power.

Read first and second times and referred to committee on cities and towns.

House File No. 431, by Strachan of Humboldt, a bill for an act to amend section seventy-five hundred fifty-nine (7559), code, 1927, as amended by chapter two hundred nine (209), acts of the forty-third (43rd), general assembly, and section seventy-five hundred sixty (7560), code, 1927, relating to repairs and improvements of drainage districts.

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

House File No. 432, by Babcock of Chickasaw, a bill for an act to legalize the proceedings relating to an election held in the city of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center, and issuing and selling bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city.

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

House File No. 433, by Craven of Jasper, a bill for an act making an appropriation of one thousand dollars (\$1,000.00) to Edwin Perry because of the death of his son at the hands of an inmate of the state hospital for the insane at Mount Pleasant.

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

House File No. 434, by Hollis of Black Hawk, a bill for an act to amend chapter two hundred ninety-four (294), code, 1927, as amended, relating to the creation of river front improvement commissions in certain cities, and the organization and powers thereof, by amending sections fifty-eight hundred fifteen (5815), fifty-eight hundred nineteen (5819), fifty-eight hundred twenty (5820), fifty-eight hundred twenty-one (5821) and fifty-eight hundred twenty-two (5822) thereof, and by inserting in said chapter two hundred ninety-four (294), section fifty-eight hundred nineteen-d one (5819-d1) authorizing the acquisition by river front improvement commissions, through purchase, gift and condemnation, of the river bed, or channel, of any stream that is not meandered.

Read first and second times and referred to committee on cities and towns.

House File No. 435, by Hollis of Black Hawk, a bill for an act to amend section fifty-one hundred five-a thirty-four (5105-a34) of the code, 1927, relating to speed of freight carrying motor vehicles upon the highways.

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

House File No. 436, by Hollis of Black Hawk, a bill for an act to amend chapter one hundred forty-two (142), Code, 1927, changing the date for notification of intentions of holding local poultry shows and providing that counties which do not hold a local show may hold a district show and may consolidate their state aid in holding such district poultry shows.

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

House File No. 437, by Snyder of Hamilton, a bill for an act to regulate and license fortune tellers, astrologers, phrenologists and others who for compensation pretend to predict future events, and providing for a penalty for a violation thereof.

Read first and second times and referred to committee on cities and towns.

House File No. 438, by Helgason of Emmet, a bill for an act dividing the state into nine (9) congressional districts, and repealing chapter thirty-five-A one (35-A1) of the code, 1927.

Read first and second times and referred to committee on judicial and political districts.

House File No. 439, by committee on motor vehicles and transportation, a bill for an act to so amend chapter one hundred thirty-one (131), acts of the forty-third (43rd) general assembly, relating to motor vehicles and trailers and to the license fee therefor, that certain small motor trucks will be withdrawn from the operation of the said chapter one hundred thirty-one (131).

Read first and second times and passed on file.

House File No. 440, by committee on motor vehicles and transportation, a bill for an act to amend chapter one hundred twenty-

nine (129) of the acts of the forty-third (43rd) general assembly by amending the definition of a "motor truck" and the definition of a "truck operator" in section one (1) thereof; to change the penalty for the violation of said chapter in section twenty-six (26) thereof; to amend section eighteen (18) thereof relative to the manner in which the load shall be carried.

Read first and second times and passed on file.

House File No. 441, by committee on schools and textbooks, a bill for an act to amend sections forty-three hundred twenty-two (4322) and forty-three hundred twenty-three (4323), code of 1927, relating to common school libraries.

Read first and second times and passed on file.

#### ADDITIONAL COPIES OF HOUSE FILE ORDERED PRINTED

Rylander of Marshall asked and obtained unanimous consent to have two hundred fifty additional copies of House File No. 252 printed.

#### SPECIAL ORDER MADE

McCaulley of Calhoun moved that House File No. 1 be made a special order for Wednesday, March 18th, at 10:00 a. m.

Motion prevailed.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of McCaulley of Calhoun, House File No. 4, a bill for an act to amend the law as it appears in paragraphs one (1), six (6), and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the State Board of Assessment and Review, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 4

1. Amend House File No. 4 by striking out of line 13 of section one (1) the word "their" and inserting in lieu thereof the word "its".

2. That paragraph nine (9) of section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third General Assembly be and the

same is hereby amended by striking out of line sixty-six (66) the words "county board of equalization" and substituting in lieu thereof the words, "board of review"; also by striking out of line sixty-nine (69) thereof the words "county board of equalization", and inserting in lieu thereof, "any board of review".

3. Amend section seventeen (17) of chapter two hundred five (205) Acts of the Forty-third General Assembly by inserting after paragraph nine (9) the following as paragraph nine-a (9a):

"(9a). To correct errors, irregularities, or omissions in assessments of individual taxpayers by adding to the tax list any omitted property or by raising, lowering, or abating an assessment found to be erroneous or excessive; provided, however, that before making any increase in any assessment or assessment of any property as omitted property the board shall notify the owner of record or person assessed with such property by registered mail addressed to such person at his last known place of residence notifying him to appear before said board within ten (10) days from the mailing of said notice and show cause why such increase or addition should not be made; provided, however, that any party aggrieved by the action of the State Board may within twenty (20) days after such action has been taken appeal from the action of the State Board to the District Court of the county where the property is situated by serving on the chairman of the State Board a written notice of appeal in the same manner as provided for the service of original notices. The State Board shall notify the county auditor or county treasurer of any such correction or change and the county auditor or county treasurer shall amend the assessment roll and/or tax list to conform to the order of the Board; but no correction or change of assessment shall be made by the State Board after the expiration of five (5) years from the date when such assessment was made or should have been made."

4. By adding to said House File No. 4 the following:

"Sec. 4. That section seventeen (17) of chapter two hundred five (205), Acts of the Forty-third General Assembly be and the same is hereby amended by adding thereto the following:

"16. To certify to the Auditor of State on January first of each year the aggregate of each state tax for each county for said year."

"Sec. 5. That section thirty-four (34), chapter two hundred five (205), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting in line fourteen (14) after the word "act", the following words, to-wit:

"except as provided in paragraph three (3) of section one hundred two (102), Code, 1927".

"Sec. 6. That section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly be and the same is hereby repealed."

"Sec. 7. Chapter two hundred five (205) Acts of the Forty-third General Assembly as herein amended is hereby made applicable to cities acting under special charter.

"Sec. 8. This act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Walker News, a newspaper published at Walker, Iowa, and the Freeman-Journal, a newspaper published at Webster City, Iowa."

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

On the question, "Shall the House concur?"

The ayes were, 80.

Augustine	Gilmore	Kohler	Ratliff
Avery	Gissel	Lamb	Rawlings
Babcock	Greaser	Langland	Reed
Ballew	Hansen of	Laughlin	Reimers
Bonnstetter	Audubon	Lepley	Roe
Brown	Hanson of	Lichty	Ryder
Craven	Winnebago	Long	Rylander
Davis	Hayes	McCaulley	Shields
Ditto	Hesse	McCreery	Short
Donlon	Hollingsworth	McLain	Snyder
Drake of Keokuk	Hollis	Malone	Tamisiea
Drake of	Hook	Mathews	TePaske
Muscatine	Hopkins	Mead	Thompson
Durant	Hunt	Millhone	Torgeson
Elliott	Hush	Morton	Van Buren
Fabritz	Husted	Orr	Van Wert
Felter	Hutcheon	Osborn	Wamstad
Figgins	Johnson of	Paisley	Wearin
Finnern	Marion	Pattison	Whiting
Forsling	Kern	Pendray	Witt
Garrett	Koch	Randolph	Mr. Speaker

The nays were, 3.

Peaco	Strachan	Thiessen
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Absent or not voting, 25.

Aiken	Ellsworth	Miller	Simmer
Allen	Gallagher	Nelson of	Sours
Bair	Greene	Cherokee	Stanzel
Beath	Hansen of Scott	Nelson of Story	Stiger
Berry	Helgason	O'Donnell	Watts
Byers	McDermott	Randall	
Dayton	Mayne	Rutledge	

House concurred in Senate amendments to House File No. 4.

### CONSIDERATION OF BILLS

House File No. 106, a bill for an act to regulate the sale of oleomargarine by providing an inspection fee and excise tax

and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture, with report of committee recommending passage, was taken up for consideration.

Greene of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 106 by striking out all of Section 1, and substituting in lieu thereof the following:

Section 1. There is hereby imposed, levied, and assessed an inspection fee of one cent a pound upon each pound of oleomargarine sold, offered, or exposed for sale, or given or delivered to a consumer within this state; provided, however, that upon each pound of oleomargarine containing less than seventy-five per cent of animal oil offered or exposed for sale or given or delivered to a consumer within this state, there is hereby imposed, levied, and assessed an excise tax of four cents a pound in addition to said inspection fee of one cent a pound, said fee and tax to be paid to the Secretary of Agriculture prior to such sale, gift, or delivery.

Amendment lost.

McCreery 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, 95.

Aiken	Forsling	Johnson of	O'Donnell
Augustine	Gallagher	Marion	Orr
Avery	Garrett	Koch	Osborn
Babcock	Gilmore	Kohler	Paisley
Bair	Gissel	Lamb	Pattison
Ballew	Greaser	Langland	Peaco
Beath	Greene	Laughlin	Pendray
Berry	Hansen of	Lepley	Randolph
Bonnstetter	Audubon	Lichty	Ratliff
Brown	Hansen of Scott	Long	Rawlings
Craven	Hanson of	McCaulley	Reed
Davis	Winnebago	McCreery	Reimers
Dayton	Hayes	McLain	Roe
Ditto	Helgason	Malone	Rylander
Donlon	Hesse	Mathews	Shields
Drake of Keokuk	Hollis	Mayne	Short
Durant	Hook	Mead	Snyder
Ellsworth	Hopkins	Millhone	Sours
Fabritz	Hunt	Morton	Stanzel
Felter	Hush	Nelson of	Stiger
Figgins	Husted	Cherokee	Strachan
Finnern	Hutcheon	Nelson of Story	Tamisiea



TePaske  
Thiessen  
Thompson

Torgeson  
Van Buren  
Van Wert

Wamstad  
Wearin  
Whiting

Witt  
Mr. Speaker

The nays were, none.

Absent or not voting, 13.

Allen  
Byers  
Drake of  
Muscatine

Elliott  
Hollingsworth  
Kern  
McDermott

Miller  
Randall  
Rutledge  
Ryder

Simmer  
Watts

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

McCreery of Linn moved that the vote by which House File No. 106 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 121, a bill for an act to provide legal help in court actions to which the state highway commission is a party, to authorize payment from the primary road fund of attorneys' compensation and court costs in connection with legal work of the state highway commission, and to relieve the general revenue of the state therefrom, with report of committee recommending passage, was taken up for consideration.

Torgeson of Worth called up the amendment filed by him and found in the Journal of February 26th and moved its adoption.

Bair of Buena Vista offered the following amendment as a substitute for the pending amendment and moved its adoption:

Amend by striking all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. The attorney general may appoint local attorneys to assist in any legal actions brought for or against the state highway commission. The compensation of such local attorneys shall be fixed by the attorney general, which compensation, together with all court costs assessed against the said commission, shall be payable from the primary road fund.

"Sec. 2. This act being deemed of immediate importance, shall take effect from and after its publication as provided by law."

Brown of Polk moved the previous question.

Motion prevailed.

Motion prevailed and the substitution was made.

Substitute amendment adopted.

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

On the question "Shall the bill pass?"

The ayes were, 93.

Augustine	Greaser	Lepley	Ryder
Avery	Greene	Lichty	Rylander
Bair	Hansen of	Long	Shields
Beath	Audubon	McCreery	Short
Berry	Hansen of Scott	McDermott	Simmer
Bonnstetter	Hanson of	McLain	Snyder
Brown	Winnebago	Mathews	Sours
Byers	Hayes	Mayne	Stanzel
Craven	Hesse	Millhone	Stiger
Davis	Hollingsworth	Morton	Strachan
Dayton	Hollis	Nelson of	Tamisiea
Donlon	Hook	Cherokee	TePaske
Drake of	Hopkins	Nelson of Story	Thiessen
Muscatine	Hunt	Orr	Thompson
Durant	Hush	Paisley	Torgeson
Elliott	Husted	Pattison	Van Buren
Ellsworth	Hutcheon	Peaco	Van Wert
Fabritz	Johnson of	Pendray	Wamstad
Felter	Marion	Randall	Watts
Figgins	Kern	Randolph	Wearin
Forsling	Koch	Ratliff	Whiting
Gallagher	Kohler	Rawlings	Witt
Garrett	Lamb	Reed	Mr. Speaker
Gilmore	Langland	Reimers	
Gissel	Laughlin	Roe	

The nays were, 3.

Finnern	Mead	Osborn
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Absent or not voting, 12.

Aiken	Ballew	Helgason	Miller
Allen	Ditto	McCaulley	O'Donnell
Babcock	Drake of Keokuk	Malone	Rutledge

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

House File No. 33, a bill for an act to repeal the law as it appears in chapter two hundred fifteen-B one (215-B1), Code, 1927, as amended by chapter one hundred seven (107), Acts of the Forty-third General Assembly and also chapter one hundred fifteen (115), Acts of the Forty-third General Assembly, relating to tax free lands; and to enact a substitute therefor, with report of committee recommending passage, was taken up for consideration.

Van Buren 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, 87.

Augustine	Hanson of	McLain	Shields
Avery	Winnebago	Malone	Short
Babcock	Hayes	Mathews	Simmer
Ballew	Helgason	Millhone	Snyder
Beath	Hesse	Morton	Sours
Berry	Hollingsworth	Nelson of	Stanzel
Bonnstetter	Hollis	Cherokee	Stiger
Brown	Hook	Nelson of Story	Strachan
Byers	Hopkins	O'Donnell	Tamisiea
Craven	Hunt	Osborn	TePaske
Dayton	Hush	Paisley	Thiessen
Donlon	Husted	Pattison	Thompson
Durant	Hutcheon	Peaco	Torgeson
Elliott	Johnson of	Pendray	Van Buren
Ellsworth	Marion	Randall	Van Wert
Fabritz	Kern	Randolph	Wamstad
Felter	Koch	Ratliff	Watts
Figgins	Kohler	Rawlings	Wearin
Gallagher	Langland	Reed	Whiting
Gilmore	Laughlin	Reimers	Witt
Gissel	Lepley	Roe	Mr. Speaker
Greaser	Long	Ryder	
Hansen of Scott	McDermott	Rylander	

The nays were, 2.

Garrett                      McCaulley

Absent or not voting, 19.

Aiken	Drake of	Hansen of	Mayne
Allen	Muscatine	Audubon	Mead
Bair	Finnern	Lamb	Miller
Davis	Forsling	Lichty	Orr
Ditto	Greene	McCreery	Rutledge
Drake of Keokuk			

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

Van Buren of Jones moved that the vote by which House File No. 33 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MOTION TO RECONSIDER FILED

McCaulley of Calhoun, Johnson of Marion, Witt of Butler and

Greene of Pottawattamie moved to reconsider the vote by which House File No. 1 was made a special order for March 18th, 1931, at 10:00 a. m.

Motion prevailed and the House reconsidered.

McCaulley of Calhoun asked and obtained unanimous consent to withdraw his motion making House File No. 1 a special order.

#### CONSIDERATION OF BILLS

House File No. 282, a bill for an act to provide the form of distress warrants issued by the county treasurer for the collection of delinquent personal taxes, with report of committee recommending passage, was taken up for consideration.

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

On the question, "Shall the bill pass?"

The ayes were, 93.

Augustine	Gilmore	Lepley	Roe
Avery	Gissel	Lichty	Ryder
Babcock	Greaser	McCaulley	Rylander
Ballew	Hansen of	McCreery	Shields
Beath	Audubon	McDermott	Short
Berry	Hansen of Scott	McLain	Simmer
Bonnstetter	Hanson of	Malone	Snyder
Brown	Winnebago	Mathews	Sours
Craven	Hayes	Mayne	Stanzel
Davis	Helgason	Mead	Stiger
Dayton	Hesse	Millhone	Strachan
Ditto	Hollis	Morton	Tamisiea
Donlon	Hook	Nelson of	TePaske
Drake of	Hopkins	Cherokee	Thiessen
Muscatine	Hunt	Orr	Thompson
Durant	Hush	Osborn	Torgeson
Elliott	Husted	Paisley	Van Buren
Ellsworth	Hutcheon	Pattison	Van Wert
Fabritz	Johnson of	Peaco	Wamstad
Felter	Marion	Pendray	Watts
Figgins	Kern	Randolph	Whiting
Finnern	Koch	Ratliff	Witt
Forsling	Kohler	Rawlings	Mr. Speaker
Gallagher	Lamb	Reed	
Garrett	Langland	Reimers	

The nays were, none.

Absent or not voting, 15.

Aiken	Drake of Keokuk	Long	Pendray
Allen	Greene	Miller	Rutledge
Bair	Hollingsworth	Nelson of Story	Wearin
Byers	Laughlin	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. 43, a bill for an act to amend the law as it appears in Sections Nine (9) and Ten (10) of Chapter 194 of the Laws of the Forty-Third General Assembly relating to interest on special assessments and to advertising for bids for street improvements, was taken up for consideration, having been substituted for House File No. 47.

Kern 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, 95.

Augustine	Gallagher	Lamb	Randall
Avery	Garrett	Langland	Randolph
Babcock	Gilmore	Laughlin	Ratliff
Bair	Gissel	Lepley	Reed
Ballew	Greaser	Lichty	Reimers
Beath	Hansen of	McCaulley	Roe
Berry	Audubon	McCreery	Ryder
Bonnstetter	Hansen of Scott	McDermott	Rylander
Brown	Hanson of	McLain	Shields
Byers	Winnebago	Malone	Short
Craven	Hayes	Mathews	Snyder
Davis	Helgason	Mayne	Stanzel
Dayton	Hesse	Mead	Stiger
Ditto	Hollis	Millhone	Tamisiea
Donlon	Hook	Morton	TePaske
Drake of	Hopkins	Nelson of	Thiessen
Muscatine	Hunt	Cherokee	Thompson
Durant	Hush	Nelson of Story	Torgeson
Elliott	Husted	O'Donnell	Van Wert
Ellsworth	Hutcheon	Orr	Wamstad
Fabritz	Johnson of	Osborn	Watts
Felter	Marion	Paisley	Wearin
Figgins	Kern	Pattison	Whiting
Finnern	Koch	Peaco	Witt
Forsling	Kohler	Pendray	Mr. Speaker

The nays were, none.

Absent or not voting, 13.

Aiken	Hollingsworth	Rutledge	Van Buren
Allen	Long	Simmer	
Drake of Keokuk	Miller	Sours	
Greene	Rawlings	Strachan	

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

Kern of Polk moved that the vote by which Senate File No. 43 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 107, a bill for an act to amend section seven hundred thirty-two (732) of the Code, 1927, relating to appointment of election judges, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of McCreery of Linn the amendment proposed by the committee, found in the Journal of February 19th was adopted.

Wamstad of Mitchell offered the following amendments and moved their adoption:

Amend by adding as section two (2) the following:

Sec. 2. That section seven hundred thirty-three (733) of the code, 1927, be amended by striking from line two (2) the following words "or completed".

Also amend the title by inserting after the figures (732) in line one the following words and figures: "and section seven hundred thirty-three (733)".

Amendments adopted.

Reed of Mahaska offered the following amendment and moved its adoption:

Amend by striking in line five of section one (1) the word "shall" and inserting in lieu thereof the word "may".

Amendment lost.

Reimers of Lyon moved the previous question.

Motion prevailed.

McCreery 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, 9.

Dayton  
Hunt

Johnson of  
Marion  
Laughlin

Lichty  
McCreery  
Strachan

Tamisiea  
Whiting

The nays were, 85.

Augustine	Garrett	Lepley	Randolph
Avery	Gilmore	Long	Ratliff
Babcock	Gissel	McCaulley	Rawlings
Ballew	Greaser	McDermott	Reed
Beath	Hansen of Scott	McLain	Reimers
Berry	Hanson of	Malone	Roe
Bonnstetter	Winnebago	Mathews	Ryder
Brown	Hayes	Mayne	Shields
Craven	Helgason	Mead	Short
Davis	Hesse	Millhone	Snyder
Ditto	Hollingsworth	Morton	Sours
Donlon	Hollis	Nelson of	Stanzel
Drake of	Hook	Cherokee	Stiger
Muscatine	Hopkins	Nelson of Story	TePaske
Durant	Hush	O'Donnell	Thiessen
Ellsworth	Husted	Orr	Thompson
Fabritz	Hutcheon	Osborn	Torgeson
Felter	Kern	Paisley	Van Wert
Figgins	Koch	Pattison	Wamstad
Finnern	Kohler	Peaco	Watts
Forsling	Lamb	Pendray	Wearin
Gallagher	Langland	Randall	Mr. Speaker

Absent or not voting, 14.

Aiken	Drake of Keokuk	Hansen of	Rylander
Allen	Elliott	Audubon	Simmer
Bair	Greene	Miller	Van Buren
Byers		Rutledge	Witt

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 22, 135, 169, 202, 247, 301 and 123.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 22, 135, 169, 202, 247, 301 and 123.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 11th day of March, 1931, sent to the governor for his approval:

House Files Nos. 22, 135, 169, 202, 247, 301, and 123.

C. J. ORR, *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. 163, a bill for an act relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa.

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 relating to appointment of Board of Examiners to examine applicants for license to work as Master, or employing or journeyman plumber.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 202, a bill for an act relating to the erection of dams which affect state-owned land.

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 non-employment of a teacher.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:



Senate File No. 90, a bill for an act relating to the improvement, maintenance, relocation or establishment of primary roads and the purchase or condemnation of right of way therefor.

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 relating to the county board of education.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 56, a bill for an act to amend the Code so as to authorize cities and towns to establish and improve parks and playgrounds.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 149, a bill for an act relating to the display of licenses by practitioners of certain professions.

WALTER H. BEAM, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 25, a bill for an act to repeal section four thousand two hundred thirty-one (4231) Code 1927, relating to the non-employment of a teacher, and to enact a substitute therefor.

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

Senate File No. 90, a bill for an act to amend the provisions of Chapter twenty-one (21) Acts of the Forty-Third (43) General Assembly relating to the improvement, maintenance, relocation or establishment of primary roads and the purchase or condemnation of right of way therefor.

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

Senate File No. 189, a bill for an act to amend the law as it appears in sections forty-one hundred nineteen (4119), code, 1927, relating to the county board of education.

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

Senate File No. 163, a bill for an act to repeal the law as it appears in section thirty-three hundred sixty-six (3366), Code of

1927, and to enact a substitute therefor, relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa.

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

Senate File No. 245, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the Code, 1927, relating to appointment of Board of Examiners to examine applicants for license to work as Master, or employing or journeyman plumber.

Read first and second times and referred to committee on cities and towns.

Senate File No. 202, a bill for an act to amend section seventy-seven hundred ninety-six (7796), Code, 1927, relating to the erection of dams which affect state-owned land, and to provide for the protection of highways which may be affected by the erection of such dams.

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

#### AMENDMENTS FILED

Bair of Buena Vista filed the following amendment to House File No. 109:

Amend House File No. 109, by inserting after the word "cracker" in line seven (7), section one (1), the words "sawed-off shot gun".

Durant of Hancock, Kern of Polk, Morton of Wright, and Hopkins of Guthrie, filed the following amendment to House File No. 395:

Amend House File No. 395 by striking the word "high" at the end of line six (6), section one (1), and inserting in lieu thereof the word "public".

Hanson of Winnebago filed the following amendment to House File No. 297:

Amend House File No. 297, Section 1, by striking in lines five (5) and eight (8) thereof the words "a police dog" and inserting in lieu thereof the words "dogs commonly known as police dogs".

Wamstad of Mitchell filed the following amendment to House File No. 377:

Amend House File No. 377 by inserting after the word "used" in line nine (9) of section one (1) the following words: "as motor vehicle fuel or".

Hush of Montgomery filed the following amendment to House File No. 114:

Amend House File No. 114 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That the law as it appears in section seventy-one hundred sixty-three (7163) of the code, 1927, be amended by striking the parentheses from lines eleven (11) and thirteen (13); by striking the word 'not' in line eleven; and by adding a comma (,) after the word 'year' in line eleven.

Sec. 2. That the law as it appears in section seventy-one hundred sixty-four (7164) of the code, 1927, be amended by striking the parentheses from lines six (6) and eight (8); by striking the word 'without' in line six (6); and by adding a comma (,) after the word 'will' in line six (6).

Sec. 3. That section seventy-one hundred sixty-five (7165) of the code, 1927, be repealed."

Also, that the title be amended to read as follows:

"An act to amend sections seventy-one hundred sixty-three (7163) and seventy-one hundred sixty-four (7164) of the code, 1927, to include in the certification and computation of taxes, moneys and credits and other moneyed capital, and to repeal section seventy-one hundred sixty-five (7165) of the code, 1927, pertaining to permissible excess rate of five (5) per cent.

Watts of Van Buren filed the following amendment to House File No. 174:

Amend House File No. 174 by striking all of section 4 and inserting in lieu thereof the following:

The word "physician", whether modified or not, or its equivalent, where-soever found in any existing law or statute, shall, as to duty, obligation and privilege be enlarged to include Osteopath Physician with like effect

and as though the word "Osteopath Physician" were written out in such statute, the purpose of this enactment being to restore to the Code the last sentence of Section 15, Chapter 77, Acts of the Twenty-ninth General Assembly which was inadvertently omitted therefrom, provided, however, that the language in this Section shall not be so construed as to grant or give to Osteopathic Physicians the right or franchise either to practice medicine, or perform major surgery, as licensed under Chapter 116 of the Code.

On motion of Ratliff of Henry 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, MARCH 12, 1931.

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

Prayer was offered by the Rev. Henry McCraven of Des Moines.

Journal of March 11th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Laughlin of Fremont for balance of week, on request of Wearin of Mills.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Bonnstetter of Kossuth, from citizens of Luvern, favoring a restriction of trucks and motor busses. Motor vehicles and transportation.

By Craven of Jasper, from citizens of Jasper county, opposing the county assessor plan. Tax revision.

By Ellsworth of Hardin, from citizens of Union, asking for laws to regulate the activities of the trucking industries. Motor vehicles and transportation.

By Finnern of Crawford, from citizens of Crawford county, favoring a regulation of trucks and motor busses, and pipe lines. Motor vehicles and transportation.

By Hanson of Winnebago, from citizens of Lake Mills, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Kern of Polk, from citizens of Des Moines, favoring a diver-

sion of the primary road fund; and favoring optional military training in state educational institutions. Roads and highways, and state educational institutions.

By Johnson of Marion, from citizens of Otley, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Mathews of Des Moines, from railroad employes of Batavia, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Mayne of Pottawattamie, from the Council Bluffs Chamber of Commerce, protesting House File No. 353. Ways and means.

By McLain of Poweshiek, from citizens of Grinnell, favoring stern restrictions governing motor busses and trucks as to rates of wages, hours of employment, inspection of vehicles, and rates; and protesting compulsory military training in state educational institutions. Motor vehicles and transportation, and state educational institutions.

By McCreery of Linn, from citizens of Linn county, favoring optional military training in state educational institutions. State educational institutions.

By Lichty of Black Hawk, from teachers of Clinton and Lyons, favoring the granting of Standard Elementary Certificates to teachers of fifteen years' experience. Schools and textbooks.

By Miller of Shelby, from citizens of Westphalia and Tennant, favoring a diversion of the primary road fund. Roads and highways.

By Morton of Wright, from the Earl B. Beisell post of the American Legion, opposing an amusement tax. Tax revision.

By Nelson of Story, from citizens of Story county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Paisley of Lee, from the Executive Board of the Iowa Association of Master Barbers and the Executive Board of the Iowa State Association of Journeymen Barbers, supporting House File No. 178 and Senate File No. 49; from members of the Farm-

ers' Union Local 561, opposing the county assessor bill, favoring making bovine tuberculin testing optional, opposing Senate File No. 120, and favoring a tax on oleomargarine; from citizens of Lee county, opposing an amusement tax; from citizens of Keokuk, favoring a state driver's license law; and from railroad employees of Lee county, favoring a regulation of trucks and motor busses. Public health, tax revision, and motor vehicles and transportation.

By Peaco of Clinton, from citizens of Oskaloosa and Beacon, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Reed of Mahaska, several petitions from citizens of Mahaska county, favoring a regulation of trucks and motor busses; from teachers of Mahaska county, favoring granting a Standard Elementary Certificate to teachers of 15 years' experience; and from citizens of Mahaska county, favoring compulsory military training in state educational institutions. Motor vehicles and transportation, schools and textbooks, and state educational institutions.

By Rylander of Marshall, from citizens of Marshalltown, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Roe of Allamakee, from citizens of Allamakee county, opposing the county assessor plan. Tax revision.

By Shields of Clarke, from the Isaac Davis Post No. 69 of the American Legion of Osceola, favoring \$1500 exemption from taxes for all ex-soldiers of the World War, including poll taxes. Military.

By Torgeson of Worth, from citizens of Northwood and Kensett, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Van Wert of Franklin, from citizens of Bradford, opposing compulsory military training in state educational institutions; from citizens of Geneva, favoring a diversion of the primary road fund; and from citizens of Franklin county, favoring a regulation of trucks and motor busses. State educational institutions, roads and highways, and motor vehicles and transportation.

## REPORTS OF COMMITTEES

McCauley of Calhoun, from the committee on tax revision, submitted the following report:

MR. SPEAKER: Your committee on tax revision, to whom was referred Senate File No. 65, a bill for an act to repeal the law as it appears in sections seventy-three hundred fourteen (7314), seventy-three hundred sixteen (7316), and seventy-three hundred forty (7340) of the code of Iowa 1927, and to amend the law as it appears in sections seventy-three hundred seven (7307), seventy-three hundred eight (7308), seventy-three hundred thirteen (7313), seventy-three hundred thirty-one (7331), and seventy-three hundred sixty-one (7361) of the code of Iowa 1927, relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith, beg leave to report they have had the same 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 publication clause.

MARION R. MCCAULLEY, *Chairman*.

Report adopted.

Helgason of Emmet, from the committee on fish and game, submitted the following reports:

MR. SPEAKER: Your committee on fish and game, to whom was referred Senate File No. 74, a bill for an act to amend section seventeen hundred forty-eight (1748), Code 1927, relating to licenses for the use of seines or nets in the Mississippi River, beg leave to report they have had 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. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 316, a bill for an act to amend chapter fifty-eight (58), acts of the forty-third (43rd) general assembly, relating to the buying and selling of the skins or hides of fur-bearing 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 same do pass.

E. O. HELGASON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 215, a bill for an act to create a closed season on skunks



in various counties, and to provide for notice for such closed season; to provide for expense incident thereto, and to provide for a penalty for the violation of the provisions of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

E. O. HELGASON, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on fish and game, to whom was referred House File No. 192, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to the use of ferrets in hunting, taking, killing, or capturing wild 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 same be indefinitely postponed.

E. O. HELGASON, *Chairman*.

Passed on file.

Johnson of Marion, from the committee on police regulations and suppression of crime, submitted the following reports:

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred Senate File No. 152, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents 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.

J. H. JOHNSON, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred Senate File No. 177, a bill for an act to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. JOHNSON, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred Senate File No. 155, a bill for an act to

repeal the law as it appears in section twelve thousand nine hundred sixty b one (12960-b1) of the code of 1927 relating to the possession of machine guns, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. JOHNSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred Senate File No. 151, a bill for an act to amend the law as it appears in section thirty (30) of chapter fifty-seven (57) of the acts of the forty-third general assembly relating to the carrying of firearms in motor vehicles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. JOHNSON, *Chairman*.

Report adopted.

Pendray of Jackson, from the committee on public libraries, submitted the following report:

MR. SPEAKER: Your committee on public libraries, to whom was referred House File No. 116, a bill for an act authorizing and directing the Curator of the Historical, Memorial and Art Department of Iowa to acquire and preserve materials illustrative of early Iowa processes and events, now the property of the widow of George Shull, and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, after being referred to the appropriations committee.

CAROLYN C. PENDRAY, *Chairman*.

Report adopted.

The Speaker announced that House File No. 116 would be rereferred to the committee on appropriations.

Allen of Pocahontas, from the committee on state educational institutions, submitted the following reports:

MR. SPEAKER: Your committee on state educational institutions, to whom was referred Senate File No. 44, a bill for an act to amend chapter 197 of the Code, 1927, entitled "Psychopathic Hospital", beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. H. MAYNE, *Acting Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on state educational institutions, to whom was referred House File No. 245, a bill for an act to provide for the erection and maintenance on state-owned land at the state college of agriculture and mechanic arts at Ames, Iowa, of a fire station and firemen's training tower, and to make an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. H. MAYNE, *Acting Chairman.*

Passed on file.

Berry of Monroe, from the committee on county and township organization, submitted the following reports:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 199, a bill for an act to specify the purposes for which any accumulation or surplus in the county public hospital fund may be used by the trustees of such hospitals; to provide the time during which said trustees shall make their reports; to authorize said trustees to waive, reduce or cancel certain accounts; to specify the legal services which the county attorney shall perform for said trustees; and to provide for the payment of services rendered in said hospitals to private patients, and to this end, to amend section fifty-three hundred fifty-three (5353), fifty-three hundred fifty-nine (5359), fifty-three hundred sixty-three (5363), and fifty-three hundred sixty-four (5364) code, 1927, relating to said hospitals, beg leave to report they have had the same 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 5 and 6 of Section 1, the following:

"for additional buildings, improvements to existing buildings, purchase of additional sites, or".

H. S. BERRY, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 318, a bill for an act to repeal section one (1), chapter one hundred ninety-seven (197), acts forty-third (43rd) general assembly, relating to an emergency fund in municipalities and to the power to levy taxes for such fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

H. S. BERRY, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on county and township organization, to whom was referred Senate File No. 169, a bill for an act to amend section sixty-nine hundred forty-nine (6949), Code 1927, relating to the time of filing claims for exemption from taxation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 333, a bill for an act to amend section fifty-five hundred forty-three (5543), code of 1927, relating to meetings of the township trustees, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking from line six the word "September", and inserting in lieu thereof the word "April".

H. S. BERRY, *Chairman*.

Report adopted.

Shields of Clarke, 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. 85, a bill for an act to amend section forty-seven hundred fifty-five b thirty-six (4755-b36) of the Code, relating to the transfer of powers and duties of the Board of Supervisors with respect to primary roads, to the State Highway Commission, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman*.

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 70, a bill for an act to amend section twelve thousand five hundred fifty-four (12554) of the Code, 1927, relating to fines and forfeitures and the disposition 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 20, a bill for an act to repeal section seventy-two hundred seventy-nine (7279), Code, 1927, relating to notice of expiration of right of redemption from tax sale, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 27, a bill for an act to amend Section 4 of Chapter 6 of the Acts of the Forty-third General Assembly of the State of Iowa, relating to the issuance of shares of stock of corporations without par value, beg leave to report they have 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. B. FORSLING, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 298, a bill for an act to amend chapter one hundred forty-two (142) acts of the forty-third (43rd) general assembly, relating to marginal assignments or releases, beg leave to report they have 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. B. FORSLING, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 289, a bill for an act providing for the registering and licensing of motor vehicles and aircraft mechanics, beg leave to report they have 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. B. FORSLING, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 304, a bill for an act to amend section eleven thousand and eighty-one (11081) of the code, 1927, relating to publication of notice in civil actions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 291, a bill for an act to repeal chapter four hundred fifty-six (456) of the code, 1927, and to enact a substitute therefor, relating to artisans' liens, their recording and enforcement, beg leave to report they have 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. B. FORSLING, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 95, a bill for an act to amend sections eleven thousand five hundred eight (11508), eleven thousand five hundred nine (11509), thirteen thousand nine hundred twenty-five (13925), and thirteen thousand nine hundred thirty (13930), code of 1927, relating to verdicts in civil and criminal cases so as to provide that a verdict may be returned when ten (10) jurors agree thereon, beg leave to report they have 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. B. FORSLING, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 380, a bill for an act to repeal chapter three (3) acts of the forty-third (43rd) general assembly, and to amend section two hundred thirty-five (235) code, 1927, relating to the free distribution of codes and session laws, beg leave to report they have had the same under con-

sideration 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 judiciary, to whom was referred House File No. 55, a bill for an act to repeal sections ten thousand nine hundred eight (10908), ten thousand nine hundred nine (10909), ten thousand nine hundred fifteen (10915), ten thousand nine hundred sixteen (10916), ten thousand nine hundred eighteen (10918), and ten thousand nine hundred nineteen (10919); and to amend section ten thousand nine hundred ten (10910), code of 1927, relating to admission to the practice of 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 do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 421, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation, beg leave to report they have had 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 judiciary, to whom was referred House File No. 392, a bill for an act to amend chapter five hundred twenty-two (522) of the code, 1927, relating to partition procedure, beg leave to report they have had 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 judiciary, to whom was referred House File No. 429, a bill for an act to amend section twelve thousand three hundred and forty-three (12343) of the code, 1927, relating to the sale of lands in actions for partition at private sale, beg leave to report they have had 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 judiciary, to whom was referred House File No. 311, a bill for an act to amend section seventy-two hundred seventy-nine (7279) code, 1927, relative to the service of notice of the right of redemption, and to provide for the service of notice on a municipality in event of a lien on real property, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 314, a bill for an act to amend section eleven thousand eight hundred eighty-three (11883) Code, 1927, relating to the appointment of administrators of 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 placing a period (.) after the word "state" where said word first appears in the bill, and by striking the remainder of the bill.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 166, a bill for an act to amend section ten thousand four hundred fifty-one (10451), Code, 1927, relating to conveyances by commissioners on behalf of insane spouses, and providing for the filing of certified copies of decrees in certain instances, beg leave to report they have had the same 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 2.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 360, a bill for an act to amend the law regulating the sale



of securities as appears in chapter ten (10) acts of forty-third (43rd) general assembly, relating to sub-section one (1) of section three (3) entitled "definitions" in which the term "security" is defined; to amend sub-section "f" of section four (4) relating to exempt securities; to repeal section five (5) paragraph "c" relating to exempt transactions and to enact a substitute therefor; to amend section eleven (11) relating to registration of dealers and salesmen; to amend section thirteen "a" (13 "a") relating to bond and conditions; to repeal section sixteen (16) relating to injunctions and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend Section six (6) paragraph four (4) by striking from line ninety-three (93) therein the word "shall" and in lieu thereof inserting the word "may."

2. In line ninety-four (94) thereof, after the word "injunction" by inserting the following words: ", as hereinafter provided,".

3. In line ninety-six (96) striking the word "shall" and in lieu thereof inserting the word "may"; after the word "injunction" inserting the following words: ", as hereinafter provided,".

Also by inserting after line ten (10) of sub-section two (2) of section six (6), the following: "The action for an injunction, whether temporary or permanent, or for appointment of a receiver, or both, shall follow the same procedure, so far as applicable, as provided in chapter five hundred thirty-five (535) and five hundred forty-nine (549) of the code of 1927, and any acts amendatory thereof."

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 295, a bill for an act to amend section forty-seven (47), code of 1927, prescribing the form in which amendatory offerings for any section of the code of Iowa must appear in the bill, beg leave to report they have had the same 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 "show" in line 9 of Section 1 the following: "such part or parts as are to be deleted in brackets and".

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the

House, House File No. 453, a bill for an act to amend section five hundred six (506), Code, 1927, relating to proclamations for elections.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 454, a bill for an act to amend section twelve thousand eight hundred twenty-three (12823), Code, 1927, relating to appeals to the supreme court.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 373, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding of a special election for the purpose of authorizing a one mill levy for the establishment, improvement, maintenance and operation of an airport and in issuing airport certificates for such purpose, and to authorize the annual levying of such tax and the anticipation of the collection of such tax by the issuance of said certificates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass.

Amend by striking from lines one (1) and two (2) of section one (1) the following: "said election on said proposition" and by inserting in lieu thereof the following: "the election held in Council Bluffs, Iowa, on August 26, 1929, on the proposition of levying a tax to pay for acquiring, improving, equipping, operating and maintaining an airport".

L. B. FORSLING, *Chairman*.

Report adopted.

Lamb of Dallas, from the committee on private corporations, submitted the following report:

MR. SPEAKER: Your committee on private corporations, to whom was referred Senate File No. 105, a bill for an act to repeal section eight thousand four hundred fifty-seven (8457), Code, 1927, relating to 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.

C. W. LAMB, *Chairman.*

Report adopted.

Torgeson of Worth, from the committee on banks and banking, submitted the following reports:

MR. SPEAKER: Your committee on banks and banking has introduced to the House, House File No. 446, a bill for an act to amend section four (4) of Chapter thirty (30) of the acts of the forty-third (43rd) general assembly and specifying Iowa census figures.

The committee on banks and banking recommends to the House that the bill do pass.

S. R. TORGESON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on banks and banking has introduced to the House, House File No. 444, a bill for an act to amend section seven thousand two (7002) of the code, 1927, and to amend section twenty-three (23), chapter thirty (30), of the acts of the forty-third (43rd) general assembly, to clarify the law relating to the deduction of real estate of banks for purposes of taxation and prohibiting any offset against surplus and undivided profits for losses.

The committee on banks and banking recommends to the House that the bill do pass.

S. R. TORGESON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on banks and banking has introduced to the House, House File No. 445, a bill for an act to amend section twenty-five (25) chapter thirty (30) of the acts of the forty-third (43rd) general assembly relating to false statements for credit.

The committee on banks and banking recommends to the House that the bill do pass.

S. R. TORGESON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on banks and banking has introduced to the House, House File No. 443, a bill for an act to provide that the requirements of chapter ten (10) of the acts of the forty-third (43rd) general assembly shall not apply to State and Savings Banks and Trust

Companies and National Banks subject to the jurisdiction of the banking department of the respective State or Federal Government.

The committee on banks and banking recommends to the House that the bill do pass.

S. R. TORGESON, *Chairman*.

Report adopted.

Brown of Polk, from the committee on cities and towns, submitted the following reports:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 415, a bill for an act to amend section fifty-seven hundred twelve (5712), code, 1927, relating to civil service, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 284, a bill for an act to amend Section Sixty-seven hundred seventy-eight (6778) of the code, 1927, to make provisions of section seven (7) of senate file one hundred seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 326, a bill for an act to permit cities and towns to provide a pension system for aged and disabled waterworks 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 be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 350, a bill for an act providing for the cancellation of taxes levied and assessed against waterworks systems and property purchased by cities of one hundred thousand inhabitants or more, including cities under commission plan of government, and including lands pur-

chased for extension of such systems, and to protect the water supply, in cases where such taxes are levied and assessed or become due after such purchase, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 391, a bill for an act to authorize the council of any city or town to enter into the business of acquiring for sale and selling motor fuels, when, in the judgment of said council, said motor fuels are being sold at an exorbitant price in said city or town, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 399, a bill for an act granting power and authority to cities and towns, including cities acting under special charter and the board of trustees of municipal-owned utility plants to buy, sell, and dispose of electrical, gas, water, and heating equipment, fixtures, appliances, and merchandise, and to furnish service for the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

#### INTRODUCTION OF BILLS

House File No. 442, by Tamisiea of Harrison, Greene of Pottawattamie, Forsling of Woodbury, Rutledge of Webster and Husted of Madison, a bill for an act to repeal section five hundred twenty-six a one (526-a1) of the code, 1927, and to enact a substitute therefor, redistricting the state into nine (9) congressional districts.

Read first and second times and referred to committee on judicial and political districts.

House File No. 443, by committee on banks and banking, a bill for an act to provide that the requirements of chapter ten (10) of the acts of the forty-third (43rd) general assembly shall not apply to State and Savings Banks and Trust Companies and National Banks subject to the jurisdiction of the banking department of the respective State or Federal Government.

Read first and second times and passed on file.

House File No. 444, by committee on banks and banking, a bill for an act to amend section seven thousand two (7002) of the code, 1927, and to amend section twenty-three (23), chapter thirty (30) of the acts of the forty-third (43rd) general assembly, to clarify the law relating to the deduction of real estate of banks for purposes of taxation and prohibiting any offset against surplus and undivided profits for losses.

Read first and second times and passed on file.

House File No. 445, by committee on banks and banking, a bill for an act to amend section twenty-five (25) chapter thirty (30) of the acts of the forty-third (43rd) general assembly relating to false statements for credit.

Read first and second times and passed on file.

House File No. 446, by committee on banks and banking, a bill for an act to amend section four (4) of chapter thirty (30) of the acts of the forty-third (43rd) general assembly and specifying Iowa census figures.

Read first and second times and passed on file.

House File No. 447, by Strachan of Humboldt, a bill for an act to amend the law as it appears in section four thousand ninety-seven (4097), code, 1927, relating to the qualifications of the county superintendent.

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

House File No. 448, by McCreery of Linn, a bill for an act to repeal the law as it appears in section fifty hundred twenty-seven (5027) of the code, 1927, and to enact a substitute therefor relating to driving a motor vehicle while intoxicated, and prescribing punishments therefor.

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

House File No. 449, by Hopkins of Guthrie, a bill for an act to amend section eighty-three hundred sixty-five (8365) of the code, 1927, relating to the conditions for the renewal of corporations.

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

House File No. 450, by Dayton of Washington, a bill for an act to amend section twenty-five hundred sixty-four (2564), of the code, 1927, pertaining to the requirements necessary for training school for nurses.

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

House File No. 451, by Ryder of Dubuque, a bill for an act to repeal section fifty hundred fifty-eight (5058), code, 1927, and to enact a substitute therefor, relating to parking restrictions.

Read first and second times and referred to committee on cities and towns.

House File No. 452, by Davis of Delaware and Reed of Mahaska, a bill for an act to amend section ninety-four hundred twenty (9420), of the code, 1927, relating to the interest rate permitted upon chattel loans by small loan companies.

Read first and second times and referred to committee on building and loan.

House File No. 453, by committee on judiciary, a bill for an act to amend section five hundred six (506), Code, 1927, relating to proclamations for elections.

Read first and second times and passed on file.

House File No. 454, by committee on judiciary, a bill for an act to amend section twelve thousand eight hundred twenty-three (12823), Code, 1927, relating to appeals to the supreme court.

Read first and second times and passed on file.

House File No. 455, by Hayes of Dubuque, a bill for an act to provide that all penalties on delinquent motor vehicle license

fees collected by any county treasurer shall be credited to and paid by him into the secondary road construction fund of his county, and to amend section forty-nine hundred twenty-six (4926) of the code, 1927, as amended by chapter one hundred twenty-two (122) acts of the forty-third (43rd) general assembly, relative to diverting penalties to the reimbursement fund.

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

House File No. 456, by Thiessen of Clinton, a bill for an act to amend section forty-nine hundred ten (4910), Code, 1927, relating to license fees on motor vehicles.

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

House File No. 457, by Wearin of Mills, a bill for an act to amend section thirty hundred seventy-six (3076), of the code, 1927, relating to the pasteurization of cream and milk.

Read first and second times and referred to committee on dairy and food.

#### HOUSE FILES WITHDRAWN

Elliott of Scott asked and obtained unanimous consent to have House File No. 387 withdrawn from the committee on cities and towns and from further consideration of the House.

Whiting of Johnson asked and obtained unanimous consent to have House File No. 58 withdrawn from the committee on state educational institutions and from further consideration of the House.

#### SPECIAL ORDER MADE

Berry of Monroe asked and obtained unanimous consent to have House File No. 1 made a special order for Thursday, March 19th, at 10:00 a. m.

#### CONSIDERATION OF BILLS

House File No. 328, a bill for an act to repeal sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), code, 1927, relating to school census and to enact substi-



tutes therefor, to provide for a biennial school census, and to amend section forty-three hundred thirteen (4313), code, 1927, relating to reporting school census, with report of committee on schools and textbooks recommending passage, was taken up for consideration.

Hopkins 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, 83.

Avery	Gissel	Long	Roe
Babcock	Greaser	McCaulley	Ryder
Bair	Hansen of	McCreery	Shields
Ballew	Audubon	McDermott	Short
Beath	Helgason	McLain	Snyder
Berry	Hesse	Malone	Sours
Bonnstetter	Hollingsworth	Mathews	Stanzel
Davis	Hollis	Mayne	Stiger
Dayton	Hook	Mead	Strachan
Ditto	Hopkins	Millhone	TePaske
Donlon	Hush	Morton	Thiessen
Drake of Keokuk	Hutcheon	Nelson of	Thompson
Durant	Johnson of	Cherokee	Torgeson
Elliott	Marion	Osborn	Van Buren
Ellsworth	<b>Kern</b>	Paisley	Van Wert
Fabritz	Koch	Pattison	Wamstad
Felter	Kohler	Peaco	Watts
Figgins	Lamb	Pendray	Wearin
Finnern	Langland	Randolph	Whiting
Gallagher	Lepley	Ratliff	Witt
Garrett	Lichty	Rawlings	Mr. Speaker
Gilmore		Reed	

The nays were, none.

Absent or not voting, 25.

Aiken	Drake of	Hayes	Orr
Allen	Muscatine	Hunt	Randall
Augustine	Forsling	Husted	Reimers
Brown	Greene	Laughlin	Rutledge
Byers	Hansen of Scott	Miller	Rylander
Craven	Hanson of	Nelson of Story	Simmer
	Winnebago	O'Donnell	Tamisia

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

House File No. 109, a bill for an act to repeal sections twelve thousand nine hundred thirty-six (12936) and twelve thousand nine hundred thirty-eight (12938) and to enact substitutes therefor, and to amend sections twelve thousand nine hundred thirty-

nine (12939), twelve thousand nine hundred forty-one (12941), twelve thousand nine hundred forty-six (12946), twelve thousand nine hundred forty-seven (12947), twelve thousand nine hundred forty-nine (12949), twelve thousand nine hundred fifty-one (12951), twelve thousand nine hundred fifty-two (12952), twelve thousand nine hundred fifty-three (12953), and twelve thousand nine hundred fifty-five (12955), all of the Code, 1927, relating to the carrying of certain weapons on the person, or having said weapons in or about vehicles, and regulating permits pertaining thereto, with report of committee recommending passage, was taken up for consideration.

Bair of Buena Vista called up the amendment filed by him and found in the Journal of February 23d, and moved its adoption.

Amendment adopted.

Bair of Buena Vista asked and obtained unanimous consent to withdraw the amendment filed by him and found in the Journal of March 11th.

Forsling of Woodbury moved that further action on House File No. 109 be deferred and that the bill retain its place on the calendar.

Motion prevailed.

The hour having arrived for the special order, House File No. 377, a bill for an act to provide and adopt standard sets of specifications for use in the state of Iowa by all distributors of motor vehicle fuel, and requiring that no motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regulating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act, with report of committee recommending passage, was taken up for consideration.

Wamstad of Mitchell called up the amendment filed by him and found in the Journal of March 11th and moved its adoption.

Amendment adopted.

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

On the question "Shall the bill pass?"

The ayes were, 91.

Augustine	Garrett	McCauley	Roe
Avery	Gissel	McDermott	Rutledge
Babcock	Greene	McLain	Ryder
Bair	Hansen of	Malone	Rylander
Ballew	Audubon	Mathews	Shields
Beath	Hansen of Scott	Mayne	Short
Berry	Hanson of	Mead	Simmer
Bonnstetter	Winnebago	Millhone	Snyder
Brown	Helgason	Morton	Sours
Craven	Hollis	Nelson of	Stanzel
Davis	Hook	Cherokee	Stiger
Dayton	Hopkins	Nelson of Story	Strachan
Donlon	Hush	O'Donnell	Tamisiea
Drake of Keokuk	Husted	Osborn	TePaske
Drake of	Johnson of	Paisley	Thiessen
Muscatine	Marion	Pattison	Thompson
Durant	Kern	Peaco	Torgeson
Ellsworth	Koch	Pendray	Van Buren
Fabritz	Kohler	Randall	Van Wert
Felter	Lamb	Randolph	Wamstad
Figgins	Langland	Ratliff	Watts
Finnern	Lepley	Rawlings	Wearin
Forsling	Lichty	Reed	Whiting
Gallagher	Long	Reimers	Mr. Speaker

The nays were, none.

Absent or not voting, 17.

Aiken	Gilmore	Hollingsworth	McCreery
Allen	Greaser	Hunt	Miller
Byers	Hayes	Hutcheon	Orr
Ditto	Hesse	Laughlin	Witt
Elliott			

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

House File No. 203, a bill for an act to amend section fifty-five hundred seventy-six (5576) of the code, 1927, relating to transfer of township funds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Greaser of Benton, the amendment proposed by the committee, found in the Journal of February 19th, was adopted.

Whiting 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, 90.

Augustine	Gallagher	Lepley	Reed
Avery	Garrett	Lichty	Reimers
Babcock	Gilmore	Long	Roe
Bair	Gissel	McCreery	Ryder
Ballew	Greaser	McDermott	Rylander
Beath	Hansen of Scott	McLain	Shields
Berry	Hanson of	Malone	Short
Bonnstetter	Winnebago	Mathews	Snyder
Brown	Helgason	Mead	Sours
Craven	Hesse	Millhone	Stanzel
Davis	Hollis	Morton	Stiger
Dayton	Hook	Nelson of	Strachan
Ditto	Hopkins	Cherokee	Tamisica
Donlon	Hush	Nelson of Story	TePaske
Drake of Keokuk	Husted	O'Donnell	Thiessen
Drake of	Hutcheon	Osborn	Thompson
Muscatine	Johnson of	Paisley	Torgeson
Durant	Marion	Pattison	Van Wert
Elliott	Kern	Peaco	Wamstad
Ellsworth	Koch	Pendray	Wearin
Fabritz	Kohler	Randall	Whiting
Felter	Lamb	Randolph	Witt
Figgins	Langland	Ratliff	Mr. Speaker
Forsling		Rawlings	

The nays were, none.

Absent or not voting, 18.

Aiken	Hansen of	Laughlin	Rutledge
Allen	Audubon	McCaulley	Simmer
Byers	Hayes	Mayne	Van Buren
Finnern	Hollingsworth	Miller	Watts
Greene	Hunt	Orr	

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

Whiting of Johnson moved that the vote by which House File No. 203 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### RULE 58 INVOKED

Torgeson of Worth invoked Rule 58 with reference to House File No. 217.

Torgeson of Worth asked unanimous consent to have House File No. 217 made a special order for Wednesday, March 18th, at 10:00 a. m.

Objection was made.

Torgeson of Worth moved that House File No. 217 be made a special order for Wednesday, March 18th, at 10:00 a. m.

On the question "Shall House File No. 217 be made a special order?" a roll call was demanded.

The ayes were, 61.

Augustine	Finnern	Mathews	Shields
Babcock	Forsling	Mead	Short
Ballew	Gissel	Nelson of	Simmer
Beath	Hanson of	Cherokee	Snyder
Berry	Winnebago	Nelson of Story	Stanzel
Bonnstetter	Helgason	O'Donnell	Strachan
Brown	Hollingsworth	Pattison	TePaske
Craven	Hook	Pendray	Thiessen
Davis	Hopkins	Randall	Thompson
Dayton	Hush	Randolph	Torgeson
Donlon	Husted	Ratliff	Van Buren
Drake of	Lamb	Rawlings	Van Wert
Muscatine	Langland	Reimers	Wamstad
Durant	Lepley	Roe	Watts
Felter	McDermott	Ryder	Whiting
Figgins	McLain	Rylander	Mr. Speaker

The nays were, 35.

Avery	Hansen of	Koch	Osborn
Bair	Audubon	Kohler	Paisley
Drake of Keokuk	Hansen of Scott	Lichty	Peaco
Elliott	Hesse	Long	Reed
Ellsworth	Hollis	McCauley	Sours
Fabritz	Hutcheon	McCreery	Stiger
Gallagher	Johnson of	Malone	Tamisia
Garrett	Marion	Millhone	Wearin
Gilmore	Kern	Morton	Witt
Greaser			

Absent or not voting, 12.

Aiken	Ditto	Hunt	Miller
Allen	Greene	Laughlin	Orr
Byers	Hayes	Mayne	Rutledge

Motion prevailed and House File No. 217 was made a Special Order.

House File No. 334, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1927, relating to the refunding of the tax on gasoline, with report of committee on judiciary recommending passage, was taken up for consideration.

McCauley 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, 89.

Aiken	Forsling	Langland	Reimers
Augustine	Gallagher	Lepley	Roe
Avery	Garrett	Lichty	Ryder
Babcock	Gilmore	Long	Rylander
Bair	Gissel	McCaulley	Shields
Ballew	Greaser	McCreery	Short
Beath	Hansen of	McDermott	Simmer
Berry	Audubon	McLain	Snyder
Bonnstetter	Hanson of	Mathews	Sours
Brown	Winnebago	Mead	Stanzel
Craven	Helgason	Millhone	Stiger
Davis	Hollingsworth	Morton	Tamisiea
Ditto	Hollis	Nelson of	TePaske
Donlon	Hook	Cherokee	Thiessen
Drake of Keokuk	Hopkins	Osborn	Thompson
Drake of	Husted	Paisley	Torgeson
Muscatine	Hutcheon	Pattison	Van Buren
Durant	Johnson of	Peaco	Van Wert
Elliott	Marion	Pendray	Wamstad
Ellsworth	Kern	Randall	Watts
Fabritz	Koch	Randolph	Wearin
Felter	Kohler	Ratliff	Whiting
Figgins	Lamb	Rawlings	Mr. Speaker
Finnern		Reed	

The nays were, none.

Absent or not voting, 19.

Allen	Hayes	Malone	Orr
Byers	Hesse	Mayne	Rutledge
Dayton	Hunt	Miller	Strachan
Greene	Hush	Nelson of Story	Witt
Hansen of Scott	Laughlin	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. 335, a bill for an act to repeal chapter one hundred sixty-two (162), acts of the forty-third (43rd) general assembly, and to enact a substitute therefor, relating to the election and appointment of city and town officers, and to amend section fifty-six hundred thirty-nine (5639), Code, 1927, relating to the power of a mayor to hold police court, with report of committee on judiciary 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, 82.

Augustine	Gilmore	Langland	Reed
Avery	Gissel	Lepley	Reimers
Babcock	Greaser	Lichty	Roe
Bair	Hansen of	Long	Rylander
Ballew	Audubon	McCaulley	Shields
Beath	Hansen of Scott	McDermott	Short
Berry	Hanson of	McLain	Sours
Bonnstetter	Winnebago	Mathews	Stanzel
Brown	Helgason	Mead	Stiger
Craven	Hollingsworth	Millhone	Strachan
Ditto	Hollis	Morton	Tamisiea
Donlon	Hook	Nelson of	TePaske
Durant	Hopkins	Cherokee	Thiessen
Elliott	Husted	Nelson of Story	Thompson
Ellsworth	Hutcheon	Osborn	Torgeson
Fabritz	Johnson of	Paisley	Van Buren
Felter	Marion	Pattison	Van Wert
Figgins	Kern	Peaco	Wamstad
Finnern	Koch	Pendray	Whiting
Forsling	Kohler	Randall	Witt
Gallagher	Lamb	Randolph	Mr. Speaker
Garrett		Rawlings	

The nays were, none.

Absent or not voting, 26.

Aiken	Greene	McCreery	Rutledge
Allen	Hayes	Malone	Ryder
Byers	Hesse	Mayne	Simmer
Davis	Hunt	Miller	Snyder
Dayton	Hush	O'Donnell	Watts
Drake of Keokuk	Laughlin	Orr	Wearin
Drake of Muscatine		Ratliff	

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

House File No. 218, a bill for an act to amend section fifty-one hundred thirty-nine (5139) of the code, 1927, relating to the power of the board of supervisors to order the destruction of certain papers and records, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hansen of Scott, the amendment proposed by the committee, found in the Journal of February 19th, was adopted.

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, 87.

Augustine	Gilmore	Lichty	Roe
Avery	Gissel	Long	Rutledge
Babcock	Greaser	McDermott	Ryder
Ballew	Hansen of Scott	McLain	Shields
Beath	Hanson of	Malone	Short
Berry	Winnebago	Mathews	Simmer
Bonnstetter	Hayes	Mayne	Sours
Brown	Helgason	Millhone	Stanzel
Craven	Hollingsworth	Morton	Stiger
Davis	Hollis	Nelson of	Tamisiea
Ditto	Hook	Cherokee	TePaske
Donlon	Hopkins	Nelson of Story	Thiessen
Drake of Keokuk	Hush	O'Donnell	Thompson
Drake of	Husted	Orr	Torgeson
Muscatine	Hutcheon	Osborn	Van Buren
Durant	Johnson of	Paisley	Van Wert
Elliott	Marion	Pattison	Wamstad
Ellsworth	Kern	Peaco	Watts
Felter	Koch	Pendray	Wearin
Figgins	Kohler	Randolph	Whiting
Finnern	Lamb	Rawlings	Witt
Gallagher	Langland	Reed	Mr. Speaker
Garrett	Lepley	Reimers	

The nays were, none.

Absent or not voting, 21.

Aiken	Forsling	Laughlin	Randall
Allen	Greene	McCaulley	Ratliff
Bair	Hansen of	McCreery	Rylander
Byers	Audubon	Mead	Snyder
Dayton	Hesse	Miller	Strachan
Fabritz	Hunt		

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

Unanimous consent having been obtained, Senate File No. 156 was substituted for House File No. 219.

Senate File No. 156, a bill for an act to amend chapter ninety-two (92) Acts of the Forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers, 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, 69.

Augustine	Garrett	Lepley	Pattison
Avery	Gissel	Lichty	Randolph
Babcock	Greaser	Long	Ratliff
Bair	Hansen of Scott	McCaulley	Rawlings
Beath	Hayes	McCreery	Reed
Bonnstetter	Hesse	McDermott	Reimers
Brown	Hollingsworth	McLain	Rutledge
Ditto	Hollis	Malone	Ryder
Donlon	Hook	Mathews	Sinner
Drake of	Hopkins	Mead	Sours
Muscatine	Hush	Millhone	Stiger
Durant	Hutcheon	Morton	Tamisiea
Elliott	Johnson of	Nelson of	TePaske
Ellsworth	Marion	Cherokee	Thiessen
Fabritz	Kern	Nelson of Story	Van Wert
Figgins	Kohler	Orr	Watts
Forsling	Lamb	Osborn	Wearin
Gallagher	Langland	Paisley	Whiting

The nays were, 19.

Ballew	Hanson of	Randall	Thompson
Craven	Winnebago	Roe	Torgeson
Felter	Helgason	Rylander	Wamstad
Gilmore	Husted	Shields	Witt
Greene	Koch	Stanzel	Mr. Speaker

Absent or not voting, 20.

Aiken	Drake of Keokuk	Laughlin	Pendray
Allen	Finnern	Mayne	Short
Berry	Hansen of	Miller	Snyder
Byers	Audubon	O'Donnell	Strachan
Davis	Hunt	Peaco	Van Buren
Dayton			

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

Elliott of Scott moved that the vote by which Senate File No. 156 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House Joint Resolution No. 5, a joint resolution proposing an amendment to the constitution of the state of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, relocation and improvement of waterways, and reservations in and

about and along and leading to any or all of the same, with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof, with report of committee recommending passage, was taken up for consideration.

Ratliff of Henry moved the previous question.

Motion prevailed.

Brown 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.

#### HOUSE JOINT RESOLUTION NO. 5

Proposing an amendment to the constitution of the state of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, relocation and improvement of waterways and reservations in and about and along and leading to any or all of the same, with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof.

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

Section 1. That the following amendment to the constitution of the state of Iowa is hereby proposed, to-wit: Cities may acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings and reservations in and about and along and leading to any or all of the same, or for relocation and improvement of waterways and for the establishment, laying out and completion of such improvements, may lease or convey any such real estate thus acquired and not necessary for such improvements, with or without reservations concerning the future use and occupation of such real estate, so as to protect such public work and improvements, and their environs, and to preserve the view, appearance, light, air and usefulness of such public works.

On the question "Shall the joint resolution pass?"

The ayes were, 17.

Aiken  
Augustine  
Avery  
Brown  
Dayton

Durant  
Garrett  
Gilmore  
Greene

Hollingsworth  
Hush  
Hutcheon  
Kern

McDermott  
Mayne  
Millhone  
Rutledge

The nays were, 68.

Babcock	Hanson of	Nelson of	Shields
Bair	Winnebago	Cherokee	Short
Ballew	Hayes	O'Donnell	Sours
Beath	Hesse	Orr	Stanzel
Bonnstetter	Hook	Osborn	Stiger
Craven	Hopkins	Paisley	Strachan
Davis	Husted	Pattison	Tamisiea
Ditto	Johnson of	Peaco	TePaske
Drake of Keokuk	Marion	Pendray	Thiessen
Elliott	Langland	Randall	Thompson
Ellsworth	Lepley	Randolph	Torgeson
Felter	Lichty	Ratliff	Van Buren
Figgins	McLain	Rawlings	Van Wert
Forsling	Malone	Reed	Wamstad
Gallagher	Mathews	Reimers	Wearin
Gissel	Mead	Roe	Whiting
Greaser	Morton	Ryder	Witt
Hansen of Scott		Rylander	Mr. Speaker

Absent or not voting, 23.

Allen	Finnern	Koch	McCreery
Berry	Hansen of	Kohler	Miller
Byers	Audubon	Lamb	Nelson of Story
Donlon	Helgason	Laughlin	Simmer
Drake of	Hollis	Long	Snyder
Muscatine	Hunt	McCaulley	Watts
Fabritz			

So the Joint Resolution having failed to receive a constitutional majority was declared to have failed to pass the House.

House File No. 153, a bill for an act relating to the relocation of rural school houses not situated upon public highways, or the condemnation of public highways to said school houses, and providing funds therefor, with report of committee recommending passage, was taken up for consideration.

Gallagher of Iowa offered the following amendment and moved its adoption:

Amend by striking in lines seven (7), nine (9) and ten (10) of section one (1) the word "amply".

Amendment adopted.

Elliott of Scott moved the previous question.

Motion prevailed.

Van Buren 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, 30.

Avery	Hayes	Lichty	Snyder
Bair	Hollingsworth	Morton	Stiger
Berry	Hollis	Paisley	Thiessen
Durant	Hopkins	Pendray	Van Buren
Gallagher	Hush	Ratliff	Wearin
Gissel	Lamb	Rawlings	Whiting
Greene	Langland	Reimers	Mr. Speaker
Hansen of Scott		Ryder	

The nays were, 56.

Augustine	Garrett	McLain	Roe
Babcock	Greaser	Malone	Rutledge
Ballew	Hanson of	Mathews	Shields
Beath	Winnebago	Mayne	Short
Bonnstetter	Hesse	Mead	Sours
Craven	Hook	Millhone	Stanzel
Dayton	Husted	Nelson of	Strachan
Ditto	Hutcheon	Cherokee	Tamisiea
Donlon	Johnson of	O'Donnell	TePaske
Drake of Keokuk	Marion	Osborn	Thompson
Ellsworth	Koch	Pattison	Torgeson
Felter	Kohler	Peaco	Van Wert
Figgins	Lepley	Randall	Wamstad
Finnern	Long	Randolph	Witt
Forsling	McDermott	Reed	

Absent or not voting, 22.

Aiken	Elliott	Hunt	Nelson of Story
Allen	Fabritz	Kern	Orr
Brown	Gilmore	Laughlin	Rylander
Byers	Hansen of	McCaulley	Simmer
Davis	Audubon	McCreery	Watts
Drake of	Helgason	Miller	
Muscatine			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 56 and 149.

Senate Files Nos. 77 and 43.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 56 and 149.

Senate Files Nos. 77 and 43.

## BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 12th day of March, 1931, sent to the governor for his approval:

House Files Nos. 56 and 149.

C. J. ORR, *Chairman*.

Report adopted.

## AMENDMENTS FILED

Van Buren of Jones filed the following amendments to House File No. 250:

Amend House File No. 250 as follows:

By striking from section one (1), line four (4), the word "six" and inserting in lieu thereof the word "eight".

By striking from section two (2), line four (4), the word "six" and inserting in lieu thereof the word "eight".

Also amend by striking from section three (3), lines five (5) and six (6) the words and figures "six cents (6c)" and inserting in lieu thereof the words and figures "eight cents (8c)".

Also by striking from section four (4), line four (4), the word "six" and inserting in lieu thereof the word "eight".

Further amend by striking from section five (5), line four (4) the word "six" and inserting in lieu thereof the word "eight".

Also amend by striking from section six (6), line five (5), the words and figure "six cents (6c)" and inserting in lieu thereof the words and figure "eight cents (8c)".

Fabritz of Wapello, Peaco of Clinton and Nelson of Story filed the following amendments to Senate File No. 133:

We move to amend Senate File No. 133 as follows:

By striking out section four (4) and inserting in place thereof the following:

"Section 4. It shall be unlawful to use or operate on or over any of the highways of this state any such vehicle of a maximum width in excess of eight feet, or of a maximum length as follows:

"A vehicle carrying only persons and/or mail and/or express, maximum length, 26 feet over all;

"A vehicle carrying property or goods, maximum length, 24 feet over all;

"A single trailer, maximum length, 16 feet over all;

"A semi-trailer, including the motor vehicle, maximum length, 26 feet over all;

"Combined length of motor vehicle and trailer or trailers and load, maximum length, 45 feet over all; nor shall any such vehicle, together with its load, exceed such prescribed maximum width, height, or length, provided, that the limitation as to width, height and length of loads shall not apply to loads of loose hay, straw, or other similar farm products.

"Such vehicles used for the carrying of persons and/or mail and/or express, only, and in use on or over the highways of this state at the time of the effective date of this act, shall be exempted from the provisions hereof for the period of three years from and after such date."

Long of Cerro Gordo filed the following amendment to House File No. 339:

Amend House File No. 339 by striking from lines five (5) and six (6) of section two (2) thereof, the following: "paragraph one (1) thereof" and by substituting therefor the words "said section", to comply with Senate File No. 274.

Ellsworth of Hardin filed the following amendment to House File No. 402:

Amend House File No. 402 by adding to Section 21, subdivision (f) as follows:

"(f) Any person who practices the profession of engineering or land surveying solely as a regular employe of a municipally owned and operated public utility."

Johnson of Marion filed the following amendment to House File No. 337:

Amend House File No. 337 by striking out all after the enacting clause and inserting in lieu thereof the following:

"That chapter Five hundred nine (509) of the code of 1927 is amended by adding thereto the following:

Section 1. Compensation of guardians, trustees, receivers and their attorneys.

The court shall allow and fix from time to time the compensation of guardians, trustees and receivers and their attorneys for such services as they shall render as shown by an itemized claim or report made and filed setting forth what such services consist of from time to time during the period of time they continue to act in such capacities.

Sec. 2. Affidavit relative to compensation.

In no case shall the compensation of executors, administrators, guardians, trustees, receivers and their attorneys be allowed or paid until there shall have been filed with the clerk of the district court in which administration of the estate is pending an affidavit of the executor, administrator, guardian, trustee, receiver or attorney as the case may be stating that there is no contract, agreement, or arrangement, either oral or written, express or implied, contemplating any divisions of compensation for such services, or participation therein, directly or indirectly, by any other person, firm or corporation with such executor, administrator, guardian, trustee, receiver or attorney unless it be with one jointly serving with them in the same capacity in relation to the estate in which such compensation is allowed, in which event the affidavit shall show such fact.

Sec. 3. Affidavit for corporation fiduciary.

In any case where a corporation is acting as fiduciary under and by virtue of the provisions of chapter four hundred sixteen (416) of the code of 1927, the affidavit required by the last preceding section shall be executed and made by the president or some executive officer of such corporation."

Also further amend by striking out the title and inserting in lieu thereof the following:

"An Act to amend chapter five hundred nine (509) of the code of 1927 relating to the accounting of executors and administrators and to the compensation and expenses allowed executors, administrators, guardians, trustees, receivers and their attorneys."

Augustine of Ringgold filed the following amendment to House File No. 155:

Amend the committee amendment to House File No. 155 by inserting in line two (2) of subdivision thirteen (13) thereof, after the word "surveyor" the following: "professional engineer, architect,".

On motion of Hush of Montgomery 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, MARCH 13, 1931.

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

Prayer was offered by Mrs. Ira D. Halvarsen of the Goldfield Baptist Church, Goldfield, Iowa.

Journal of March 12th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Felter of Warren, from railroad employes of Warren county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Craven of Jasper, from citizens of Jasper county, asking that trucks and busses be required by law to build and operate their own highways the same as railroads do. Motor vehicles and transportation.

By Hollingsworth of Boone, from citizens of Boone, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Kern of Polk, from citizens of Des Moines, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Nelson of Story, from citizens of Nevada, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Pendray of Jackson, from citizens of Lamotte, favoring a diversion of the primary road fund. Roads and highways.



By Randall of Lucas, from citizens of Lucas county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Ratliff of Henry, from citizens of Wayland, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rutledge of Webster, from citizens of Burnside, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rylander of Marshall, from citizens of Marshall county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Simmer of Wapello, from citizens of Wapello county, favoring laws enforcing a speed limit on Iowa roads, and against the increased candle power on automobiles. Motor vehicles and transportation.

By Snyder of Hamilton, from members of the Hamilton County Veterinary association, favoring House File No. 233; and from teachers of Webster City, favoring granting a Standard Elementary Certificate to teachers of 15 years' experience. Animal industry, and schools and textbooks.

By Davis of Delaware, from citizens of Delaware, favoring a diversion of the primary road fund. Roads and highways.

By Hesse of O'Brien, from citizens of Hartley, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Hook of Taylor, from citizens of Taylor county, opposing the county assessor plan. Tax revision.

By Hutecheon of Greene, from citizens of Dana, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By McLain of Poweshiek, from citizens of Montezuma, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Johnson of Marion, from citizens of Bussey, favoring a diversion of the primary road fund. Roads and highways.

By Reed of Mahaska, from the New Sharon Chamber of Commerce, and from citizens of Oskaloosa, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Lichty of Black Hawk, from 1216 citizens of Waterloo, favoring a diversion of the primary road fund. Roads and highways.

By Greaser of Benton, from citizens of Atkins, favoring a diversion of the primary road fund. Roads and highways.

By Wearin of Mills, from citizens of Glenwood and Blue Grass, favoring a diversion of the primary road fund. Roads and highways.

#### REPORTS OF COMMITTEES

Rylander or Marshall, from the committee on board of control, submitted the following reports:

MR. SPEAKER: Your committee on board of control, to whom was referred Senate File No. 69, a bill for an act to amend section thirty-four hundred five (3405), Code, 1927, relating to the release of inmates of the institution for feeble-minded at Glenwood, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that 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. Immediately upon the return of such inmate to its parent or guardian under section 1, the board shall notify the court from which the commitment of such inmate was made of such action for the purpose of the completion of the court record.

JOHN F. RYLANDER, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on board of control, to whom was referred Senate File No. 68, a bill for an act to amend section thirty-six hundred forty-nine (3649), Code, 1927, relating to the commitment and discharge of neglected, dependent, and delinquent children, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN F. RYLANDER, *Chairman*.

Report adopted.

Hush of Montgomery, 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. 73, a bill for an act to amend section seventy-two hundred eleven (7211), code of 1927, relating to payment of taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

HOMER HUSH, *Chairman.*

Passed on file.

Simmer of Wapello, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance, to whom was referred House File No. 252, a bill for an act relating to mutual hail insurance associations; to limit the amount which they may expend for the payment of liabilities or expenses other than those incurred for taxes or loss or damage by hail; to limit the amount of their emergency, reserve or surplus funds; to require them to pay claims which are not in dispute for loss or damage by hail before the last day of the calendar year in which the loss or damage occurs; to include the month of May within those months during which their policies and contracts may be cancelled only at the option of the association; to limit their right to charge their members for the cancellation of their membership, policies or contracts; and to amend sections nine thousand thirty-seven (9037), nine thousand forty (9040), nine thousand forty-eight (9048) and nine thousand fifty-five (9055) of the code, 1927, beg leave to report they have had the same 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:

In line six (6) of section one (1) strike the words: "eight-tenths of".

In lines nine (9) and ten (10), strike the words "refunds of assessments in payment of losses."

LEONARD SIMMER, *Chairman.*

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 469, a bill for an act to amend, revise and codify section ten thousand nine hundred seven (10907), code of 1927, relating to admission to the bar.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 470, a bill for an act defining the term "practice of law", and prohibiting the practice of law by corporations and by persons not admitted to the bar or licensed to practice law or who are under judgment or disbarment or suspension, and providing a penalty for violations thereof.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 128, a bill for an act to provide for liens in favor of hospitals furnishing care, treatment and maintenance for persons injured in accidents, and in favor of physicians and nurses attending upon, treating or caring for such injured persons, said liens to be against any claim, demand, verdict or order, in favor of the injured person or in case of death, his estate, heirs or legal representatives, against other persons, or corporations for damages on account of negligence causing the injuries or death, and upon the proceeds of the settlements of any such claims or demands, verdicts or orders, beg leave to report they have had the same 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 out from the title thereof, beginning with the word "and", following the comma (,) in line two (2) thereof, and ending with the word "persons" in line four (4) thereof.

2. By striking out all of said bill after the enacting clause, and substituting in lieu thereof, the following:

"Section 1. Every person, firm, charitable association, corporation, or other institution maintaining a hospital in the state of Iowa, including state, county and municipal hospitals, shall be entitled to a lien upon any and all rights of action, suits, claims, counterclaims or demands of any person admitted to any such hospital and receiving treatment, care and maintenance therein, on account of any personal injuries received in any accident as a result of the negligence of any person or corporation, which any such injured person may or shall have, assert or maintain against any other person or corporation for damages on account of such injuries, said lien to be for the amount of the regular and customary charges of such hospital for such treatment, care and maintenance.

Sec. 2. The lien of any such hospital shall attach to any verdict, report, decision, decree, award, judgment or final order, made or rendered in any action or proceeding before any public board or court of record in

the state of Iowa, in any suit, action, or proceeding brought by such injured person, or by the estate of such injured person in case of death as a result of such injuries, against any other person or corporation for the recovery of damages or compensation on account of injuries received in any such accident, as well as the proceeds of any settlement thereof, or the settlement of any such claim or demand affected by any such injured person with any other person or corporation whose negligence is claimed or alleged to have been the cause of the said accident, resulting in injury or death.

Sec. 3. No release or any claim or demand, verdict, report, decision, decree, award, judgment, or final order made or rendered as hereinbefore mentioned, executed by any such person, on account of any such injuries, or his or her estate, heirs or legal representatives, for death caused by such injuries, shall be valid or effectual between the parties thereto, their heirs, legal representatives, successors, or assigns, unless prior to the execution and delivery thereof, all such charges of any such hospital, filing a lien as herein provided shall have been paid in full.

Sec. 4. Every person, firm, charitable association, corporation or other institution, maintaining or operating a hospital, who wishes to avail themselves of a lien shall, within ten (10) days after the last service has been rendered the injured person in such hospital, which service shall be in connection with the first confinement therein, file with the clerk of the district court of the county in which the accident occurred, a verified, itemized statement of account, after allowing all credits, setting forth:

1. The name of the hospital, filing the lien.
2. The name of the person against whom filed.
3. The amount of the claim itemized.
4. The dates on which the services were rendered, and the nature of said services.

Sec. 5. The clerk of the district court shall endorse upon every claim for a lien filed in his office, the date and hour of filing, and make an abstract thereof in the hospital lien book, kept for that purpose; said book shall be properly indexed and shall contain the following items concerning such claim:

1. The name of the hospital, by whom filed.
2. The date and hour of filing.
3. The amount thereof.
4. The name of the person against whom filed.

The hospital filing said lien, shall pay the clerk of the district court the sum of one dollar (\$1.00) for filing and endorsing each lien.

Sec. 6. Nothing in this act shall apply to common carriers or employers covered by workman's compensation.

L. B. FORSLING, *Chairman*.

Report adopted.

Hunt of Louisa, from the committee on drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage, to whom was referred House File No. 427, a bill for an act to repeal sections seventy-four hundred sixty-six (7466), and seventy-four hundred seventy-six (7476), code, 1927, and to enact a substitute therefor, relating to the classification of land within drainage 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.

RALPH R. HUNT, *Chairman*.

Report adopted.

Hollis of Black Hawk, from the committee on conservation of resources, submitted the following reports:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 214, a bill for an act to amend the law as it appears in chapter eighty-seven (87) of the 1927 code, providing for the payment of costs of removal of obstructions from state lands and waters by the owner thereof after the removal thereof by the state, creating a lien therefor and providing for the foreclosure of said lien, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. HOLLIS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 215, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the state of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion 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. A. HOLLIS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 216, a bill for an act to amend section sev-

enteen hundred ninety-nine-b three (1799-b3) of the code, 1927, to provide for the removal by the state of obstructions from state owned lands and waters ten days after service of a notice for removal upon 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 be indefinitely postponed.

C. A. HOLLIS, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 217, a bill for an act to amend the law as it appears in section seventeen hundred ninety-nine-b two (1799-b2) of the 1927 code of Iowa, by repealing the provision relative to collecting a fee for permits issued for erection upon or over any state owned land or water and providing for the collection of fees for permits issued for all erections that are used for commercial 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 do pass.

C. A. HOLLIS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 218, a bill for an act to amend the law as it appears in section eighteen hundred nineteen (1819) of the code, 1927, to permit the board of conservation, with the approval of the executive council, to lease state owned lands and waters under its jurisdiction for a period of five years, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. HOLLIS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 219, a bill for an act to repeal the law as it appears in section eighteen hundred ten (1810) of the code of Iowa, 1927, and to amend the law as it appears in section eighteen hundred eleven (1811) of the code of Iowa, 1927, to provide for payment of landscape architect, engineer or gardener that may be employed by the Board of Conservation 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.

C. A. HOLLIS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 220, a bill for an act to amend the law as it appears in section eighteen hundred thirteen (1813) of the code, 1927, to permit the board of conservation to establish boundary lines between state owned and privately owned property only when said board deems the establishment thereof feasible and necessary, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. HOLLIS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 221, a bill for an act to amend section eighteen hundred twenty-four (1824) of the 1927 code of Iowa, to permit the executive council, upon recommendation of the board of conservation, to sell, trade or exchange state owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer, and providing for the issuance of patents therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. HOLLIS, *Chairman*.

Passed on file.

Ratliff of Henry, from the committee on dairy and food, submitted the following report:

MR. SPEAKER: Your committee on dairy and food, to whom was referred House File No. 422, a bill for an act to amend section thirty-two hundred thirty-six (3236) of the code, 1927, relating to the sale of food commodities by weight, or in United States Standard containers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

Z. S. RATLIFF, *Chairman*.

Report adopted.

Ellsworth of Hardin, from the committee on public health, submitted the following reports:



MR. SPEAKER: Your committee on public health, to whom was referred Senate File No. 130, a bill for an act to amend the law as it appears in paragraph twenty-eight (28) of section ten thousand eight hundred thirty-seven (10837) of the Code of 1927, pertaining to the fee for the issuance of marriage licenses, and creating a fund to be used by the Vital Statistics Division of the State Department of Health from said marriage license fees, beg leave to report they have 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.

E. O. ELLSWORTH, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred Senate File No. 67, a bill for an act to require physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art, to report any cases treated or taken care of by them wherein there has been an injury of violence, for the purpose of permitting law enforcing officers to apprehend any person who may have committed a crime and has been injured either in the perpetration thereof or in escaping arrest, and providing penalty for failure to report, beg leave to report they have had the same under consideration and have instructed me to report they same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 340, a bill for an act to repeal the law as it appears in section twenty-five hundred forty-eight (2548), section twenty-five hundred fifty-one (2551), and section twenty-five hundred fifty-four (2554), of the code of Iowa, 1927, and to enact substitutes therefor; relating to the definition of osteopathy, osteopathy and surgery, and the requirements necessary to practice osteopathy and osteopathy and surgery, and prohibiting the use of drugs and medicine by osteopaths, beg leave to report they have had the same 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 be reported back to the House without recommendation.

Amend line three (3) of paragraph (a) of Section 3 by adding after the words "materia medica" the following: ", but shall permit the practice of obstetrics."

Further amend by adding as Section 4 the following:

"Sec. 4. That section twenty-five hundred forty-nine (2549), code of 1927, be amended by adding in line one (1) of paragraph one (1) after the word "surgeons" the word "chiropractor".

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 174, a bill for an act to amend the law as it appears in sections twenty-five hundred forty-nine (2549) and twenty-five hundred fifty-three (2553) of the code, 1927, and to repeal the law as it appears in section twenty-five hundred fifty-four (2554) of the Code, 1927, and to enact a substitute therefor, all relating to the regulation and practice of osteopathy and surgery, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 332, a bill for an act to repeal section twenty-two hundred thirty-three (2233), code of 1927, and to enact a substitute therefor, relating to meetings of the local board of health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1), line five (5), by striking the word "first" and inserting in lieu thereof the word "second".

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred House Joint Resolution No. 6, a joint resolution providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the general assembly of the state of Iowa, and providing an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 294, a bill for an act to establish and maintain a state teacher's college at Tabor, Iowa, and to provide for the transfer of certain property to the State of Iowa for the use of said 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 be amended as follows, and when so amended the bill do pass:

Amend House File No. 294 by striking all of section five (5) thereof.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 409, a bill for an act to make an appropriation to Brown and Cook, Ottumwa, Iowa, and Harry Yoss, Scranton, 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.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 410, a bill for an act to make an appropriation to Winnebago County, Iowa, Emmet County, Iowa, Louisa County, Iowa, Muscatine County, Iowa, and Hancock County, Iowa, for drainage and secondary road assessments, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 411, a bill for an act to make an appropriation to William Hirsch and Fred Heldemier for damages resulting from a collision with a car owned and driven by the Iowa state board of 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.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following reports:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 246, a bill for an act to amend section forty-three hundred sixty-one (4361) of the code, 1927, relating to schoolhouses and schoolhouse sites, beg leave to report they have had the same 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 from line six (6) of section one (1), the following: "twenty (20)" and insert in lieu thereof the following: "ten (10)".

GEO. M. HOPKINS, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 122, a bill for an act to require the school boards of school districts in which there are schoolhouses of non-fireproof construction in certain cities and towns, to install in said schoolhouses sprinkler systems and fire alarms, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 424, a bill for an act to amend the law as it appears in section forty-one hundred fifty-two (4152), code of 1927, relating to the subdivision of independent school districts, beg leave to report they have had the same under consideration and have instructed me to

report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman.*

Report adopted.

#### HOUSE FILE REREFERRED

Short of Woodbury asked and obtained unanimous consent to have House File No. 272 withdrawn from the committee on drainage and re-referred to the committee on county and township organization.

#### HOUSE FILE WITHDRAWN

Johnson of Marion asked and obtained unanimous consent to have House File No. 142 withdrawn from the committee on roads and highways and from further consideration of the House.

Torgeson of Worth moved that the House resolve itself into a committee of the whole for the consideration of House Files Nos. 11, 64, 171 and 356, relating to the senatorial redistricting of Iowa.

Motion prevailed.

On motion of Forsling of Woodbury the committee of the whole arose.

House reconvened, Speaker Johnson in the chair.

#### SENATE FILE SUBSTITUTED FOR HOUSE FILE

Rutledge of Webster asked and obtained unanimous consent to substitute Senate File No. 111 for House File No. 244.

#### CONSIDERATION OF BILLS

The hour having arrived for special order, Senate File No. 54, a bill for an act to amend Section seventy-seven hundred seventy-one (7771), of the Code of 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the diversion of the water therefrom, was taken up for consideration, having been substituted for House File No. 76.

Allen of Pocahontas called up the amendment filed by him and found in the Journal of March 10th and moved its adoption.

Allen of Pocahontas offered the following amendment to the second paragraph of the original amendment, found in the Journal of March 10th and moved its adoption:

The person, partnership or corporation operating under a franchise from the state for the erection or construction or operation of a project under the provisions of this act shall be subjected to examination of their expenditures by the executive council at any time the executive council shall deem such examination advisable. The person, partnership or corporation aforesaid shall submit a semi-annual detailed report of expenditures for the promotion, construction, repairs and/or additions to said project to the executive council of the state of Iowa.

Amendment to the amendment adopted.

Rutledge of Webster moved the previous question.

Motion prevailed.

On the question "Shall the amendment, as amended, be adopted?" a roll call was demanded.

The ayes were, 82.

Allen	Greene	Long	Reimers
Augustine	Hansen of	McCreery	Roe
Babcock	Audubon	McLain	Rutledge
Bair	Hanson of	Mathews	Rylander
Ballew	Winnebago	Mayne	Shields
Beath	Hesse	Mead	Simmer
Brown	Hollingsworth	Millhone	Snyder
Craven	Hollis	Morton	Stanzel
Davis	Hook	Nelson of	Stiger
Dayton	Hopkins	Cherokee	Strachan
Donlon	Hunt	Nelson of Story	Tamisiea
Drake of Keokuk	Hush	O'Donnell	TePaske
Drake of	Husted	Orr	Thiessen
Muscatine	Hutcheon	Osborne	Thompson
Ellsworth	Johnson of	Paisley	Torgeson
Fabritz	Marion	Pattison	Van Wert
Felter	Kern	Peaco	Wamstad
Figgins	Koch	Pendray	Watts
Finnern	Lamb	Randall	Whiting
Forsling	Langland	Randolph	Witt
Gallagher	Lepley	Rawlings	Mr. Speaker
Gissel	Lichty	Reed	

The nays were, 13.

Aiken	Elliott	Kohler	Sours
Avery	Greaser	McDermott	
Bonnstetter	Hansen of Scott	Malone	
Durant	Helgason	Ryder	

Absent or not voting, 13.

Berry	Gilmore	Miller	Wearin
Byers	Hayes	Ratliff	
Ditto	Laughlin	Short	
Garrett	McCaulley	Van Buren	

Amendment, as amended, adopted.

Hutcheon of Greene offered the following amendment and moved its adoption:

Amend Senate File No. 54 by striking section one (1) of the bill.

Berry of Monroe moved the previous question on the amendment and the bill.

Motion prevailed.

Amendment lost.

Drake of Muscatine moved that the bill be read a third time 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, 28.

Allen	Figgins	Johnson of	Peaco
Bair	Garrett	Marion	Ratliff
Craven	Gissel	Kern	Rutledge
Davis	Greene	Mathews	Simmer
Drake of Keokuk	Hansen of Scott	Millhone	Stanzel
Drake of	Hook	Orr	Tamisiea
Muscatine	Hunt	Pattison	TePaske
Fabritz			Whiting

The nays were, 74.

Aiken	Hansen of	McCreery	Roe
Augustine	Audubon	McDermott	Ryder
Avery	Hanson of	McLain	Rylander
Babcock	Winnebago	Malone	Shields
Ballew	Helgason	Mayne	Short
Beath	Hesse	Mead	Snyder
Berry	Hollingsworth	Morton	Sours
Bonnsteter	Hollis	Nelson of	Stiger
Brown	Hopkins	Cherokee	Strachan
Dayton	Hush	Nelson of Story	Thiessen
Donlon	Husted	O'Donnell	Thompson
Durant	Hutcheon	Osborn	Torgeson
Elliott	Koch	Paisley	Van Buren
Ellsworth	Kohler	Pendray	Van Wert
Felter	Lamb	Randall	Wamstad
Finnern	Langland	Randolph	Watts
Forsling	Lepley	Rawlings	Wearin
Gallagher	Lichty	Reed	Witt
Gilmore	Long	Reimers	Mr. Speaker
Greaser			

Absent or not voting, 6.

Byers  
Ditto

Hayes  
Laughlin

McCaulley

Miller

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Koch of Bremer moved that the vote by which Senate File No. 54 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

### INTRODUCTION OF BILLS

House File No. 458, by Snyder of Hamilton, a bill for an act (1) to amend section six (6) of chapter one hundred twenty-two (122) acts of the forty-third (43rd) general assembly, relating to the time of forwarding motor vehicle or trailer license fee receipts to the secretary of state; (2) to amend section forty-eight hundred eighty (4880) of the code, 1927, relating to time when the vendee of a motor vehicle shall make application for registration of said motor vehicle; (3) to amend section forty-nine hundred twenty-four (4924) of the code, 1927, relating to refunds of motor vehicle license fees and specifying time for filing claim and amount of refund; (4) to amend section forty-nine hundred twenty-five (4925) of the code, 1927, relating to the time of payment of refunds upon motor vehicle license fees; (5) to amend section forty-nine hundred twenty-seven (4927) of the code, 1927, to provide that registration fees upon motor vehicles of dealers and used car dealers are in lieu of other taxes; (6) to amend section fifty hundred twelve (5012) of the code, 1927, by providing for the retention by the county treasurer of twenty-five cents (25c) for each motor vehicle license transferred; (7) to amend section fifty hundred thirteen (5013) of the code, 1927, relating to the date of report of county treasurer to the motor vehicle department pertaining to fees and penalties; (8) to amend chapter two hundred fifty-one (251) of the code, 1927, by inserting therein sections fifty hundred eighteen-d one (5018-d1), fifty hundred eighteen-d two (5018-d2), fifty hundred eighteen-d three (5018-d3), fifty hundred eighteen-d four (5018-d4), fifty hundred eighteen-d five (5018-d5), fifty hundred eighteen-d six (5018-d6) and fifty hundred eighteen-d seven (5018-d7) providing for a



period for an official inspection of the safety equipment of motor vehicles upon proclamation by the governor, and authorizing the motor vehicle department to designate, furnish instructions to, and supervise official inspection stations, and authorizing the issuance of official certificates of inspection, and specifying the conditions upon which certificates of inspection may be issued, and authorizing the issuance of regulations pertaining to equipment and condition of repair of motor vehicles, and requiring compliance by owners and operators of motor vehicles with minimum requirements of such regulations, and requiring reports to be made by official inspection stations, and authorizing revocation of the designation of official inspection stations; and prohibiting the operation of motor vehicles upon the highways in certain cases, and providing a penalty for violation of the provisions relating to operation of motor vehicles found not in such condition to comply with the minimum requirements of regulations of the motor vehicle department, and for violation of provisions relating to the operation of motor vehicles without inspection; (9) to amend section ten thousand three hundred forty-three (10343) of the code, 1927, relating to artisan's liens; (10) to amend section thirteen thousand one hundred eleven-a five (13111-a5) of the code, 1927, to change the penalty for violation of the provisions of chapter five hundred eighty-two-A one (582-A1) of the code, 1927.

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

House File No. 459, by McCaulley of Calhoun and Johnson of Marion, a bill for an act imposing a tax and penalties upon admission fees to public amusements conducted for pecuniary profit; providing means, methods, and regulations for the collection thereof and the accounting therefor, and providing for the apportionment of the taxes so collected among the school districts of the state, and providing penalties for violation of the terms thereof.

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

House File No. 460, by Greaser of Benton, a bill for an act relating to accident and health insurance companies; to provide

for the approval by the commissioner of insurance of all policy forms or contracts issued by such companies.

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

House File No. 461, by Wamstad of Mitchell, a bill for an act to regulate the handling and dispensing of gasoline or other inflammable liquids where the same are sold or offered for sale to the public, to regulate the delivery of gasoline or other inflammable liquids at places where the same are sold to the public, and to regulate the servicing of motor vehicles.

Read first and second times and referred to committee on commerce and trade.

House File No. 462, by Stiger of Tama, a bill for an act to amend section fifty hundred twenty-seven (5027), code, 1927, relating to operating a motor vehicle while intoxicated.

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

House File No. 463, by Peaco of Clinton, a bill for an act to regulate the number of hours that drivers of commercial motor vehicles for hire shall be on duty in each twenty-four (24) hours and to prescribe penalties for violation thereof.

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

House File No. 464, by Koch of Bremer, a bill for an act to amend section eighty-eight hundred thirty (8830), of the code, 1927, relating to deposit of securities with the commissioner of insurance.

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

House File No. 465, by Peaco of Clinton, a bill for an act to regulate and prescribe the manner of coupling and fastening trailers when drawn by motor vehicles and to make certain regulations and requirements as to brakes upon such trailers, and to prescribe penalties for violation thereof.

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

House File No. 466, by Reed of Mahaska, a bill for an act to provide a license tax for radio broadcasting stations, and to provide penalty for failure to secure a license.

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

House File No. 467, by Wearin of Mills, a bill for an act to provide for the establishment of game preserves on private property on the request of the land owner, and to provide punishment for hunting thereon.

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

House File No. 468, by Stiger of Tama, a bill for an act to legalize the proceedings relating to an election held in the town of Traer, Iowa, on the proposition of establishing and constructing a municipal swimming pool and issuing bonds for such purpose and levying an annual tax for the payment of such bonds and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city.

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

House File No. 469, by committee on judiciary, a bill for an act to amend, revise and codify section ten thousand nine hundred seven (10907), code of 1927, relating to admission to the bar.

Read first and second times and passed on file.

House File No. 470, by committee on judiciary, a bill for an act defining the term "practice of law", and prohibiting the practice of law by corporations and by persons not admitted to the bar or licensed to practice law or who are under judgment or disbarment or suspension, and providing a penalty for violations thereof.

Read first and second times and passed on file.

House File No. 471, by Elliott of Scott, a bill for an act to amend sections three hundred fifty-seven (357) and three hundred sixty-six (366) of the code, 1927, as amended by chapter nineteen (19), acts of the forty-third (43rd) general assembly, relating to the hearings before the director of the budget and in the matter

of his decisions in such hearings, and on the issuance of bonds by municipalities, and to repeal sections two (2) and three (3) of chapter nineteen (19), acts of the forty-third (43rd) general assembly.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 49.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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:

Senate File No. 49.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

March 12th, House File No. 301.

March 13th, House Files Nos. 247, 123, 202, 22, 135, 56 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 House is asked:

Senate File No. 111, a bill for an act relating to the operation of motor vehicles upon public highways.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 162, a bill for an act creating a sanitary water board for the State of Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 157, a bill for an act relating to actions against persons in the military or naval service of the government of the United States.

Also, that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 213, a bill for an act relating to fees.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 160, a bill for an act relating to the refusal of a township officer to qualify.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 49, a bill for an act relating to barbering.

Also, that the Senate requests the return of House File No. 4, relative to defining the powers and duties of the state Board of Assessment and Review for correction.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 225, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health from the use of any professional title or abbreviation other than that of the profession under which he is licensed.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 225

Amend House File No. 225 by inserting at the end of paragraph five the following: "A Podiatrist may use the prefix "Dr." but shall add after his name the word "Podiatrist"".

#### SENATE MESSAGES CONSIDERED

Senate File No. 111, a bill for an act to repeal sections forty-

nine hundred forty-three (4943) to forty-nine hundred sixty (4960), inclusive, Code, 1927, to prohibit the operation of motor vehicles upon public highways by persons who are not licensed as operators, or as chauffeurs, to provide for the issuance of such licenses, to prohibit the issuance of such licenses to certain persons, to prescribe the conditions of such licenses, to fix and declare the liability of persons for the operation of motor vehicles, to require a report of convictions of violations of laws regulatory of motor vehicles, to provide for the revocation and suspension of such licenses, to declare certain acts relative to the subject matter of this chapter to be public offenses, to provide for the punishment of such acts, to fix the time when this act shall take effect, to amend section forty-nine hundred ninety-nine (4999), relating to the disposition of motor vehicles and other fees, and to provide that this enactment shall be a part of chapter two hundred fifty-one (251), Code, 1927.

Read first and second times and substituted for House File No. 244.

Senate File No. 162, a bill for an act creating a sanitary water board for the State of Iowa: providing for their duties by making investigations and controlling the pollution of streams and other bodies of water within the state; and amending the law as it appears in section twenty-one hundred ninety-eight (2198), section twenty-one hundred ninety-nine (2199), section twenty-two hundred one (2201), section twenty-two hundred three (2203), section twenty-two hundred four (2204), section twenty-two hundred five (2205), section twenty-two hundred six (2206), and section twenty-two hundred seven (2207), of the code of Iowa 1927, relating to stream pollution, and changing said sections to conform with the creation of said sanitary board.

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

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 432, a bill for an act to legalize the proceedings relating to an election held in the city of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center and issuing and selling bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said

bonds enforceable obligation of said city, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

### EXPLANATION OF VOTE

The following explanation of vote was filed:

MR. SPEAKER: I voted "no" on Senate File No. 54, relating to the granting of a permit to construct the so-called "Moscow Dam" because I believe the principle of state operation of such projects is inimicable to our form of government. I voted "no" on the Allen amendment for that reason.

With the amendment, the bill was robbed of any virtue it may have had when introduced. Another undesirable feature was a defective clause added by the Senate, attempting to provide an excise tax of doubtful value and incapable of collection.

I had intended to vote for the bill as originally introduced.

FRANK W. ELLIOTT.

### AMENDMENTS FILED

Ellsworth of Hardin filed the following amendment to House File No. 333:

Amend House File No. 333 by striking the word "first" in line five (5) of Section One (1), and inserting in lieu thereof the word "second".

Ellsworth of Hardin filed the following amendment to House File No. 342:

Amend House File No. 342 by striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. That section fifty-seven hundred sixty-four (5764) of the code of 1927, be amended by inserting after the word "combustibles" in line four (4) thereof, the following: "or other highly inflammable materials".

Hopkins of Guthrie filed the following amendment to House File No. 297:

MR. SPEAKER: As a substitute for all pending amendments thereto, I move to amend House File No. 297 as follows:

1. By striking all after the enacting clause, and substituting therefor the following:

"Section 1. That section fifty-four hundred thirteen (5413), code, 1927, be amended:

1. By inserting after the word "animals" in lines three (3) and four (4) thereof, the following: ", including stock killing dogs,".

2. By adding thereto the following: "For each stock killing dog, an amount to be fixed by the board of supervisors.".

Sec. 2. That section fifty-four hundred fifteen (5415), code, 1927, be amended by inserting after the word "animals" in line five (5) thereof, the words: "or stock killing dogs".

Sec. 3. That section fifty-four hundred twenty-five (5425), code, 1927, be amended as follows:

1. By striking the words "one dollar" in line two (2) thereof, and substituting therefore the words "two dollars".

2. By striking the word "three", in said line two (2), and substituting therefore the word "six".

3. By striking from said section beginning in line three (3) thereof, the following:

"Should it appear that said fees will not produce sufficient funds to pay claims on the domestic animal fund, the board of supervisors shall have power, except as to dogs owned in cities and towns which exact a license fee on dogs, to increase the said fees to a sum not exceeding three dollars for each male, and not exceeding five dollars for each female dog."

2. By striking all of the title after the word "amend" in line one (1) thereof, and substituting therefore the following:

"sections fifty-four hundred thirteen (5413), fifty-four hundred fifteen (5415), and fifty-four hundred twenty-five (5425), code, 1927, relating to bounty on stock killing dogs, and annual license fees on all dogs.

Torgeson of Worth and Hanson of Winnebago filed the following amendment to House File No. 85:

Amend House File No. 85 by striking from line fifteen (15) of Section one (1) the following: "April 19, 1919", and inserting in lieu thereof the following: "January 1st, 1913".

Hollis of Black Hawk filed the following amendment to House File No. 435:

Amend House File No. 435 by striking from line three (3) the following: "five (5)" and inserting in lieu thereof "six (6)".

Kern of Polk and Forsling of Woodbury filed the following amendment to House File No. 365:

Amend House File No. 365 by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. Any person or corporation removing from or altering,



defacing, mutilating, concealing, covering or destroying the manufacturer's serial number or other distinguishing mark upon any machine or manufactured article for the purpose of concealing, destroying or misrepresenting the identity of such machine or manufactured article, or who sells or offers for sale, or who owns or has possession of any machine or manufactured article knowing that the manufacturer's serial number or other distinguishing number or identification mark has been removed, altered, defaced, mutilated, concealed, covered or destroyed with the purpose of concealing, destroying or misrepresenting the identity of such machine or manufactured article, shall be guilty of a misdemeanor."

Further amend by striking all of section two (2).

On motion of Snyder of Hamilton the House adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, MARCH 14, 1931.

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

Prayer was offered by the Rev. Fred A. Smith, pastor of the Methodist Episcopal church, State Center, Iowa.

Journal of March 13th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Morton of Wright for the day, on request of Millhone of Page; Drake of Keokuk for the day, on request of Koch of Bremer.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Allen of Pocahontas, from citizens of Gilmore City, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Bonnstetter of Kossuth, from citizens of Swea City, favoring a diversion of the primary road fund. Roads and highways.

By Byers of Linn, from citizens of Linn county, favoring optional military training in state educational institutions. State educational institutions.

By Durant of Hancock, from citizens of Hancock county, opposing the county assessor plan. Tax revision.

By Ellsworth of Hardin, from citizens of Gifford, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Fabritz of Wapello, from citizens of Eddyville, favoring a regulation of trucks and motor busses; opposing House File No. 87; and from citizens of Wapello county, opposing the county assessor plan; favoring optional bovine tuberculin testing; protesting Senate File No. 120, and favoring a tax on oleomargarine. Motor vehicles and transportation, ways and means, and tax revision.

By Gallagher of Iowa, from citizens of Victor and Homestead, asking for the regulation of trucks and motor busses. Motor vehicles and transportation.

By Kern of Polk, from citizens of Des Moines, favoring a diversion of the primary road fund. Roads and highways.

By McLain of Poweshiek, from citizens of Poweshiek county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Mayne of Pottawattamie, from citizens of Council Bluffs, favoring a diversion of the primary road fund. Roads and highways.

By Mathews of Des Moines, from railroad employes of Des Moines county, favoring a regulation of trucks and motor busses; and from the legislative committee of the county officers' group of the fifth district of Iowa, opposing the diversion of the primary road fund, and changing the salary of the county board of supervisors. Roads and highways.

By Ratliff of Henry, from citizens of Olds, favoring a regulation of trucks and motor busses; and from the Mt. Pleasant post of the American Legion, opposing optional military training in state educational institutions. Motor vehicles and transportation, and state educational institutions.

By Roe of Allamakee, from the board of supervisors of Allamakee county, opposing the county assessor plan. Tax revision.

By Rylander of Marshall, from citizens of Marshall county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Simmer of Wapello, from coal dealers and operators of Wapello county, favoring House File No. 143. Cities and towns.

By Thiessen of Clinton, from citizens of Charlotte, favoring a diversion of the primary road fund; and from citizens of Clinton, favoring the reduction of licenses on cars more than five years old. Roads and highways, and motor vehicles and transportation.

#### REPORTS OF COMMITTEES

McCaulley of Calhoun, from the committee on tax revision, submitted the following report:

MR. SPEAKER: Your committee on tax revision, to whom was referred Senate File No. 1, a bill for an act to create the office of county assessor, provide for his election, prescribe his powers and duties, provide for the listing and assessment of property for taxation, to provide penalties for the violation thereof, to constitute a county board of review and to prescribe its duties; to coordinate various statutes with this; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), all of the Code of Iowa 1927, and section fifty-seven-a-two (57-a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly, all relating to the listing and assessment of property for 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 do pass.

MARION R. McCAULLEY, *Chairman*.

Report adopted.

Wearin of Mills, 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. 173, a bill for an act to authorize the executive council of Iowa to sell land, the title of which is in the name of the state, providing for the appraisement thereof, and authorizing the governor and secretary of state to execute conveyances for the same, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

OTHA D. WEARIN, *Chairman*.

Passed on file.

Bair of Buena Vista, from the committee on motor vehicles and transportation, submitted the following reports:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 186, a bill for an act to repeal section five thousand sixty-seven (5067) of the code, 1927, and to enact a substitute therefor, and to provide for the limitation of height, width and length of motor vehicles and trailers, and of the loads thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. PARK BAIR, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 187, a bill for an act to repeal section five thousand sixty-five (5065) of the code, 1927, as amended by section two (2), chapter twenty-five (25), acts of the forty-third (43rd) general assembly, and to enact a substitute therefor, relating to maximum loads on motor vehicles, beg leave to report they have 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. PARK BAIR, *Chairman*.

Passed on file.

Helgason of Emmet, 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. 293, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to regulations of the shipment of fish or 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 same do pass.

E. O. HELGASON, *Chairman*.

Report adopted.

Brown of Polk, from the committee on cities and towns, submitted the following reports:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 275, a bill for an act to amend section sixty-eight hundred thirty (6830) of the code, 1927, defining the powers and duties of the levee improvement commission of special charter cities and providing that said commission shall have and exercise all the powers and duties given to the commissioners of public docks as enumerated and set forth in section fifty-nine hundred two (5902) of the code, 1927, paragraphs one (1) to thirteen (13) both inclusive, as amended by chapters 170, 171 and 172 of the laws of the forty-third (43rd) 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 be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 347, a bill for an act to amend section sixty-one hundred eighty (6180) of the code, 1927, relating to the fixing of rates for private consumers in cases of municipally owned waterworks acquired and operated under and pursuant to chapter three hundred fourteen (314) of the code, 1927, beg leave to report they have had the same 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 comma appearing after the word "thereof" in line seven (7) of section one (1), and insert a period in lieu thereof, and strike out from said section all following the said period, to-wit: "and to pay for necessary extensions, improvements and additional lands in cases where bonds have not been issued therefor."

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 379, a bill for an act to amend section eleven hundred fifty-seven (1157) of the code, 1927, relating to vacancies in office 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 indefinitely postponed.

ED. R. BROWN, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 425, a bill for an act to amend section six thousand six hundred sixty-nine (6669) of the code, 1927, relating to the duties of city manager, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 426, a bill for an act to amend section five thousand eight hundred eighteen (5818) and section five thousand eight hundred twenty-two (5822) of the code, 1927, relating to Riverfront Improvement Commission, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 430, a bill for an act to enable cities and towns, by ordinance, to examine, license and bond persons, firms and corporations installing or altering electrical apparatus, conductors and equipment for the utilization of light, heat and power, beg leave to report they have 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.

ED. R. BROWN, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 437, a bill for an act to regulate and license fortune tellers, astrologers, phrenologists and others who for compensation pretend to predict future events, and providing for 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 indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 21, a bill for an act to amend section one (1) of chapter one hundred nineteen (119) of the acts of the fortieth general assembly relating to a tax levy for park improvement purposes for the sole purpose of grading, beautifying and other wise improving certain lands acquired for park purposes and improving the driveways or boulevards connecting one park with another, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 116, a bill for an act to amend the law as it appears in section four (4) of chapter ten (10) of the acts of the forty-third general assembly so as to remove from the exemptions from the provisions of the Iowa securities act certain securities issued by certain railroad and public service utilities 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 the title so as to read as follows:

"An Act to amend the law as it appears in section four (4) of chapter ten (10), of the acts of the forty-third general assembly so as to remove from the exemption of the provisions of the Iowa securities law certain securities issued by public service utility corporations".

Strike all of Section one (1) of the bill and substitute the following:

"Section 1. That the law as it appears in section four (4) of chapter ten (10) of the acts of the forty-third general assembly be, and the same



is, hereby amended by striking therefrom all of sub-section d, and by enacting in lieu thereof the following:

"d. Any security issued or guaranteed either as to principal, interest, or dividend by a corporation owning or operating a railroad, provided that such corporation is subject to regulation or supervision as to the issue of its own securities by the Interstate Commerce Commission."

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 369, a bill for an act to permit any municipality or any fraternal or mutual benefit organization or any other organization whose officers are required by law to furnish bonds, to pay the cost of securing surety bonds where such bonds are 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 indefinitely postponed.

L. B. FORSLING, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 374, a bill for an act to amend section ten thousand two hundred sixty-one (10261) of the code, 1927, pertaining to landlord's 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 indefinitely postponed.

L. B. FORSLING, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 376, a bill for an act concerning declaratory judgments and decrees and to make uniform the law relating 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 by striking all of sections twelve (12), fourteen (14), fifteen (15) and sixteen (16), and renumbering section thirteen (13) so as to make it section twelve (12) of the amended bill.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 384, a bill for an act to amend section twelve thousand eighty-eight (12088) of the code, 1927, relating to bonds in attachment 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 432, a bill for an act to legalize the proceedings relating to an election held in the city of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center, and issuing and selling bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 476, a bill for an act to amend chapter six hundred forty (640), section thirteen thousand eight hundred four (13804), and chapter six hundred forty-five (645), of the code, 1927, relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 477, a bill for an act amending the law as it appears in section five thousand twenty-six b one (5026 b1) of the code, 1927, so as to limit the civil liability of owners and operators of automobiles.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

**ADDITIONAL COPIES OF HOUSE FILE ORDERED PRINTED**

Hanson of Winnebago asked and obtained unanimous consent to have three hundred additional copies of House File No. 309 printed.

**HOUSE FILE WITHDRAWN**

Davis of Delaware asked and obtained unanimous consent to have House File No. 452 withdrawn from the committee on building and loan and from further consideration of the House.

**SENATE FILES SUBSTITUTED FOR HOUSE FILES**

McCaulley of Calhoun asked and obtained unanimous consent to substitute Senate File No. 1 for House File No. 1.

Bair of Buena Vista asked and obtained unanimous consent to substitute Senate File No. 162 for House File No. 182.

**RULE 58 INVOKED**

Helgason of Emmet invoked Rule 58 with reference to House File No. 268 and it was placed upon the calendar.

Reed of Mahaska invoked Rule 58 with reference to House File No. 69 and it was placed upon the calendar.

**INTRODUCTION OF BILLS**

House File No. 472, by Elliott of Scott, a bill for an act to amend the law as it appears in Section 1090-a10, and Section 1090-a15 of the code, 1927, relating to the state sinking fund for public deposits, and providing for the payment from such fund to the Treasurer of each county, city, or town, including cities under special charter, school districts, and/or townships to the extent of the balance in their favor.

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

House File No. 473, by Elliott of Scott, a bill for an act relating to viaducts in special charter cities fifty thousand (50,000) or over.

Read first and second times and referred to committee on cities and towns.

House File No. 474, by Brown of Polk, a bill for an act to amend section eleven thousand forty-nine (11049), code, 1927, relating to place of bringing actions.

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

House File No. 475, by McCreery of Linn, a bill for an act to amend section five thousand five hundred sixty-three (5563) of the code, 1927, relating to levying of a tax for cemeteries.

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

House File No. 476, by committee on judiciary, a bill for an act to amend chapter six hundred forty (640), section thirteen thousand eight hundred four (13804), and chapter six hundred forty-five (645) of the code, 1927, relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions.

Read first and second times and passed on file.

House File No. 477, by committee on judiciary, a bill for an act amending the law as it appears in section five thousand twenty-six b one (5026 b1) of the code, 1927, so as to limit the civil liability of owners and operators of automobiles.

Read first and second times and passed on file.

House File No. 478, by Whiting of Johnson, a bill for an act to reimburse Johnson County, Iowa, for money expended in the care of a state patient at the state sanatorium at Oakdale, Iowa, and making an appropriation to pay the same.

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

House File No. 479, by Simmer of Wapello, a bill for an act adopting standards for the equipment, construction, installation, maintenance, operation and use of steam boilers, unfired pressure vessels, machinery and other apparatus used in the generation of pressure; providing for the enforcement of its provisions and

the inspection of boilers, vessels and other machinery by the commissioner of labor and authorizing the adoption of rules and regulations by the commissioner, and providing a penalty for violation of the law or adopted rules.

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

House File No. 480, by Gissel of Buchanan, a bill for an act to prohibit the changing or re-locating of any primary road which has been paved.

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

House File No. 481, by Simmer of Wapello, a bill for an act relating to motor vehicle liability insurance or indemnity so as to provide that when there has been liability incurred the contract therefor shall not be cancelled, avoided or settled for any reason, without the consent of the injured party.

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

House File No. 482, by Whiting of Johnson, a bill for an act to legalize the payment of funds by Johnson County, Iowa, from the court expense fund.

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

House File No. 483, by Torgeson of Worth, a bill for an act to amend section forty-seven hundred fifty-five-b thirty-eight (4755-b38), code, 1927, relating to the distribution of gasoline license fees so as to provide that part of said gasoline license fees shall be paid to the secondary road construction or maintenance fund, and to repeal section fifteen-a one (15-a1) of chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to general property tax levies for road purposes.

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

House File No. 484, by Kern of Polk, a bill for an act to amend section ten thousand four hundred eighty-one (10481), code, 1927, relating to divorce and custody of children.

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

House File No. 485, by Brown of Polk, a bill for an act to provide for the sexual sterilization of inmates of state institutions in certain cases.

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

House File No. 486, by McCreery of Linn, a bill for an act to repeal section five hundred twenty-six and one (526-a1) of the code, 1927, and to enact a substitute therefor relating to the congressional districts of the state.

Read first and second times and referred to committee on judicial and political districts.

House File No. 487, by Davis of Delaware and Malone of Cass, a bill for an act to repeal Section (2931) of the code of 1927 relating to the limitation on associations entitled to participate in farm aid.

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

House Joint Resolution No. 8, by Ryder of Dubuque, a joint resolution to appoint a legislative committee to investigate the advisability of establishing a grain terminal elevator at Dubuque, and to provide for a report to the next general assembly, and to provide an appropriation.

Read first and second times and referred to committee on commerce and trade.

#### CONSIDERATION OF SENATE AMENDMENT

On request of Ellsworth of Hardin House File No. 225, a bill for an act prohibiting licensed practitioners of certain professions affecting the public health under title eight VIII, of the code, 1927, from the use of any professional title or abbreviation other than that of the profession under which he is licensed and requiring each practitioner to use the proper designation and providing the penalty for violation thereof, with Senate amendment, was taken up and the amendment read and considered.

## SENATE AMENDMENT TO HOUSE FILE NO. 225

Amend House File No. 225 by inserting at the end of paragraph five the following: "A Podiatrist may use the prefix "Dr." but shall add after his name the word "Podiatrist".

Mr. Ellsworth moved that the House concur in the Senate amendment.

On the question, "Shall the House concur?"

The ayes were, 69.

Augustine	Greaser	McCaulley	Rawlings
Avery	Hanson of	McCreery	Reed
Babcock	Winnebago	McLain	Roe
Bair	Hayes	Malone	Ryder
Beath	Helgason	Mathews	Rylander
Bonnstetter	Hesse	Mayne	Shields
Craven	Hollingsworth	Millhone	Sours
Ditto	Hollis	Nelson of	Strachan
Donlon	Hook	Cherokee	Tamisiea
Durant	Hopkins	Nelson of Story	TePaske
Ellsworth	Johnson of	Orr	Thiessen
Fabritz	Marion	Osborn	Thompson
Figgins	Koch	Paisley	Torgeson
Forsling	Kohler	Pattison	Van Wert
Gallagher	Lamb	Peaco	Wamstad
Garrett	Langland	Pendray	Wearin
Gilmore	Lepley	Randolph	Witt
Gissel	Lichty	Ratliff	Mr. Speaker

The nays were, 3.

Rutledge	Van Buren	Watts
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Absent or not voting, 36.

Aiken	Drake of	Hush	O'Donnell
Allen	Muscatine	Husted	Randall
Ballew	Elliott	Hutcheon	Reimers
Berry	Felter	Kern	Short
Brown	Finnern	Laughlin	Simmer
Byers	Greene	Long	Snyder
Davis	Hansen of	McDermott	Stanzel
Dayton	Audubon	Mead	Stiger
Drake of Keokuk	Hansen of Scott	Miller	Whiting
	Hunt	Morton	

House concurs in Senate amendment to House File No. 225.

Forsling of Woodbury asked unanimous consent to have House File No. 174 made a special order for Friday, March 20th at 10:00 a. m.

Objection was made.

Forsling of Woodbury moved that House File No. 174 be made a special order for Friday, March 20th at 10:00 a. m.

Motion lost.

House File No. 339, a bill for an act to amend sections twenty-five hundred seventy-nine (2579) and twenty-five hundred eighty (2580), code of 1927, and to repeal section twenty-five hundred eighty-two (2582) code of 1927, and to enact a substitute therefor, relating to practice of pharmacy, and providing a penalty for violation thereof, with report of committee on pharmacy recommending passage, was taken up for consideration.

Long of Cerro Gordo called up the amendment filed by him and found in the Journal of March 12th and moved its adoption.

Amendment adopted.

Shields of Clarke offered the following amendment and moved its adoption:

Amend by striking from line fourteen (14) of section three (3), the following: "not to exceed three hours a day" and inserting in lieu thereof "or other necessary causes".

Amendment adopted.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by striking in line six (6) of section one (1) the words "as amended" and striking the comma (,) immediately thereafter.

Amendment adopted.

Long 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, 64.

Augustine	Drake of	Garrett	Hesse
Avery	Muscatine	Gissel	Hollis
Babcock	Durant	Hansen of	Hook
Bair	Ellsworth	Audubon	Hopkins
Beath	Fabritz	Hanson of	Hunt
Berry	Finnern	Winnebago	Kern
Brown	Forsling	Hayes	Koch
Ditto	Gallagher	Helgason	Langland



Lichty	Nelson of Story	Reimers	TePaske
Long	Orr	Rutledge	Thiessen
McCreery	Osborn	Ryder	Torgeson
McDermott	Paisley	Rylander	Van Wert
McLain	Peaco	Shields	Wamstad
Malone	Pendray	Snyder	Watts
Mayne	Randolph	Stanzel	Whiting
Millhone	Rawlings	Strachan	Mr. Speaker
Nelson of Cherokee	Reed	Tamisiea	

The nays were, 26.

Ballew	Figgins	Lepley	Roe
Bonnstetter	Gilmore	McCaulley	Short
Craven	Greaser	Mathews	Sours
Davis	Johnson of	O'Donnell	Thompson
Dayton	Marion	Pattison	Van Buren
Donlon	Kohler	Randall	Witt
Felter	Lamb	Ratliff	

Absent or not voting, 18.

Aiken	Greene	Husted	Morton
Allen	Hansen of Scott	Hutcheon	Simmer
Byers	Hollingsworth	Laughlin	Stiger
Drake of Keokuk	Hush	Mead	Wearin
Elliott		Miller	

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

Millhone of Page moved that the vote by which House File No. 339 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 131, a bill for an act to repeal section twenty-two hundred thirty-six (2236) of the code, 1927, and to enact a substitute therefor, relating to the general duties of health officers of the local board of health, with report of committee recommending passage, was taken up for consideration.

Long 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, 80.

Augustine	Beath	Dayton	Ellsworth
Avery	Bonnstetter	Ditto	Fabritz
Babcock	Craven	Donlon	Figgins
Ballew	Davis	Durant	Finnern

Forsling	Johnson of	Nelson of	Rylander
Gallagher	Marion	Cherokee	Shields
Garrett	Kern	Nelson of Story	Sours
Gilmore	Koch	Orr	Stiger
Gissel	Kohler	Osborn	Strachan
Greaser	Langland	Paisley	Tamisiea
Hansen of Scott	Lepley	Pattison	TePaske
Hanson of	Lichty	Peaco	Thiessen
Winnebago	Long	Pendray	Thompson
Hayes	McCaulley	Randall	Torgeson
Helgason	McCreery	Randolph	Van Buren
Hesse	McDermott	Ratliff	Van Wert
Hollis	McLain	Rawlings	Wamstad
Hook	Malone	Reed	Watts
Hopkins	Mathews	Roe	Whiting
Hush	Mayne	Rutledge	Witt
	Millhone	Ryder	Mr. Speaker

The nays were, 1.

Lamb

Absent or not voting, 27.

Aiken	Drake of	Hunt	O'Donnell
Allen	Muscatine	Husted	Reimers
Bair	Elliott	Hutcheon	Short
Berry	Felter	Laughlin	Simmer
Brown	Greene	Mead	Snyder
Byers	Hansen of	Miller	Stanzel
Drake of Keokuk	Audubon	Morton	Wearin
	Hollingsworth		

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

House File No. 42, a bill for an act to amend the law as it appears in section fifty-seven a5 (57-a5) of chapter twenty (20) of the Acts of the Forty-third General Assembly relating to the collection of poll taxes so as to impose a penalty for the delinquent payment thereof, with report of committee recommending amendment and passage, was taken up for consideration.

Ditto of Osceola moved that the amendment proposed by the committee, found in the Journal of February 20th, be adopted.

Committee amendment lost.

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

On the question "Shall the bill pass?"

The ayes were, 58.

Augustine	Gissel	Long	Rawlings
Avery	Hansen of	McCaulley	Reimers
Babcock	Audubon	McCreery	Roe
Bair	Hayes	Malone	Rutledge
Beath	Hesse	Mayne	Sours
Bonnstetter	Hollingsworth	Mead	Stiger
Dayton	Hollis	Millhone	Tamisiea
Ditto	Hook	Nelson of Story	TePaske
Donlon	Hopkins	O'Donnell	Thiessen
Durant	Hush	Orr	Thompson
Ellsworth	Johnson of	Osborn	Torgeson
Fabritz	Marion	Pattison	Watts
Figgins	Kern	Peaco	Wearin
Gallagher	Langland	Pendray	Whiting
Gilmore	Lichty	Randolph	Mr. Speaker

The nays were, 34.

Allen	Forsling	McLain	Rylander
Ballew	Greaser	Mathews	Shields
Berry	Hansen of Scott	Nelson of	Short
Craven	Helgason	Cherokee	Simmer
Davis	Hutcheon	Paisley	Stanzel
Drake of	Kohler	Randall	Strachan
Muscatine	Lamb	Ratliff	Van Buren
Felter	Lepley	Reed	Van Wert
Finnern	McDermott	Ryder	Wamstad

Absent or not voting, 16.

Aiken	Garrett	Hunt	Miller
Brown	Greene	Husted	Morton
Byers	Hanson of	Koch	Snyder
Drake of Keokuk	Winnebago	Laughlin	Witt
Elliot			

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

#### RULE 58 INVOKED

Allen of Pocahontas invoked Rule 58 with reference to House File No. 309 and it was placed on the calendar.

House File No. 276, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Bair of Buena Vista, the amendments proposed by the committee, found in the Journal of February 20th, were adopted.

Bair 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, 76.

Augustine	Hansen of	McCaulley	Reimers
Avery	Audubon	McCreery	Roe
Babcock	Hanson of	McDermott	Ryder
Bair	Winnebago	McLain	Shields
Ballew	Hayes	Malone	Short
Beath	Helgason	Mathews	Sours
Berry	Hesse	Mayne	Stanzel
Bonnstetter	Hollis	Millhone	Strachan
Craven	Hook	O'Donnell	Tamisiea
Davis	Hopkins	Orr	Thiessen
Dayton	Hush	Osborn	Thompson
Donlon	Johnson of	Paisley	Torgeson
Durant	Marion	Pattison	Van Buren
Ellsworth	Kern	Peaco	Van Wert
Fabritz	Kohler	Pendray	Wamstad
Figgins	Lamb	Randall	Watts
Finnern	Langland	Randolph	Whiting
Gilmore	Lepley	Ratliff	Witt
Gissel	Lichty	Rawlings	Mr. Speaker
Greaser	Long	Reed	

The nays were, none.

Absent or not voting, 32.

Aiken	Felter	Husted	Nelson of Story
Allen	Forsling	Hutcheon	Rutledge
Brown	Gallagher	Koch	Rylander
Byers	Garrett	Laughlin	Simmer
Ditto	Greene	Mead	Snyder
Drake of Keokuk	Hansen of Scott	Miller	Stiger
Drake of	Hollingsworth	Morton	TePaske
Muscatine	Hunt	Nelson of	Wearin
Elliott		Cherokee	

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 to make appropriation to Mrs. K. E. Anderson for services rendered to the state by her deceased husband, with report of committee on appropriations recommending passage, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend House File No. 320 by striking in line nine (9) of section one (1) the word "sum" and inserting in lieu thereof the word "fund".

Amendment adopted.

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, 85.

Augustine	Garrett	Lamb	Reed
Avery	Gilmore	Laughlin	Reimers
Babcock	Gissel	Lepley	Roe
Bair	Greaser	Lichty	Rutledge
Ballew	Greene	Long	Ryder
Beath	Hansen of	McCaulley	Rylander
Berry	Audubon	McCreery	Shields
Bonnstetter	Hansen of Scott	McDermott	Short
Brown	Hanson of	McLain	Sours
Craven	Winnebago	Malone	Stanzel
Davis	Hayes	Mathews	Strachan
Dayton	Helgason	Mayne	Tamisiea
Donlon	Hesse	Millhone	TePaske
Drake of	Hollis	Nelson of Story	Thiessen
Muscatine	Hook	O'Donnell	Thompson
Durant	Hopkins	Orr	Torgeson
Ellsworth	Hush	Paisley	Van Buren
Fabritz	Johnson of	Pattison	Van Wert
Felter	Marion	Peaco	Wamstad
Figgins	Kern	Randolph	Watts
Finnern	Koch	Ratliff	Whiting
Forsling	Kohler	Rawlings	Witt
Gallagher			

The nays were, none.

Absent or not voting, 23.

Aiken	Hollingsworth	Miller	Randall
Allen	Hunt	Morton	Simmer
Byers	Husted	Nelson of	Snyder
Ditto	Hutcheon	Cherokee	Stiger
Drake of Keokuk	Laughlin	Osborn	Wearin
Elliott	Mead	Pendray	Mr. Speaker

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

House File No. 321, a bill for an act to make appropriation to the Metz Construction Company, Springfield, Nebr., for legal services incurred in defending suit brought against the said company and the Iowa State Highway Commission, with report of committee on appropriations 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, 87.

Augustine	Gallagher	Langland	Rawlings
Avery	Garrett	Lepley	Reed
Babcock	Gilmore	Lichty	Reimers
Bair	Gissel	Long	Roe
Ballew	Greaser	McCaulley	Rutledge
Beath	Greene	McCreery	Ryder
Berry	Hansen of	McDermott	Rylander
Bonnstetter	Audubon	McLain	Shields
Brown	Hansen of Scott	Malone	Sours
Craven	Hanson of	Mathews	Stanzel
Davis	Winnebago	Mayne	Strachan
Dayton	Hayes	Millhone	Tamisiea
Ditto	Helgason	Nelson of	TePaske
Donlon	Hollis	Cherokee	Thiessen
Drake of	Hook	O'Donnell	Thompson
Muscatine	Hopkins	Orr	Torgeson
Durant	Hush	Osborn	Van Buren
Ellsworth	Johnson of	Paisley	Van Wert
Fabritz	Marion	Pattison	Wamstad
Felter	Kern	Peaco	Watts
Figgins	Koch	Pendray	Whiting
Finnern	Kohler	Randolph	Witt
Forsling	Lamb	Ratliff	Mr. Speaker

The nays were, none.

Absent or not voting, 21.

Aiken	Hollingsworth	Mead	Short
Allen	Hunt	Miller	Simmer
Byers	Husted	Morton	Snyder
Drake of Keokuk	Hutcheon	Nelson of Story	Stiger
Elliott	Laughlin	Randall	Wearin
Hesse			

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

#### RULE 58 INVOKED

Bair of Buena Vista invoked Rule 58 with reference to House File No. 59 and it was placed on the calendar.

House File No. 322, a bill for an act to make an appropriation to Adolph Griesinger, Roselle, N. J., for military service as a member of Company A, forty-ninth Infantry, Iowa Volunteers, Spanish American War, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren of Jones moved the previous question.

Motion prevailed.

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, 61.

Aiken	Garrett	Lepley	Randolph
Bair	Greaser	Lichty	Rawlings
Beath	Greene	Long	Reed
Berry	Hansen of	McCaulley	Rutledge
Bonnstetter	Audubon	McCreery	Shields
Craven	Hansen of Scott	McLain	Snyder
Davis	Hayes	Mayne	Sours
Dayton	Hesse	Millhone	Stiger
Ditto	Hollis	Nelson of	Strachan
Donlon	Hopkins	Cherokee	TePaske
Drake of	Hush	O'Donnell	Van Buren
Muscatine	Johnson of	Orr	Van Wert
Durant	Marion	Osborn	Wamstad
Ellsworth	Kern	Pattison	Watts
Figgins	Kohler	Peaco	Whiting
Finnern	Lamb	Pendray	Witt
Gallagher			

The nays were, 29.

Augustine	Hanson of	Mathews	Short
Avery	Winnebago	Paisley	Stanzel
Babcock	Helgason	Randall	Tamisiea
Brown	Hook	Ratliff	Thiessen
Felter	Koch	Reimers	Thompson
Forsling	Langland	Roe	Torgeson
Gilmore	McDermott	Ryder	Mr. Speaker
Gissel		Rylander	

Absent or not voting, 18.

Allen	Fabritz	Hutcheon	Morton
Ballew	Hollingsworth	Laughlin	Nelson of Story
Byers	Hunt	Malone	Simmer
Drake of Keokuk	Husted	Mead	Wearin
Elliott		Miller	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Avery of Clay moved that the vote by which House File No. 322 failed to pass the House be reconsidered.

Avery of Clay moved that action on the motion to reconsider be deferred and that House File No. 322 retain its place on the calendar.

TePaske of Sioux moved the previous question.

Motion prevailed.

Motion to defer action prevailed.

Senate File No. 200, a bill for an act to repeal the law as it appears in section three thousand eight hundred thirty-three (3833) of the code, 1927, relating to teachers' employment bureau, with report of committee recommending passage, was taken up for consideration.

Hopkins 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, 79.

Augustine	Greaser	Long	Roe
Avery	Greene	McCreery	Rutledge
Babcock	Hansen of	McDermott	Ryder
Ballew	Audubon	McLain	Rylander
Beath	Hanson of	Malone	Short
Berry	Winnebago	Mathews	Sours
Bonnstetter	Hayes	Mayne	Stiger
Brown	Helgason	Millhone	Strachan
Craven	Hesse	Nelson of	Tamisiea
Dayton	Hollis	Cherokee	TePaske
Ditto	Hook	Orr	Thiessen
Durant	Hopkins	Osborn	Thompson
Ellsworth	Hush	Paisley	Torgeson
Fabritz	Johnson of	Pattison	Van Buren
Felter	Marion	Peaco	Van Wert
Figgins	Kern	Pendray	Wamstad
Finnern	Koch	Randall	Watts
Forsling	Kohler	Randolph	Whiting
Gallagher	Lamb	Ratliff	Witt
Garrett	Langland	Rawlings	Mr. Speaker
Gissel	Lepley	Reed	

The nays were, none.

Absent or not voting, 29.

Aiken	Drake of	Hutcheon	O'Donnell
Allen	Muscatine	Laughlin	Reimers
Bair	Elliott	Lichty	Shields
Byers	Gilmore	McCaulley	Simmer
Davis	Hansen of Scott	Mead	Snyder
Donlon	Hollingsworth	Miller	Stanzel
Drake of Keokuk	Hunt	Morton	Wearin
	Husted	Nelson of Story	

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



House File No. 267, a bill for an act to amend section thirty-eight hundred seventy-three (3873), code, 1927, and to repeal section thirty-eight hundred seventy-four (3874), code, 1927, relating to teachers' examinations, with report of committee recommending passage, was taken up for consideration.

Hopkins 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, 77.

Augustine	Gissel	Long	Roe
Avery	Greaser	McCaulley	Rutledge
Babcock	Greene	McCreery	Ryder
Ballew	Hansen of	McDermott	Rylander
Beath	Audubon	McLain	Shields
Berry	Hanson of	Malone	Short
Bonnstetter	Winnebago	Mayne	Sours
Brown	Hayes	Millhone	Stanzel
Craven	Helgason	Nelson of	Stiger
Davis	Hollis	Cherokee	Strachan
Dayton	Hopkins	Orr	Tamisiea
Ditto	Hush	Osborn	TePaske
Durant	Johnson of	Paisley	Thiessen
Ellsworth	Marion	Pattison	Thompson
Fabritz	Kern	Peaco	Torgeson
Felter	Koch	Pendray	Van Buren
Figgins	Kohler	Randolph	Wamstad
Finnern	Lamb	Ratliff	Watts
Forsling	Langland	Rawlings	Whiting
Gallagher	Lepley	Reed	Mr. Speaker
Garrett			

The nays were, 1.

Van Wert

Absent or not voting, 30.

Aiken	Elliott	Hutcheon	O'Donnell
Allen	Gilmore	Laughlin	Randall
Bair	Hansen of Scott	Lichty	Reimers
Byers	Hesse	Mathews	Simmer
Donlon	Hollingsworth	Mead	Snyder
Drake of Keokuk	Hook	Miller	Wearin
Drake of	Hunt	Morton	Witt
Muscatine	Husted	Nelson of Story	

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

House File No. 373, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa, with respect to the holding

of a special election for the purpose of authorizing a one mill levy for the establishment, improvement, maintenance and operation of an airport and in issuing airport certificates for such purpose, and to authorize the annual levying of such tax and the anticipation of the collection of such tax by the issuance of said certificates, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Mayne of Pottawattamie, the amendment proposed by the committee, found in the Journal of March 12th, was adopted.

Mayne 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, 78.

Augustine	Gissel	McCreery	Ryder
Avery	Greene	McDermott	Rylander
Babcock	Hansen of	McLain	Shields
Ballew	Audubon	Mathews	Short
Beath	Hayes	Mayne	Snyder
Berry	Helgason	Millhone	Sours
Brown	Hollis	Nelson of	Stanzel
Craven	Hopkins	Cherokee	Stiger
Davis	Hush	O'Donnell	Strachan
Dayton	Johnson of	Orr	Tamisiea
Ditto	Marion	Osborn	TePaske
Donlon	Kern	Paisley	Thiessen
Durant	Koch	Pattison	Thompson
Ellsworth	Kohler	Peaco	Van Buren
Fabritz	Lamb	Pendray	Van Wert
Felter	Langland	Randolph	Wamstad
Figgins	Lepley	Ratliff	Watts
Finnern	Lichty	Rawlings	Whiting
Forsling	Long	Reed	Witt
Gallagher	McCauley	Rutledge	Mr. Speaker
Gilmore			

The nays were, none.

Absent or not voting, 30.

Aiken	Elliott	Hook	Morton
Allen	Garrett	Hunt	Nelson of Story
Bair	Greaser	Husted	Randall
Bonnstetter	Hansen of Scott	Hutcheon	Reimers
Byers	Hanson of	Laughlin	Roe
Drake of Keokuk	Winnebago	Malone	Simmer
Drake of	Hesse	Mead	Torgeson
Muscatine	Hollingsworth	Miller	Wearin

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

House File No. 421, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa, on the water works fund of said corporation, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 83.

Augustine	Gilmore	Long	Reed
Avery	Gissel	McCaulley	Roe
Babcock	Greaser	McCreery	Rutledge
Ballew	Greene	McDermott	Ryder
Beath	Hansen of	McLain	Shields
Berry	Audubon	Malone	Short
Bonnstetter	Hanson of	Mathews	Snyder
Brown	Winnebago	Mayne	Sours
Davis	Helgason	Millhone	Stanzel
Dayton	Hesse	Nelson of	Stiger
Ditto	Hollis	Cherokee	Strachan
Donlon	Hook	O'Donnell	Tamisica
Drake of	Hopkins	Orr	Thiessen
Muscatine	Hush	Osborn	Thompson
Durant	Johnson of	Paisley	Torgeson
Ellsworth	Marion	Pattison	Van Buren
Fabritz	Kern	Peaco	Van Wert
Felter	Koch	Pendray	Wamstad
Figgins	Kohler	Randall	Watts
Finnern	Lamb	Randolph	Whiting
Forsling	Langland	Ratliff	Witt
Garrett	Lichty	Rawlings	Mr. Speaker

The nays were, none.

Absent or not voting, 25.

Aiken	Gallagher	Hutcheon	Nelson of Story
Allen	Hansen of Scott	Laughlin	Reimers
Bair	Hayes	Lepley	Rylander
Byers	Hollingsworth	Mead	Simmer
Craven	Hunt	Miller	TePaske
Drake of Keokuk	Husted	Morton	Wearin
Elliott			

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

Tamisica of Harrison moved that the vote by which House

File No. 421 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Hopkins of Guthrie asked and obtained unanimous consent to have Senate File No. 189 substituted for House File No. 283.

Senate File No. 189, a bill for an act to amend the law as it appears in sections forty-one hundred nineteen (4119), code, 1927, relating to the county board of education, was taken up for consideration.

Hopkins 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, 77.

Augustine	Greaser	Lichty	Rutledge
Avery	Greene	Long	Ryder
Babcock	Hansen of	McDermott	Rylander
Ballew	Audubon	McLain	Shields
Beath	Hanson of	Malone	Short
Berry	Winnebago	Mathews	Snyder
Brown	Hayes	Mayne	Stanzel
Craven	Hesse	Millhone	Strachan
Davis	Hollis	Nelson of	Tamisiea
Dayton	Hook	Cherokee	TePaske
Ditto	Hopkins	Osborn	Thiessen
Donlon	Hush	Pattison	Thompson
Durant	Johnson of	Peaco	Torgeson
Ellsworth	Marion	Pendray	Van Buren
Figgins	Kern	Randall	Van Wert
Finnern	Koch	Randolph	Wamstad
Forsling	Kohler	Ratliff	Watts
Gallagher	Lamb	Rawlings	Whiting
Garrett	Langland	Reed	Witt
Gilmore	Lepley	Roe	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 31.

Aiken	Elliott	Hutcheon	O'Donnell
Allen	Fabritz	Laughlin	Orr
Bair	Felter	McCaulley	Paisley
Bonnstetter	Hansen of Scott	McCreery	Reimers
Byers	Helgason	Mead	Simmer
Drake of Keokuk	Hollingsworth	Miller	Sours
Drake of	Hunt	Morton	Stiger
Muscatine	Husted	Nelson of Story	Wearin

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

### HOUSE FILE RE-REFERRED

McCreery of Linn moved that House File No. 201 be re-referred to the committee on agriculture.

Motion prevailed.

House File No. 249, a bill for an act to amend section seventeen hundred forty-seven (1747) of the code, 1927, relating to bonds required for commercial fishermen, with report of committee recommending passage, was taken up for consideration.

Orr 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, 75.

Avery	Greaser	Lepley	Rutledge
Babcock	Greene	Lichty	Ryder
Ballew	Hansen of	Long	Shields
Beath	Audubon	McCaulley	Short
Berry	Hansen of Scott	McCreery	Snyder
Bonnstetter	Hanson of	McDermott	Sours
Brown	Winnebago	Malone	Stanzel
Craven	Hayes	Mayne	Stiger
Davis	Helgason	Millhone	Tamisiea
Dayton	Hesse	O'Donnell	TePaske
Donlon	Hollis	Orr	Thiessen
Durant	Hook	Osborn	Thompson
Ellsworth	Hopkins	Pattison	Torgeson
Felter	Hush	Peaco	Van Buren
Figgins	Kern	Pendray	Van Wert
Forsling	Koch	Randolph	Wamstad
Gallagher	Kohler	Ratliff	Watts
Garrett	Lamb	Rawlings	Whiting
Gilmore	Langland	Reed	Mr. Speaker
Gissel			

The nays were, 5.

Mathews	Randall	Rylander	Strachan
Paisley			

Absent or not voting, 28.

Aiken	Ditto	Fabritz	Hutcheon
Allen	Drake of Keokuk	Finnern	Johnson of
Augustine	Drake of	Hollingsworth	Marion
Bair	Muscatine	Hunt	Laughlin
Byers	Elliott	Husted	

McLain  
Mead  
Miller

Morton  
Nelson of  
Cherokee

Nelson of Story  
Reimers  
Roe

Simmer  
Wearin  
Witt

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

House File No. 365, a bill for an act to make it an offense for any person without the consent of the manufacturer, to remove, alter, deface, mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefor, with report of committee on judiciary recommending passage, was taken up for consideration.

Kern of Polk called up the amendment filed by him and found in the Journal of March 13th and moved its adoption.

Amendment adopted.

Kern of Polk asked and obtained unanimous consent to authorize the Chief Clerk to renumber the sections to House File No. 365.

Mayne 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, 80.

Avery	Greaser	McCreery	Ryder
Babcock	Greene	McDermott	Rylander
Ballew	Hansen of	McLain	Shields
Beath	Audubon	Malone	Short
Berry	Hansen of Scott	Mathews	Snyder
Brown	Hanson of	Mayne	Sours
Craven	Winnebago	Millhone	Stanzel
Davis	Hayes	Orr	Stiger
Dayton	Helgason	Osborn	Strachan
Ditto	Hesse	Paisley	Tamisiea
Donlon	Hollis	Pattison	TePaske
Durant	Hook	Peaco	Thiessen
Ellsworth	Hush	Pendray	Thompson
Fabritz	Kern	Randall	Van Buren
Felter	Koch	Randolph	Van Wert
Figgins	Kohler	Ratliff	Wamstad
Forsling	Lamb	Rawlings	Watts
Gallagher	Langland	Reed	Whiting
Garrett	Lepley	Roe	Witt
Gilmore	Lichty	Rutledge	Mr. Speaker
Gissel	Long		

The nays were, 1.

Torgeson

Absent or not voting, 27.

Aiken	Drake of	Hutcheon	Nelson of
Allen	Muscatine	Johnson of	Cherokee
Augustine	Elliott	Marion	Nelson of Story
Bair	Finnern	Laughlin	O'Donnell
Bonnstetter	Hollingsworth	McCauley	Reimers
Byers	Hopkins	Mead	Simmer
Drake of Keokuk	Hunt	Miller	Wearin
	Husted	Morton	

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

Kern of Polk offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 365 by striking in lines one (1) and two (2) thereof the words "without the consent of the manufacturer".

Amendment adopted and the title as amended was agreed to.

House File No. 454, a bill for an act to amend section twelve thousand eight hundred twenty-three (12823), Code, 1927, relating to appeals to the supreme court, with report of committee on judiciary 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, 58.

Babcock	Greene	Lichty	Rylander
Ballew	Hansen of Scott	Long	Shields
Beath	Hanson of	McCauley	Snyder
Berry	Winnebago	McDermott	Stanzel
Brown	Hayes	Mathews	Strachan
Craven	Helgason	Mayne	TePaske
Davis	Hesse	Millhone	Thiessen
Dayton	Hollis	Osborn	Thompson
Donlon	Hook	Paisley	Torgeson
Durant	Hush	Pattison	Van Buren
Ellsworth	Kern	Peaco	Wamstad
Fabritz	Koch	Pendray	Whiting
Forsling	Kohler	Ratliff	Witt
Garrett	Lamb	Reed	Mr. Speaker
Gissel	Langland	Rutledge	

The nays were, none.

Absent or not voting, 50.

Aiken	Finnern	Lepley	Rawlings
Allen	Gallagher	McCreery	Reimers
Augustine	Gilmore	McLain	Roe
Avery	Greaser	Malone	Ryder
Bair	Hansen of	Mead	Short
Bonnstetter	Audubon	Miller	Simmer
Byers	Hollingsworth	Morton	Sours
Ditto	Hopkins	Nelson of	Stiger
Drake of Keokuk	Hunt	Cherokee	Tamisiea
Drake of	Husted	Nelson of Story	Van Wert
Muscatine	Hutcheon	O'Donnell	Watts
Elliott	Johnson of	Orr	Wearin
Felter	Marion	Randall	
Figgins	Laughlin	Randolph	

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

Orr of Clayton, 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. 160 and 157.

Senate File No. 156.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 160 and 157.

Senate File No. 156.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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, 1931, sent to the governor for his approval:

House Files Nos. 160 and 157.

C. J. ORR, *Chairman.*

Report adopted.

#### BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 14th, approved the following bill:

House File No. 169.

#### 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. 4, a bill for an act relating to and defining the powers and duties of the state board of assessment and review.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 151, a bill for an act relating to public utility plants.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 7, a bill for an act relating to the listing and assessment of the property of all public utilities.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 82, a bill for an act to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the primary roads.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 234, a bill for an act relating to the levying of a tax to pay pensions to widowed mothers.

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 to legalize the proceedings relating to an election held in the City of New Hampton, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 356, a bill for an act to amend section four of chapter thirty of the acts of the Forty-Third General Assembly and specifying Iowa census figures.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 4

1. Amend by inserting at the beginning of amendment No. 2 the following:

“Further amend by adding to Sec. 3 the following:”

2. Amend by inserting at the beginning of amendment No. 3 the following:

“Further amend by adding to Sec. 3 the following:”

3. Amend Senate amendment No. 2 by inserting the word “the” before the word “county” in line 7.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 151

1. Amend House File 151, by inserting after the word “the” and before the word “earnings” in line 10, the word “net”.

2. Amend House File No. 151, by adding after the word “taxation” in line 12, the following:—

“Such contract shall specify the maximum rate that may be charged the consumers, including the municipality, and the city shall not increase or fix any rate beyond such maximum. Under no circumstances shall the city be in any manner liable by reason of the failure of the net earnings being sufficient for the payments provided in the contract. Such contract shall also specify the rate of interest to be charged.”

3. Amend by striking from lines 36 and 37 the following:—

“, with such changes and modifications therein, as may be agreed upon”.

4. Amend sub-section 2-c thereof by adding thereto the following:—

“And such proposition when submitted to an election shall state the maximum amount which may be expended for the establishment, construction, or acquisition of such plant.”

5. Amend section 1 as follows:—

Strike the period (.) in line 28 thereof, and insert in lieu thereof a comma, and add "such notice shall state as nearly as practicable the extent of the work; the kind of materials for which bids will be received; when the work shall be done; the time when the proposals will be acted upon; and shall also provide for competitive bids for the furnishing of electrical energy, gas, water or heat".

6. Amend section 2-d as follows:—

Insert after the comma after the word "therewith" in line 32 of said section 1 the following; "also any bids for the furnishing of electrical energy, gas, water, or heat,".

7. Amend the title as follows:—

Strike out the title as it appears on said bill and substitute the following:—

"A bill for an Act to amend section sixty-one hundred thirty-four (6134) of Chapter three hundred twelve (312) of the Code of Iowa, 1927, relating to public utility plants, and to provide additional methods of paying for said plants, improvements, or extensions thereof, and to provide for publication of notice of intention to enter into such contracts for the purchase of plants, extensions thereof or equipment; to provide for the submission and consideration of bids, plans, specifications and contracts for plants, extensions thereof, and/or equipment and the furnishing of electrical energy, heat, water and/or gas; to provide for fixing the terms, rates, and interest in said contracts; to provide for limiting of liability of municipalities thereon in such contracts; to provide for a record of the proceedings in connections with hearing thereon; to provide that this act does not affect pending litigation and to provide that this act be made applicable to special charter cities."

#### SENATE MESSAGES CONSIDERED

Senate File No. 82, a bill for an act to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the primary roads.

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

Senate File No. 234, a bill for an act to amend section three thousand six hundred forty-one b-one (3641-b1) of the code, 1927, as amended by chapter ninety-two (92) of the acts of the forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers.

Read first and second times and referred to committee on cities and towns.

Senate File No. 310, a bill for an act to legalize the proceedings relating to an election held in the City of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center and issuing and selling bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city.

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

Senate File No. 356, a bill for an act to amend section four (4) of chapter thirty (30) of the acts of the Forty-Third (43rd) General Assembly and specifying Iowa census figures.

Read first and second times and substituted for House File No. 446.

#### AMENDMENTS FILED

McCreery of Linn filed the following amendments to Senate File No. 1:

Amend Senate File No. 1 as follows:

Amend Senate File No. 1, as amended, by striking section fifteen (15), and inserting in lieu thereof the following:

Section 15. Listing property. The county assessor shall appoint one field man for each township from the qualified electors thereof, who shall list and fix the assessable value on all property within said township including towns of one thousand (1,000) population.

He shall also appoint one or more field men for each city or town of more than one thousand (1,000) population to be chosen from the qualified electors thereof, who shall list and fix the assessable value of all property within said city or town.

The field men shall be furnished suitable blanks by the county assessor and shall thereon list and value each item of property separately, together with any debts the taxpayer claims as offsets against moneys and credits, giving the name and address of each creditor and any other information the assessor may require.

These blanks shall be made out in duplicate, each of which shall be signed by the taxpayer under oath. One copy shall be left with the taxpayer and the other shall be returned to the county assessor not later than April first each year.

Upon receipt of such return the county assessor shall proceed to equalize valuations in the county, always considering the information gathered by the field men. Any taxpayer whose valuations have been increased shall be notified not later than June first either in person or by mail. Deposit of such notice in the post office shall constitute delivery and due notice of increase in valuation. Nothing in this section shall prevent the county assessor from employing expert help in any assessment district, or from naming general field men.

I also move to amend section sixteen (16) by striking from line three (3) the words "assessment roll", and inserting in lieu thereof the words "notice of increased valuation".

Strike from line four (4) the words "copy of assessment" and insert in lieu thereof the word "notice".

Also amend by striking from line six (6) of said section sixteen (16) the word "assessment" and inserting in lieu thereof the word "valuation".

Malone of Cass filed the following amendment to House File No. 309:

Amend House File No. 309 by striking from Section One (1), Line Three (3) the words, "for hire".

Shields of Clarke filed the following amendments to House File No. 201:

Amend House File No. 201 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section eighteen hundred forty-six (1846) of the code, 1927, is hereby repealed and the following enacted in lieu thereof:

"1846. Lawful fence defined. A lawful fence shall consist of:

1. Four (4) good wires, barbed with not less than thirty-six (36) iron barbs of not less than two (2) points each, on each rod of wire, the wires to be well stretched and firmly fastened to good substantial posts not more than one (1) rod apart, the top wire to be not less than forty-six (46) inches in height and the other wires so spaced as to make a good substantial fence.

2. Any other kind of fence, which, in the opinion of the fence viewers, is equivalent thereto."

Also amend the title by striking from lines one (1) and two (2) the words and figures: "and eighteen hundred forty-eight (1848)"; also strike out the word "substitutes" in lines three (3) and four (4) and insert in lieu thereof the words "a substitute".

Reed of Mahaska moved that the House adjourn until 9:00 a. m. Monday.

Kern of Polk moved to amend the motion by changing the hour to 1:00 p. m. today.

Motion lost.

Motion by Reed of Mahaska prevailed and 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 16, 1931.

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

Prayer was offered by the Rev. James O. Simon, D.D., pastor of the Memorial Lutheran Church, Nevada, Iowa.

Journal of March 14th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Sours of Floyd for the day, on request of Bonnstetter of Kossuth.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Allen of Pocahontas, from the American Legion and the American Legion auxiliary of Havelock, opposing an amusement tax. Tax revision.

By Bair of Buena Vista, from the Eagle Grove Chamber of Commerce, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Craven of Jasper, from citizens of Jasper county, opposing the county assessor plan; and regulating the trucks and motor busses. Tax revision, and motor vehicles and transportation.

By Davis of Delaware, from citizens of Delaware county, and from 3000 citizens from various counties of the state, favoring making bovine tuberculin testing optional. Animal industry.

By Dayton of Washington, from the legislative committee of the county officers group of the fifth district of Iowa, opposing a

diversion of the primary road fund, and favoring tax reduction through salaries starting at the head of our state government; and from citizens of Wellman, opposing the county assessor plan. Roads and highways, and tax revision.

By Hanson of Winnebago, from 75 citizens of Winnebago county, setting out the unfairness of trucks as competitors of railroads in transporting freight. Motor vehicles and transportation.

By Hollis of Black Hawk, from residents of Iowa, favoring making bovine tuberculin testing optional, and opposing the county assessor plan. Animal industry.

By Lichty of Black Hawk, from citizens of Black Hawk county, favoring making bovine tuberculin testing optional, and opposing the county assessor plan. Animal industry.

By Long of Cerro Gordo, from employees of Jacob E. Decker and Sons of Mason City, opposing the income and corporation tax; and from citizens of Mason City, supporting House Files Nos. 254, 255, 186, 187; and a communication favoring House Files Nos. 402 and 358. Tax revision, motor vehicles and transportation, and judiciary.

By Rutledge of Webster, from citizens of Badger, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rylander of Marshall, from citizens of Marshalltown and Newton, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Torgeson of Worth, from citizens of Emmons, Minnesota, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Watts of Van Buren, from citizens of Van Buren county, favoring making bovine tuberculin testing optional. Animal industry.

By McLain of Poweshiek, from 628 residents of Grinnell and vicinity, favoring House File No. 54. Ways and means.

By Reed of Mahaska, from 295 residents of Oskaloosa and vicinity, favoring House File No. 54. Ways and means.



## REPORTS OF COMMITTEES

Byers of Linn, from the committee on elections, submitted the following reports:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 286, a bill for an act to amend section seven hundred eighteen-b twenty (718-b20) of the code, 1927, as amended by chapter thirty-seven (37), acts of the 43rd general assembly, relating to permanent registration of voters and certificates of registration, beg leave to report they have 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.

FRANK C. BYERS, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 206, a bill for an act providing that no proposition to authorize an issuance of bonds shall be deemed carried or adopted unless approved by sixty per cent (60%) of the voters cast thereon, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

FRANK C. BYERS, *Chairman*.

Report adopted.

Helgason of Emmet, 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. 239, a bill for an act to amend chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, relating to fish and game, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, be amended by striking lines nineteen (19) and twenty (20) of section twenty-six (26) thereof, and substituting therefor the following:

6. Gray, fox or timber squirrel, in the northern zone, from January first to September first; in the southern zone, from January first to August first; all dates inclusive."

E. O. HELGASON, *Chairman*.

Report adopted.

Wamstad of Mitchell, from the committee on commerce and trade, submitted the following reports:

MR. SPEAKER: Your committee on commerce and trade, to whom was referred House File No. 407, a bill for an act providing for regulation of the sale and distribution of substances commonly known as antifreeze and containing methanol, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BREDE WAMSTAD, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on commerce and trade, to whom was referred House File No. 412, a bill for an act to amend chapter four hundred thirty-two (432) code, 1927, so as to define the term "commodity of commerce" as used in sections ninety-eight hundred eighty-five (9885) and ninety-eight hundred eighty-six (9886), 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.

BREDE WAMSTAD, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on commerce and trade, to whom was referred House File No. 461, a bill for an act to regulate the handling and dispensing of gasoline or other inflammable liquids where the same are sold or offered for sale to the public, to regulate the delivery of gasoline or other inflammable liquids at places where the same are sold to the public, and to regulate the servicing of motor vehicles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BREDE WAMSTAD, *Chairman.*

Report adopted.

Dayton of Washington, from the committee on land titles, submitted the following report:

MR. SPEAKER: Your committee on land titles has introduced to the House, House File No. 502, a bill for an act to require certain entries by the county treasurer, and by the clerk of the district court, to show the exact time of the making of such entries.

The committee on land titles recommends to the House that the bill do pass.

C. O. DAYTON, *Chairman.*

Report adopted.

## INTRODUCTION OF BILLS

House File No. 488, by Dayton of Washington, Ditto of Osceola, and Felter of Warren, a bill for an act to regulate outdoor advertising and to tax outdoor advertising, and to tax outdoor advertisers, and to require and provide for the issuing of licenses and permits to persons, firms, and corporations for the construction, maintenance and use of billboards and other structures for outdoor advertisements and advertisers, and to provide for the administration and collection of the tax by the State Board of Assessment and Review and the city or town councils; and to repeal paragraph 5, section 5743 the code, 1927, relating to billboards in cities and towns.

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

House File No. 489, by McCaulley of Calhoun, a bill for an act to amend section five thousand sixty-nine (5069) of the code, 1927, relating to motor vehicles.

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

House File No. 490, by Osborn of Decatur, a bill for an act to define suggestive therapeutics; prescribe requirements for obtaining and granting license for the practice thereof, and to amend sections twenty-four hundred thirty-eight (2438), twenty-four hundred thirty-nine (2439), twenty-four hundred fifty (2450), twenty-four hundred fifty-two (2452), twenty-five hundred sixteen (2516), and twenty-five hundred thirty-nine (2539) of the code, 1927, so as to include suggestive therapeutics in the practice acts of said code.

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

House File No. 491, by Hayes of Dubuque, a bill for an act to amend section fourteen hundred twenty-two (1422) of the code, 1927, relating to compensation to be paid by the state out of the general fund of the state to peace officers so as to extend the provisions thereof to include firemen on volunteer fire departments in any city or town so that they may be paid in case of injury and death while in the line of duty.

Read first and second times and referred to committee on cities and towns.

House File No. 492, by Hanson of Winnebago, Durant of Hancock, and Hopkins of Guthrie, a bill for an act to amend section fifty-four hundred forty-eight (5448), code, 1927, so as to provide for the impounding and disposal of dogs running at large, between sunset and sunrise, and not under the immediate control of some person.

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

House File No. 493, by Dayton of Washington, a bill for an act to provide certain funds for distribution to school corporations and the method for distributing such funds.

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

House File No. 494, by Langland of Winneshiek, a bill for an act to amend section forty-eight hundred thirty-five (4835), code, 1927, relating to the removal of obstructions in highway.

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

House File No. 495, by Thompson of Fayette and Lamb of Dallas, a bill for an act dividing the state into nine (9) congressional districts; and repealing chapter thirty-five-A one (35-A1) of the code, 1927.

Read first and second times and referred to committee on judicial and political districts.

House File No. 496, by Berry of Monroe, a bill for an act to amend chapter one hundred twenty-eight (128) of the laws of the forty-third general assembly pertaining to the speed of motor vehicles on highways.

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

House File No. 497, by Kern of Polk, a bill for an act to amend section three thousand one hundred forty-eight (3148) of chapter one hundred fifty-five (155), code, 1927, relating to the definition of itinerant vendor of drugs.

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

House File No. 498, by Kern of Polk, a bill for an act to amend section sixty-three hundred ten (6310), code, 1927, relating to pension funds.

Read first and second times and referred to committee on cities and towns.

House File No. 499, by Langland of Winneshiek, a bill for an act to regulate the sale of food in certain retail establishments.

Read first and second times and referred to committee on dairy and food.

House File No. 500, by Wearin of Mills, a bill for an act prohibiting political activity or contribution for political purposes of any appointive officer or employee thereof in any of the different branches of the state government, and providing for a penalty therefor.

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

House File No. 501, by Ballew of Appanoose, a bill for an act to require county boards of supervisors to buy the yearly current supplies and materials from the lowest responsible bidder when the total cost in any year of any such a commodity or supply will exceed three hundred dollars (\$300.00).

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

House File No. 502, by committee on land titles, a bill for an act to require certain entries by the county treasurer, and by the clerk of the district court, to show the exact time of the making of such entries.

Read first and second times and passed on file.

House File No. 503, by Forsling and Short of Woodbury, a bill for an act granting to the city of Sioux City, Iowa, abandoned Missouri river bed lying between the present high water line of said river, within the corporate limits of said city, and the harbor line established by the war department of the United States

government, and authorizing the deeding of the same to said city by the Governor of the state.

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

House File No. 504, by Kern of Polk, a bill for an act to provide for an adjudication, during an administration of an estate, of the identity, existence, share, or interest of any or all persons having, or claiming to have an interest in the estate, whether as heirs, devisees, legatees, spouse, or otherwise, and to that end to amend chapter five hundred seven (507) of the code, 1927, relating to the settlement of estates.

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

House File No. 505, by Rutledge of Webster, a bill for an act to amend section fifty-seven hundred forty-three (5743), code, 1927, relating to powers of cities and towns to regulate and license barber shops.

Read first and second times and referred to committee on cities and towns.

House File No. 506, by Kern of Polk, a bill for an act granting to riparian owners of shore lands on the Missouri river within the corporate limits of the city of Sioux City, Woodbury County, Iowa, all right, title and interest possessed by the state of Iowa in and to the portion of the bed of said Missouri River lying between the river boundary line of said riparian owners' properties and the thread of the stream of said Missouri river as now or hereafter located, and reserving to the state of Iowa that portion of said river bed so conveyed lying between the said thread of said stream and such harbor lines as may hereafter be established by the government of the United States.

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

#### RESIGNATION OF COMMITTEE CLERK

I hereby resign my position as committee clerk in the House, effective today.

KATHRYNE MILLER.

The resignation was accepted, and Zoe Spitler was appointed to fill the vacancy.

### CONSIDERATION OF SENATE AMENDMENTS

On request of Simmer of Wapello, House File No. 151, a bill for an act to amend section six thousand one hundred thirty-four (6134) of the Code, 1927, relating to public utility plants, and to provide an additional method of paying for said plants, improvements and extensions thereof, with Senate amendments, was taken up and the amendments read and considered.

### SENATE AMENDMENTS TO HOUSE FILE NO. 151

1. Amend House File No. 151, by inserting after the word "the" and before the word "earnings" in line 10, the word "net".

2. Amend House File No. 151, by adding after the word "taxation" in line 12, the following:—

"Such contract shall specify the maximum rate that may be charged the consumers, including the municipality, and the city shall not increase or fix any rate beyond such maximum. Under no circumstances shall the city be in any manner liable by reason of the failure of the net earnings being sufficient for the payments provided in the contract. Such contract shall also specify the rate of interest to be charged."

3. Amend by striking from lines 36 and 37 the following:—

", with such changes and modifications therein, as may be agreed upon".

4. Amend sub-section 2-c thereof by adding thereto the following:—

"And such proposition when submitted to an election shall state the maximum amount which may be expended for the establishment, construction, or acquisition of such plant."

5. Amend section 1 as follows:—

Strike the period (.) in line 28 thereof, and insert in lieu thereof a comma, and add "such notice shall state as nearly as practicable the extent of the work; the kind of materials for which bids shall be received; when the work shall be done; the time when the proposals will be acted upon; and shall also provide for competitive bids for the furnishing of electrical energy, gas, water or heat".

6. Amend section 2-d as follows:—

Insert after the comma after the word "therewith" in line 32 of said

section 1 the following: "also any bids for the furnishing of electrical energy, gas, water, or heat,".

7. Amend the title as follows:—

Strike out the title as it appears on said bill and substitute the following:—

"A bill for an Act to amend section sixty-one hundred thirty-four (6134) of Chapter three hundred twelve (312) of the Code of Iowa, 1927, relating to public utility plants, and to provide additional methods of paying for said plants, improvements, or extensions thereof, and to provide for publication of notice of intention to enter into such contracts for the purchase of plants, extensions thereof or equipment; to provide for the submission and consideration of bids, plans, specifications and contracts for plants, extensions thereof, and/or equipment and the furnishing of electrical energy, heat, water, and/or gas; to provide for fixing the terms, rates, and interest in said contracts; to provide for limiting of liability of municipalities thereon in such contracts; to provide for a record of the proceedings in connections with hearing thereon; to provide that this act does not affect pending litigation and to provide that this act be made applicable to special charter cities."

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

On the question, "Shall the House concur?"

The ayes were, 82.

Aiken	Gissel	Long	Reed
Augustine	Greaser	McCaulley	Roe
Avery	Hansen of	McCreery	Rutledge
Babcock	Audubon	McDermott	Rylander
Bair	Hayes	McLain	Short
Ballew	Hollis	Malone	Simmer
Beath	Hook	Mathews	Snyder
Berry	Hopkins	Mead	Sours
Craven	Hunt	Millhone	Stanzel
Dayton	Hush	Nelson of	Strachan
Ditto	Husted	Cherokee	TePaske
Donlon	Hutcheon	Orr	Thiessen
Drake of Keokuk	Johnson of	Osborn	Thompson
Durant	Marion	Paisley	Torgeson
Elliott	Kern	Pattison	Van Buren
Felter	Koch	Peaco	Wamstad
Figgins	Kohler	Pendray	Watts
Finnern	Lamb	Randall	Wearin
Forsling	Langland	Randolph	Whiting
Gallagher	Laughlin	Ratliff	Witt
Garrett	Lepley	Rawlings	Mr. Speaker
Gilmore			

The nays were, none.



Absent or not voting, 26.

Allen	Ellsworth	Hesse	O'Donnell
Bonnstetter	Fabritz	Hollingsworth	Reimers
Brown	Greene	Lichty	Ryder
Byers	Hansen of Scott	Mayne	Shields
Davis	Hanson of	Miller	Stiger
Drake of	Winnebago	Morton	Tamisiea
Muscatine	Helgason	Nelson of Story	Van Wert

House concurred in Senate amendments to House File No. 151.

On request of McCaulley of Calhoun, House File No. 4, a bill for an act to amend the law as it appears in paragraphs one (1), six (6), and nine (9), of section seventeen (17), chapter two hundred five (205), of the Acts of the Forty-third General Assembly, relating to and defining the powers and duties of the State Board of Assessment and Review, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 4

1. Amend by inserting at the beginning of amendment No. 2 the following:

“Further amend by adding to Sec. 3 the following:”

2. Amend by inserting at the beginning of amendment No. 3 the following:

“Further amend by adding to Sec. 3 the following:”

3. Amend Senate amendment No. 2 by inserting the word “the” before the word “county” in line 7.

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

On the question, “Shall the House concur?”

The ayes were, 86.

Augustine	Drake of Keokuk	Gissel	Hush
Avery	Drake of	Greaser	Husted
Babcock	Muscatine	Hansen of	Hutcheon
Bair	Durant	Audubon	Johnson of
Ballew	Elliott	Hansen of Scott	Marion
Beath	Felter	Hanson of	Koch
Berry	Figgins	Winnebago	Kohler
Craven	Finnern	Hayes	Lamb
Davis	Forsling	Helgason	Langland
Dayton	Gallagher	Hesse	Laughlin
Ditto	Garrett	Hollis	Lepley
Donlon	Gilmore	Hook	Long

McCaulley	Orr	Roe	TePaske
McCreery	Osborn	Rutledge	Thiessen
McDermott	Paisley	Ryder	Thompson
McLain	Pattison	Rylander	Torgeson
Mathews	Peaco	Short	Wamstad
Mayne	Pendray	Snyder	Watts
Mead	Randall	Sours	Wearin
Millhone	Randolph	Stanzel	Whiting
Nelson of	Ratliff	Stiger	Witt
Cherokee	Rawlings	Strachan	Mr. Speaker
Nelson of Story	Reed	Tamisiea	

The nays were, none.

Absent or not voting, 22.

Aiken	Fabritz	Kern	Reimers
Allen	Greene	Lichty	Shields
Bonnstetter	Hollingsworth	Malone	Simmer
Brown	Hopkins	Miller	Van Buren
Byers	Hunt	Morton	Van Wert
Ellsworth		O'Donnell	

House concurred in Senate amendments to House File No. 4.

#### SENATE FILE SUBSTITUTED FOR HOUSE FILE

Babcock of Chickasaw asked and obtained unanimous consent to have Senate File No. 310 substituted for House File No. 432.

#### CONSIDERATION OF BILLS

Senate File No. 356, a bill for an act to amend section four (4) of chapter thirty (30) of the acts of the Forty-Third (43rd) General Assembly and specifying Iowa census figures, was taken up for consideration, having been substituted for House File No. 446.

Torgeson of Worth offered the following amendment and moved its adoption:

Amend by inserting in line six (6) of section one (1) the word "latest" after the word "the".

Amendment adopted.

Nelson 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, 92.

Aiken	Gissel	Long	Rutledge
Augustine	Greaser	McCaulley	Ryder
Avery	Hansen of	McCreery	Rylander
Babcock	Audubon	McDermott	Short
Bair	Hansen of Scott	McLain	Simmer
Ballew	Hanson of	Malone	Snyder
Beath	Winnebago	Mathews	Sours
Berry	Hayes	Mayne	Stanzel
Craven	Helgason	Mead	Stiger
Davis	Hollis	Millhone	Strachan
Dayton	Hook	Nelson of	Tamisiea
Ditto	Hopkins	Cherokee	TePaske
Donlon	Hunt	Nelson of Story	Thiessen
Drake of Keokuk	Hush	O'Donnell	Thompson
Drake of	Husted	Orr	Torgeson
Muscatine	Hutcheon	Osborn	Van Buren
Durant	Johnson of	Pattison	Wamstad
Elliott	Marion	Peaco	Watts
Felter	Kern	Pendray	Wearin
Figgins	Koch	Randall	Whiting
Finnern	Kohler	Randolph	Witt
Forsling	Lamb	Ratliff	Mr. Speaker
Gallagher	Langland	Rawlings	
Garrett	Laughlin	Reed	
Gilmore	Lepley	Roe	

The nays were, none.

Absent or not voting, 16.

Allen	Ellsworth	Hollingsworth	Paisley
Bonnstetter	Fabritz	Lichty	Reimers
Brown	Greene	Miller	Shields
Byers	Hesse	Morton	Van Wert

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

Nelson of Cherokee moved that the vote by which Senate File No. 356 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 38, a bill for an act amending section fifty-six hundred ninety-four (5694) of the code, 1927, relating to the chiefs of police and fire departments in cities under the manager plan, with report of committee recommending passage, was taken up for consideration.

Hutcheon of Greene offered the following amendment and moved its adoption:

Amend by striking section one (1) from the bill.

Peaco of Clinton moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 43.

Avery	Gissel	Kohler	Shields
Ballew	Greaser	Lamb	Short
Beath	Hansen of	Langland	Snyder
Brown	Audubon	Lepley	Sours
Davis	Hanson of	McLain	Stanzel
Donlon	Winnebago	Malone	Strachan
Drake of	Helgason	Millhone	Tamisiea
Muscatine	Hopkins	Nelson of Story	TePaske
Felter	Hush	Pendray	Thompson
Figgins	Husted	Randall	Wamstad
Gallagher	Hutcheon	Reed	Mr. Speaker
Gilmore		Reimers	

The nays were, 44.

Augustine	Greene	McCreery	Rawlings
Babcock	Hansen of Scott	McDermott	Roe
Bair	Hayes	Mathews	Ryder
Byers	Hesse	Mayne	Stiger
Craven	Hook	Mead	Thiessen
Ditto	Hunt	O'Donnell	Torgeson
Drake of Keokuk	Johnson of	Orr	Watts
Durant	Marion	Osborn	Whiting
Elliott	Kern	Paisley	Witt
Finnern	Laughlin	Pattison	
Forsling	Long	Peaco	
Garrett	McCaulley	Ratliff	

Absent or not voting, 21.

Aiken	Fabritz	Morton	Rylander
Allen	Hollingsworth	Nelson of	Simmer
Berry	Hollis	Cherokee	Van Buren
Bonnstetter	Koch	Randolph	Van Wert
Dayton	Lichty	Rutledge	Wearin
Ellsworth	Miller		

Amendment lost.

Hayes 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, 58.

Aiken	Berry	Drake of Keokuk	Garrett
Augustine	Byers	Drake of	Greene
Avery	Craven	Muscatine	Hansen of Scott
Babcock	Davis	Elliott	Hayes
Bair	Ditto	Finnern	Hesse

Hollis	Long	Osborn	Rutledge
Hook	McCaulley	Paisley	Ryder
Hunt	McCreery	Pattison	Stiger
Johnson of Marion	McLain	Peaco	Thiessen
Kern	Mathews	Pendray	Torgeson
Koch	Mayne	Randolph	Van Buren
Lamb	Mead	Ratliff	Watts
Langland	Nelson of Story	Rawlings	Wearin
Laughlin	O'Donnell	Reed	Whiting
	Orr	Reimers	Witt

The nays were, 41.

Ballew	Gissel	Kohler	Short
Beath	Greaser	Lepley	Simmer
Brown	Hansen of	McDermott	Snyder
Dayton	Audubon	Malone	Sours
Donlon	Hanson of	Millhone	Stanzel
Durant	Winnebago	Nelson of	Strachan
Felter	Helgason	Cherokee	Tamisiea
Figgins	Hopkins	Randall	TePaske
Forsling	Hush	Roe	Thompson
Gallagher	Husted	Rylander	Wamstad
Gilmore	Hutcheon	Shields	Mr. Speaker

Absent or not voting, 9.

Allen	Fabritz	Lichty	Morton
Bonnstetter	Hollingsworth	Miller	Van Wert
Ellsworth			

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

Hayes of Dubuque moved that the vote by which Senate File No. 38 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Orr of Clayton asked and obtained unanimous consent to substitute Senate File No. 82 for House File No. 125.

Senate File No. 82, a bill for an act to provide for the vacation of roads, parts thereof and railroad crossings which have been a part of the primary roads, was taken up for consideration.

Orr 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, 82.

Avery	Hansen of Scott	McCaulley	Rutledge
Babcock	Hanson of	McCreery	Ryder
Bair	Winnebago	McDermott	Rylander
Ballew	Hayes	McLain	Shields
Beath	Helgason	Mathews	Short
Brown	Hesse	Mayne	Simmer
Byers	Hollis	Millhone	Sours
Craven	Hook	Nelson of	Stanzel
Dayton	Hopkins	Cherokee	Stiger
Ditto	Hunt	Nelson of Story	Strachan
Drake of Keokuk	Husted	Orr	Tamisiea
Elliott	Hutcheon	Osborn	TePaske
Ellsworth	Johnson of	Paisley	Thiessen
Felter	Marion	Pattison	Thompson
Figgins	Kern	Peaco	Torgeson
Finnern	Koch	Pendray	Van Buren
Forsling	Kohler	Randall	Wamstad
Gallagher	Lamb	Randolph	Wearin
Garrett	Langland	Ratliff	Whiting
Gissel	Laughlin	Reed	Witt
Greaser	Long	Reimers	Mr. Speaker
Greene			

The nays were, 3.

Augustine	Durant	Rawlings
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Absent or not voting, 23.

Aiken	Drake of	Hush	Morton
Allen	Muscatine	Lepley	O'Donnell
Berry	Fabritz	Lichty	Roe
Bonnstetter	Gilmore	Malone	Snyder
Davis	Hansen of	Mead	Van Wert
Donlon	Audubon	Miller	Watts
	Hollingsworth		

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

Orr of Clayton moved that the vote by which Senate File No. 82 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 114, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164) of the code, 1927, so as to provide for the distribution of the tax realized on money and credits to district school funds, with report of committee recommending passage, was taken up for consideration.

Hush of Montgomery asked and obtained unanimous consent to

withdraw the amendment filed by him and found in the Journal of March 11th.

Hush of Montgomery offered the following amendment and moved its adoption:

Amend House File No. 114 by striking section one (1).

Byers of Linn offered the following amendment as a substitute for the pending amendment and moved its adoption:

Amend by striking section one (1) from the bill.

Also, amend by striking in line four (4) of section two (2) the word "school" and inserting in lieu thereof the words "such taxing".

Further, amend by inserting in line five (5) of section two (2) the word "taxing" after the word "such".

Drake of Keokuk moved that further action on House File No. 114 be deferred.

Motion prevailed.

House File No. 288, a bill for an act to amend sections twenty-nine hundred twenty-one (2921), code, 1927, and twenty-nine hundred twenty-three (2923), code, 1927, relating to state aid to short courses in counties where no county or district fairs are held, with report of committee recommending amendment and passage, was taken up for consideration.

Hanson of Winnebago moved that the amendment proposed by the committee, found in the Journal of February 19th, be adopted.

Committee amendment lost.

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

On the question "Shall the bill pass?"

The ayes were, 89.

Allen  
Augustine  
Avery  
Babcock  
Ballew  
Beath  
Brown

Craven  
Dayton  
Ditto  
Donlon  
Drake of Keokuk  
Drake of  
Muscatine

Durant  
Ellsworth  
Fabritz  
Felter  
Finnern  
Forsling  
Gallagher

Garrett  
Gilmore  
Gissel  
Greaser  
Greene  
Hansen of  
Audubon

Hansen of Scott	Lamb	Nelson of Story	Shields
Hanson of	Langland	Orr	Snyder
Winnebago	Laughlin	Osborn	Sours
Hayes	Lepley	Paisley	Stiger
Helgason	Long	Pattison	Strachan
Hesse	McCaulley	Peaco	Tamisiea
Hollis	McCreery	Pendray	TePaske
Hook	McDermott	Randolph	Thiessen
Hopkins	McLain	Ratliff	Thompson
Hunt	Malone	Rawlings	Torgeson
Husted	Mathews	Reed	Wamstad
Hutcheon	Mayne	Reimers	Watts
Johnson of	Mead	Roe	Wearin
Marion	Millhone	Rutledge	Whiting
Kern	Morton	Ryder	Witt
Koch	Nelson of	Rylander	Mr. Speaker
Kohler	Cherokee		

The nays were, none.

Absent or not voting, 19.

Aiken	Davis	Lichty	Simmer
Bair	Elliott	Miller	Stanzel
Berry	Figgins	O'Donnell	Van Buren
Bonnstetter	Hollingsworth	Randall	Van Wert
Byers	Hush	Short	

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 to legalize proceedings relating to an election held in the City of New Hampton, Iowa, on the proposition of erecting a municipal swimming pool and recreation center and issuing and selling bonds for such purpose, and levying an annual tax for the payment of such bonds, and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city, was taken up for consideration, having been substituted for House File No. 432.

Babcock 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, 80.

Augustine	Brown	Drake of	Gallagher
Avery	Craven	Muscataine	Gilmore
Babcock	Davis	Durant	Gissel
Ballew	Dayton	Felter	Greaser
Beath	Donlon	Finnern	Hansen of
Berry	Drake of Keokuk	Forsling	Audubon



Hansen of Scott	Kohler	Nelson of Story	Shields
Hanson of	Lamb	O'Donnell	Snyder
Winnebago	Langland	Orr	Sours
Hayes	Laughlin	Osborn	Stiger
Helgason	Lepley	Paisley	Strachan
Hesse	Long	Pattison	Tamisiea
Hollis	McCreery	Peaco	TePaske
Hook	McDermott	Pendray	Thiessen
Hopkins	Malone	Randall	Torgeson
Hunt	Mathews	Ratliff	Wamstad
Husted	Mayne	Rawlings	Watts
Hutcheon	Millhone	Reed	Wearin
Johnson of	Morton	Roe	Whiting
Marion	Nelson of	Rutledge	Witt
Kern	Cherokee	Rylander	Mr. Speaker
Koch			

The nays were, none.

Absent or not voting, 28.

Aiken	Ellsworth	Lichty	Ryder
Allen	Fabritz	McCaulley	Short
Bair	Figgins	McLain	Simmer
Bonnstetter	Garrett	Mead	Stanzel
Byers	Greene	Miller	Thompson
Ditto	Hollingsworth	Randolph	Van Buren
Elliott	Hush	Reimers	Van Wert

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 provide for the levy and assessment of dues by the governing boards of cemeteries against all unused lots or parts of lots to be used for the perpetual care and upkeep of all lots or parts of lots located within a cemetery; to provide for the forfeiture of title to any unused lot or unused portion of a lot in the event of failure to pay the said assessment; to provide for the sale of all forfeited lots or portions of lots and for the use of the receipts from the sale of the same and for the redemption of said lots by the owner, heir or legal representative, and to provide for a lien on the lots or portions of lots for any unpaid assessment, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury, chairman of the committee on judiciary, called up the amendment by the committee on judiciary, filed and found in the Journal of March 10th.

Amendment adopted.

Rutledge of Webster moved the previous question.

Motion prevailed.

Wearin 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, 98.

Augustine	Hansen of	Long	Reimers
Avery	Audubon	McCaulley	Roe
Babcock	Hanson of Scott	McCreery	Rutledge
Bair	Hanson of	McDermott	Ryder
Ballew	Winnebago	McLain	Rylander
Beath	Hayes	Malone	Shields
Brown	Helgason	Mathews	Short
Craven	Hesse	Mayne	Simmer
Davis	Hollingsworth	Mead	Snyder
Dayton	Hollis	Millhone	Sours
Ditto	Hook	Morton	Stanzel
Donlon	Hopkins	Nelson of	Stiger
Drake of Keokuk	Hunt	Cherokee	Strachan
Durant	Hush	Nelson of Story	Tamisiea
Ellsworth	Husted	O'Donnell	TePaske
Fabritz	Hutcheon	Orr	Thiessen
Felter	Johnson of	Osborn	Thompson
Figgins	Marion	Paisley	Torgeson
Finnern	Kern	Pattison	Van Buren
Forsling	Koch	Peaco	Wamstad
Gallagher	Kohler	Pendray	Watts
Garrett	Lamb	Randall	Wearin
Gilmore	Langland	Randolph	Whiting
Gissel	Laughlin	Ratliff	Witt
Greaser	Lepley	Rawlings	Mr. Speaker
Greene		Reed	

The nays were, none.

Absent or not voting, 10.

Aiken	Bonnstetter	Drake of	Lichty
Allen	Byers	Muscatine	Miller
Berry		Elliott	Van Wert

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

Wearin of Mills moved that the vote by which House File No. 57 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 341, a bill for an act to amend the law as it appears in chapter three hundred twelve (312) of the code of

Iowa, 1927, relating to heating plants, water or gas works and electric plants; to provide for and authorize the use of surplus earned from the operation of municipal water plants in cities of forty thousand (40,000) or over, having a board of trustees managing such plant; to authorize the use of said surplus earnings in said cities for the purpose of acquiring property and erecting a building or buildings thereon for its use and for the use of other city departments or agencies, with report of committee recommending passage, was taken up for consideration.

Mayne 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, 85.

Aiken	Gissel	Lepley	Ratliff
Augustine	Greaser	Long	Rawlings
Avery	Greene	McCaulley	Reed
Babcock	Hansen of Scott	McCreery	Reimers
Bair	Hanson of	McDermott	Rutledge
Beath	Winnebago	McLain	Ryder
Berry	Hayes	Mathews	Rylander
Brown	Helgason	Mayne	Shields
Craven	Hollingsworth	Millhone	Snyder
Davis	Hollis	Morton	Sours
Dayton	Hook	Nelson of	Stanzel
Donlon	Hopkins	Cherokee	Strachan
Drake of Keokuk	Hunt	Nelson of Story	Tamisiea
Drake of	Hutcheon	O'Donnell	TePaske
Muscatine	Johnson of	Orr	Thiessen
Durant	Marion	Osborn	Thompson
Ellsworth	Kern	Paisley	Van Buren
Fabritz	Koch	Pattison	Wamstad
Felter	Kohler	Peaco	Watts
Figgins	Lamb	Pendray	Wearin
Gallagher	Langland	Randall	Whiting
Garrett	Laughlin	Randolph	Mr. Speaker
Gilmore			

The nays were, 2.

Roe Torgeson

Absent or not voting, 21.

Allen	Finnern	Hush	Short
Ballew	Forsling	Husted	Simmer
Bonnstetter	Hansen of	Lichty	Stiger
Byers	Audubon	Malone	Van Wert
Ditto	Hesse	Mead	Witt
Elliott		Miller	

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

Greene of Pottawattamie moved that the vote by which House File No. 341 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 304, a bill for an act to amend section eleven thousand eighty-one (11081) of the code, 1927, relating to publication of notice in civil actions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 70.

Augustine	Gissel	Lepley	Roe
Avery	Greaser	Long	Rutledge
Babcock	Hanson of	McCreery	Ryder
Beath	Winnebago	McDermott	Rylander
Berry	Hayes	McLain	Short
Craven	Helgason	Mathews	Snyder
Davis	Hollingsworth	Morton	Sours
Dayton	Hollis	Nelson of	Stanzel
Donlon	Hook	Cherokee	Strachan
Drake of Keokuk	Hush	Nelson of Story	Tamisiea
Drake of	Johnson of	Orr	Thiessen
Muscatine	Marion	Osborn	Thompson
Durant	Kern	Pattison	Torgeson
Ellsworth	Koch	Peaco	Van Buren
Fabritz	Kohler	Pendray	Wamstad
Felter	Lamb	Randolph	Wearin
Finnern	Langland	Rawlings	Whiting
Forsling	Laughlin	Reed	Mr. Speaker
Garrett		Reimers	

The nays were, 1.

Gallagher

Absent or not voting, 37.

Aiken	Gilmore	Hutcheon	Randall
Allen	Greene	Lichty	Ratliff
Bair	Hansen of	McCaulley	Shields
Ballew	Audubon	Malone	Simmer
Bonnstetter	Hansen of Scott	Mayne	Stiger
Brown	Hesse	Mead	TePaske
Byers	Hopkins	Millhone	Van Wert
Ditto	Hunt	Miller	Watts
Elliott	Husted	O'Donnell	Witt
Figgins		Paisley	

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

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Wamstad of Mitchell asked and obtained unanimous consent to have three hundred additional copies of House File No. 377 printed.

On motion of Snyder of Hamilton the House adjourned until 4:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

#### COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

*Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:*

I herewith submit for your attention and consideration a message received by the Executive Office on March 6, 1931, from Honorable William Tyler Page, Clerk of the House of Representatives of the United States which reads as follows:

"I, Wm. Tyler Page, Clerk of the House of Representatives of the United States, hereby certify, pursuant to Section 22, subdivision (B), of the Act of the Congress of the United States of America entitled 'An Act to provide for the Fifteenth and subsequent Decennial Censuses and to provide for apportionment of Representatives in Congress', approved June 18, 1929, that the State of Iowa shall be entitled, in the Seventy-third Congress and in each Congress thereafter until the taking effect of a reapportionment under said Act of subsequent statute, to nine (9) Representatives in the House of Representatives of the Congress of the United States."

Respectfully submitted,

DAN W. TURNER, *Governor.*

March 16, 1931.

#### REPORTS OF COMMITTEES

##### REPORT OF THE COMMITTEE OF THE WHOLE

Johnson of Dickinson, chairman of the committee of the whole House, submitted the following report:

The committee of the whole to whom was referred House Files Nos. 11, 64, 171 and 356, bills that relate to state senatorial redistricting, beg leave to report they have had the same under consideration and have instructed me to report House File No. 11, a bill for an act to repeal chapter thirty-five a two (35-a2) of the Code, 1927, to apportion the State of Iowa into Senatorial Districts and to provide the time when State Senators shall be elected, to the House with the recommendation that the same do pass.

FRANCIS JOHNSON,

*Chairman of the Committee of the Whole House.*

Torgeson of Worth moved the adoption of the report.

Motion prevailed and the report was adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 471, a bill for an act to amend sections three hundred fifty-seven (357) and three hundred sixty-six (366) of the code, 1927, as amended by chapter nineteen (19), acts of the forty-third (43rd) general assembly, relating to the hearings before the director of the budget and in the matter of his decisions in such hearings, and on the issuance of bonds by municipalities, and to repeal sections two (2) and three (3) of chapter nineteen (19), acts of the forty-third (43rd) 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 468, a bill for an act to legalize the proceedings relating to an election held in the town of Traer, Iowa, on the proposition of establishing and constructing a municipal swimming pool and issuing bonds for such purpose and levying an annual tax for the payment of such bonds and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations 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.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 296, a bill for an act to amend section eleven thousand forty-two (11042) of the code, 1927, relating to actions against public utilities, beg leave to report they have had the same 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 line four (4) of section one (1) and by inserting in lieu thereof “, oil, gas or gasoline transmission lines,”.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 371, a bill for an act to amend section fourteen hundred seventy-nine (1479) of the code, 1927, relating to 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:

Amend by inserting after the word “law” in line six (6) “under this section”.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 45, a bill for an act to create a Court of Claims to prescribe its jurisdiction, and to provide a method for the selection of Judges thereof, and to prescribe the procedure in said 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. Amend section six (6) by substituting a period (.) for the comma after the word “otherwise” in line three (3) thereof and by striking the remainder of said section.

2. Amend section eight (8) by adding thereto the following: “No judgment allowing a claim shall be entered.”

3. Amend section nine (9) by adding after the word “shall” in line four (4) thereof the following:

“upon request of the Attorney General.”

4. Amend said bill by adding thereto the following:

"Sec. 22. The expense and cost attending the above proceedings before the court of claims, including reporter's transcript of the proceedings, shall be paid out of any funds in the State Treasury not otherwise appropriated."

L. B. FORSLING, *Chairman.*

Report adopted.

Hayes of Dubuque, from the committee on interstate bridges, submitted the following report:

MR. SPEAKER: Your committee on interstate bridges, to whom was referred House File No. 344, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; to provide the funds for the construction, purchase and maintenance of such bridges; to provide the method of letting the contracts for the construction of such bridges; to authorize any county, township or city in the state to aid in the construction or purchase of such bridges and issue bonds for such purpose and providing for the submission of the same to the electors of such county, township or city; and providing for the operation of such a bridge as a toll bridge for a limited period after which such bridge shall forever be free, beg leave to report they have had 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. N. HAYES, *Chairman.*

Report adopted.

Shields of Clarke, from the committee on roads and highways, submitted the following reports:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 303, a bill for an act to amend section five thousand thirty-three (5033) of the code, 1927, relating to the turning to right or left into 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 by striking out lines four, five, six and seven and inserting in lieu thereof the following:

"but cities and towns may by ordinance designate certain street intersections at which a motor vehicle turning to the left need not pass to the right of and beyond the center before turning. Such intersections shall be plainly marked and the markings maintained so that the operator of



any motor vehicle at such intersections may plainly see the manner in which turns shall be made."

LEROY SHIELDS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 375, a bill for an act to amend chapter one hundred sixty-one (161), acts of the forty-third (43d) general assembly relative to signals on primary roads in cities and towns with a population of less than four thousand (4000), beg leave to report they have 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.

LEROY SHIELDS, *Chairman*.

Passed on file.

Brown of Polk, from the committee on cities and towns, submitted the following reports:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 245, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the Code, 1927, relating to appointment of Board of Examiners to examine applicants for license to work as Master, or employing or journeyman plumber, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns has now introduced to the House, House File No. 535, a bill for an act to amend sections fifty-eight hundred fifteen (5815), and fifty-eight hundred nineteen (5819) to fifty-eight hundred twenty-two (5822), inclusive, Code, 1927, relating to river front improvement commissions in certain cities, and to the organization and powers of such commissions, and to authorize the acquisition by said commissions of the river bed or channel of any non-meandered stream in said cities.

The committee on cities and towns recommends to the House, that the bill do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Watts of Van Buren offered the following resolution:

## RESOLUTION

*Whereas*, Judge William Mansfield Walker a member of the House of Representatives in the Twenty-first General Assembly died at his home in Keosauqua, Iowa, on the 19th day of March, 1930.

*Therefore*, Be It Resolved that a committee of three be appointed to draft suitable resolutions commemorating the life of this man.

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

Motion prevailed and the resolution was adopted.

The Speaker appointed as members of such committee: Watts of Van Buren, Simmer of Wapello, and Pattison of Jefferson.

## INTRODUCTION OF BILLS

House File No. 507, by McCaulley of Calhoun, Greene of Pottawattamie, and Johnson of Marion, a bill for an act to repeal Sections seventy hundred fifteen (7015), seventy hundred sixteen (7016), seventy hundred seventeen (7017), and seventy hundred twenty (7020), of the Code of Iowa, 1927, relating to the assessment of shares of stock of a mutual building and loan or savings and loan association; to provide for the assessment of the shares of stock of a mutual building and loan or savings and loan association against said association, and to provide for the levy, imposition and collection of a tax on the shares of stock of all mutual building and loan or savings and loan associations doing business within the state in accordance with the provisions of chapter four hundred seventeen (417) of the Code, 1927.

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

House File No. 508, by Allen of Pocahontas, a bill for an act to amend section seventy-seven hundred seventy-one (7771), of the code, 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the submission of cost records for promotion, construction, repairs and/or additions to projects constructed and operated under the provision of this said section and to provide for the recapture of such projects by the state and/or political subdivisions thereof.

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

House File No. 509, by Allen of Pocahontas, a bill for an act to amend section four thousand one hundred fifty-five (4155), code, 1927, to provide for a petition of one-third ( $1/3$ ) of the land owners in the territory proposed as a consolidated school district.

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

House File No. 510, by Whiting of Johnson, a bill for an act to amend section six hundred forty-three (643), code of 1927, relating to the printing of names on primary ballots.

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

House File No. 511, by Kern of Polk, a bill for an act to amend section sixty-nine hundred forty-six (6946) of the code, relating to exemptions from taxation.

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

House File No. 512, by Ryder of Dubuque, a bill for an act to require certain buildings to be equipped with fire alarm systems.

Read first and second times and referred to committee on public lands and buildings.

House File No. 513, by Bair of Buena Vista, a bill for an act to establish the congressional districts of this state, and to repeal section five hundred twenty-six-a one (526-a1), Code, 1927.

Read first and second times and referred to committee on judicial and political districts.

House File No. 514, by Bair of Buena Vista, and McCreery of Linn, a bill for an act to amend section fifty-one hundred five a thirty-four (5105-a34) of the code, 1927, relating to the regulation of motor vehicle carriers.

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

House File No. 515, by Wearin of Mills, a bill for an act to

amend sections seventy-one hundred and seventy-four (7174) and seventy-one hundred and seventy-seven (7177), Code, 1927, relating to peddlers' licenses and exceptions thereto.

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

House File No. 516, by Dayton of Washington, a bill for an act to repeal section five hundred twenty-six a one (526a1) of the code, 1927, relating to the organizing and constituting the state into nine (9) congressional districts and to enact a substitute therefor.

Read first and second times and referred to committee on judicial and political districts.

House File No. 517, by committee on claims, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company for materials furnished to the Fish and Game Department of the state of Iowa.

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

House File No. 518, by committee on claims, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits.

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

House File No. 519, by Shields of Clarke, Hush of Montgomery, Reimers of Lyons, and Torgeson of Worth, a bill for an act to repeal sections forty-seven hundred fifty-three-a ten (4753-a10), forty-seven hundred fifty-five-b thirty-two (4755-b32), forty-seven hundred fifty-five-b thirty-three (4755-b33), forty-seven hundred fifty-five-b thirty-four (4755-b34), forty-seven hundred fifty-eight (4758), and forty-seven hundred sixty-two (4762), code, 1927; to repeal sections forty-seven hundred fifty-three-a eleven (4753-a11), forty-seven hundred sixty-four (4764), and forty-seven hundred sixty-six (4766), code, 1927, and to enact substitutes therefor; and to amend sections forty-seven hundred fifty-three-a twelve (4753-a12), forty-seven hundred fifty-six (4756), forty-seven hundred fifty-seven (4757), forty-seven hundred sixty

(4760), forty-seven hundred sixty-one (4761), forty-seven hundred sixty-five (4765), and forty-seven hundred seventy (4770), code, 1927, all relating to county primary road bonds and bonds issued to refund county primary road bonds; and to enact certain measures relative to the improvement of primary roads and to the issuance and payment of county primary road bonds and bonds issued to refund county primary road bonds.

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

House File No. 520, by Reed of Mahaska, a bill for an act to provide for the licensing of certain mercantile establishments, to fix the fee for such licenses, and to provide penalties for a failure to comply with the provisions of this act.

Read first and second times and referred to committee on commerce and trade.

House File No. 521, by Johnson of Marion, a bill for an act to amend section sixteen (16) of the code, 1927, relating to the time of payment of the members of the general assembly.

Read first and second times and referred to committee on compensation of public officers.

House File No. 522, by TePaske of Sioux, a bill for an act to require persons convicted of intoxication to disclose the source of the liquor responsible for the intoxication or be punished for contempt of court.

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

House File No. 523, by Forsling of Woodbury, a bill for an act to amend section six thousand thirty-five (6035), code, 1927, relating to payment of special assessments against property.

Read first and second times and referred to committee on cities and towns.

House File No. 524, by Hollingsworth of Boone, a bill for an act to amend section fifty-three hundred eighty-five (5385), code, 1927, relating to and providing for the relief of honorably discharged soldiers, sailors, marines, and nurses who served in the military forces in any war, or in Mexican border service in 1916 and 1917.

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

House File No. 525, by Hollingsworth of Boone, a bill for an act prohibiting persons traveling the primary highways on foot to solicit rides from drivers of motor vehicles other than common carriers, and providing a penalty for the violation thereof.

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

House File No. 526, by Davis of Delaware, Gissel of Buchanan, and Sours of Floyd, a bill for an act to repeal the law as it appears in sections forty hundred ninety-six (4096) to forty-one hundred five (4105), inclusive, of the code, 1927, relating to the election of county superintendent.

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

House File No. 527, by Hopkins of Guthrie, a bill for an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools.

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

House File No. 528, by Hopkins of Guthrie, a bill for an act to amend section fifty-four hundred fifty-four (5454), code, 1927; to repeal sections fifty-four hundred fifty-five (5455) and fifty-four hundred fifty-six (5456), code, 1927, and to enact substitutes therefor; and to repeal section fifty-four hundred fifty-seven (5457), code, 1927, relating to the payment of claims for injury or loss of fowl or domestic animal caused by dogs or wolves.

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

House File No. 529, by Reed of Mahaska, a bill for an act to prohibit the trimming, cutting or removal of trees growing upon private property or upon the highway, without the written consent of the owner of the premises, and providing a penalty for violation.

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

House File No. 530, by Long of Cerro Gordo, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Mason City, Cerro Gordo county, Iowa, its articles of incorporation, the election of officers and board of trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of re-incorporation.

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

House File No. 531, by Aiken of Ida, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held in the city of Chicago, Illinois, in the year, 1933, and to make an appropriation therefor.

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

House File No. 532, by Rutledge of Webster, a bill for an act to amend section thirty-one hundred twelve b one (3112 b-1), code, 1927, relating to the sale of eggs.

Read first and second times and referred to committee on dairy and food.

House File No. 533, by Kern of Polk, a bill for an act to amend paragraph fifteen (15) of section fifty-six hundred sixty-three (5663) of the code, 1927, relating to the purchase of supplies by cities and towns.

Read first and second times and referred to committee on cities and towns.

House File No. 534, by Hollingsworth of Boone, a bill for an act relating to the taxation of corporations and corporation shares of stock; providing for a franchise tax upon corporations organized or doing business in this state and amending the law as it appears in sections sixty-nine hundred forty-four (6944), sixty-nine hundred eighty-five (6985), seven thousand eight (7008),

seven thousand forty-two (7042), seven thousand eighty-nine (7089), eighty-four hundred forty-two (8442), and eighty-four hundred forty-three (8443) of the Code, 1927.

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

House File No. 535, by committee on cities and towns, a bill for an act to amend sections fifty-eight hundred fifteen (5815), and fifty-eight hundred nineteen (5819) to fifty-eight hundred twenty-two (5822), inclusive, Code, 1927, relating to river front improvement commissions in certain cities, and to the organization and powers of such commissions, and to authorize the acquisition by said commissions of the river bed or channel of any non-meandered stream in said cities.

Read first and second times and passed on file.

House Joint Resolution No. 9, by Allen of Pocahontas, a 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.

Read first and second times and referred to committee on constitutional amendments.

#### AMENDMENTS FILED

Brown of Polk filed the following amendment to Senate File No. 111:

Amend Senate File No. 111 as follows:

1. By changing the comma (,) in line seventeen (17), subparagraph two (2), Section thirteen (13) to a period (.), and by striking out the remaining portion of line seventeen (17), and all of line eighteen (18).
2. By striking out the words, "the photo-" at the end of line six (6), subsection one (1) of Section fifteen (15), and the words "graph on" in line seven (7), subsection one (1) of Section fifteen (15).

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendments to House File No. 359:

MR. SPEAKER: We move to amend House File No. 359, as follows:

1. By striking lines seven (7) and eight (8) of section one (1) thereof and substituting therefor:



"Second District, Counties of Cedar, Clinton, Iowa, Jackson, Johnson, Jones, Muscatine and Scott."

2. By striking lines nine (9) and ten (10) of section one (1) thereof and substituting therefor:

"Third District, Counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

3. By striking lines eighteen (18), nineteen (19) and twenty (20) of section one (1) thereof and substituting therefor:

"Seventh District, Counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie and Shelby."

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendments to House File No. 416:

MR. SPEAKER: We move to amend House File No. 416, as follows:

1. By striking lines six (6), seven (7) and eight (8) of section one (1) thereof and substituting therefor:

"Second District, Counties of Cedar, Clinton, Iowa, Jackson, Johnson, Jones, Muscatine and Scott."

2. By striking lines nine (9), ten (10) and eleven (11) of section one (1) thereof and substituting therefor:

"Third District, Counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

3. By striking lines twenty (20), twenty-one (21) and twenty-two (22) of section one (1) thereof and substituting therefor:

"Seventh District, Counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, and Shelby."

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendments to House File No. 403:

MR. SPEAKER: We move to amend House File No. 403 as follows:

1. By striking lines ten (10), eleven (11) and twelve (12) of section one (1) thereof and substituting therefor:

"Second District, Counties of Cedar, Clinton, Iowa, Jackson, Johnson, Jones, Muscatine, and Scott."

2. By striking lines thirteen (13), fourteen (14) and fifteen (15) of section one (1) thereof and substituting therefor:

"Third District, Counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

3. By striking lines thirty (30), thirty-one (31) and thirty-two (32) of section one (1) thereof and substituting therefor:

"Seventh District, Counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie and Shelby."

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendments to House File No. 442:

MR. SPEAKER: We move to amend House File No. 442 as follows:

1. By striking lines ten (10) and eleven (11) of section (1) thereof and substituting therefor:

"Second District, Counties of Cedar, Clinton, Iowa, Jackson, Johnson, Jones, Muscatine and Scott."

2. By striking lines twelve (12), thirteen (13) and fourteen (14) of section one (1) thereof and substituting therefor:

"Third District, Counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

3. By striking lines twenty-three (23), twenty-four (24) and twenty-five (25) of section one (1) thereof and substituting therefor:

"Seventh District, Counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, and Shelby".

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendments to House File No. 438:

MR. SPEAKER: We move to amend House File No. 438, as follows:

1. By striking lines seven (7) and eight (8) of section one (1) thereof and substituting therefor:

"Second District, Counties of Cedar, Clinton, Iowa, Jackson, Johnson, Jones, Muscatine and Scott."

2. By striking lines nine (9) and ten (10) of section one (1) thereof and substituting therefor:

"Third District, Counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

Watts of Van Buren filed the following amendments to House File No. 52:

Amend by striking out the period (.) after the word "lake" in line twelve (12), section one (1), and adding thereto "nor within three hundred (300) feet of any dam or fishway".

Also, amend section one (1), line nine (9), by inserting after the word trot-lines "or throw lines".

Further, amend section one (1), line ten (10), by inserting after the word trot-line the words "or throw-line".

Further, amend section one (1), line eleven (11), by inserting after the word trot-lines the words "or throw-lines".

McCaulley of Calhoun filed the following amendment to Senate File No. 1:

Amend Senate File No. 1 as passed by the Senate as follows:

Strike the word "cooperation" in Section 10, line 23 and insert in lieu thereof the word "corporation".

Also amend Sec. 19, line 3, by striking the word "third" and insert in lieu thereof the word "first".

Strike the word "third" in Section 15, line 2 and insert in lieu thereof the word "fifth."

Insert after the word "year" in line 6 of Section 17, the following: "or such other date as may be fixed by the assessor".

Amend Section 29 by striking from line 3, the words "the first Monday in November" and insert in lieu thereof the words "September 15".

Strike from Section 58, line 1 the figures five thousand four hundred forty-three (5443) and insert in lieu thereof the figures five thousand five hundred forty-three (5543).

Brown of Polk filed the following amendment to House Joint Resolution No. 7:

Amend House Joint Resolution No. 7, as follows:

1. By striking out all of Section three (3) thereof.
2. By inserting after the word "completed" in line two (2) of Section two (2), the following: "and accepted by the State Board of Conservation and approved by the executive council".
3. By inserting after the word "in" in line four (4) of section five (5), the following: "The Register & Tribune", and after the word "of" in line five (5) of section five (5), the words, "Des Moines, Iowa."
4. By renumbering the sections of said bill.

Reed of Mahaska filed the following amendment to House File No. 54:

Amend House File No. 54 by striking section one (1) and inserting in lieu thereof the following:

"Section 1. That section sixty-nine hundred forty-four (6944), code of 1927, be amended by inserting after the word "acres" in line four (4)

of paragraph eleven (11) the words "of farm land" and by adding after the word "township" in line five (5) of paragraph eleven (11) "or the equivalent thereof in value in city property".

Also amend by adding the following section:

"Sec. 2. In case the real estate is held by the institution under an annuity contract the annuitant shall pay taxes on the contract equal to the tax which would be assessed against the real estate represented by the contract. The institution making the annuity contract shall report the same to the assessor. Nothing in this act shall be construed to apply to contracts already entered into."

Reimers of Lyon filed the following amendment to Senate File No. 1:

Amend Senate File No. 1 by striking from lines one (1) and two (2) of Section Two the following words:

"and the county auditor and the county treasurer".

On motion of Donlon of Palo Alto 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 17, 1931.

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

Prayer was offered by the Rev. Dorothy Dornon, pastor of the Yale Church of Christ, Yale, Iowa.

Journal of March 16th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Lichty of Black Hawk for the day, on request of Long of Cerro Gordo; Elliott of Scott for the day, on request of Byers of Linn; Bonnstetter of Kossuth for the day, on request of Sours of Floyd; Ditto of Osceola for the day, on request of Hesse of O'Brien.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Bair of Buena Vista, from citizens of Sioux Rapids, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Davis of Delaware, from members of the Delhi Game Club, opposing House File No. 124; and from citizens of Dundee and Strawberry Point, and from Henry county, favoring making bovine tuberculin testing optional. Fish and game, and animal industry.

By Gilmore of Cedar, from citizens of Durant, favoring a diversion of the primary road fund. Roads and highways.

By Greene of Pottawattamie, from citizens of Walnut, favoring a diversion of the primary road fund. Roads and highways.

By Hansen of Scott, from citizens of Davenport, favoring optional military training in state educational institutions. State educational institutions.

By Hutecheon of Greene, from citizens of Grand Junction, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Johnson of Marion, from teachers of Marion county, favoring granting a standard elementary certificate to teachers of fifteen years' experience. Schools and textbooks.

By Kern of Polk, from citizens of Des Moines, favoring a regulation of trucks and motor busses; and favoring a diversion of the primary road fund. Motor vehicles and transportation, and roads and highways.

By Laughlin of Fremont, from the legion auxiliary of Tabor, endorsing House File No. 294. Appropriations.

By Paisley of Lee, from citizens of Lee county, favoring making bovine tuberculin testing optional. Animal industry.

By Rawlings of Monona, from the Monona board of supervisors, favoring House File No. 85. Roads and highways.

By Rylander of Marshall, from citizens of Marshall county, favoring House File No. 85; and favoring a regulation of trucks and motor busses. Roads and highways, and motor vehicles and transportation.

#### HOUSE FILES REREFERRED

Berry of Monroe asked and obtained unanimous consent to have House File No. 496 withdrawn from the committee on motor vehicles and transportation and referred to the committee on roads and highways.

Finnern of Crawford asked unanimous consent to have Senate File No. 130 re-referred to the committee on public health.

Objection was made.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 109, a bill

for an act to repeal sections twelve thousand nine hundred thirty-six (12936) and twelve thousand nine hundred thirty-eight (12938) and to enact substitutes therefor, and to amend sections twelve thousand nine hundred thirty-nine (12939), twelve thousand nine hundred forty-one (12941), twelve thousand nine hundred forty-six (12946), twelve thousand nine hundred forty-seven (12947), twelve thousand nine hundred forty-nine (12949), twelve thousand nine hundred fifty-one (12951), twelve thousand nine hundred fifty-two (12952), twelve thousand nine hundred fifty-three (12953), and twelve thousand nine hundred fifty-five (12955), all of the Code, 1927, relating to the carrying of certain weapons on the person, or having said weapons in or about vehicles, and regulating permits pertaining thereto, was taken up for consideration.

Van Buren of Jones moved the previous question.

Motion prevailed.

Bair 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, 46.

Babcock	Hansen of	McCreery	Ryder
Bair	Audubon	McLain	Snyder
Beath	Hollingsworth	Millhone	Stanzel
Brown	Hollis	Morton	Strachan
Craven	Hopkins	Nelson of	Tamisiea
Dayton	Hush	Cherokee	TePaske
Durant	Husted	O'Donnell	Thiessen
Ellsworth	Koch	Osborn	Thompson
Finnern	Lamb	Pendray	Van Wert
Garret	Lepley	Ratliff	Wamstad
Gissel	Long	Rawlings	Whiting
Greaser	McCauley	Reed	Mr. Speaker

The nays were, 46.

Aiken	Felter	Hesse	Mathews
Augustine	Figgins	Hook	Mayne
Avery	Forsling	Hutcheon	Mead
Ballew	Gallagher	Kern	Paisley
Berry	Gilmore	Kohler	Pattison
Byers	Hansen of Scott	Langland	Peaco
Davis	Hanson of	Laughlin	Randall
Drake of Keokuk	Winnebago	McDermott	Randolph
Fabritz	Helgason	Malone	Reimers

Roe	Short	Torgeson	Wearin
Rylander	Sours	Van Buren	Witt
Shields	Stiger	Watts	

Absent or not voting, 16.

Allen	Drake of	Hunt	Nelson of Story
Bonnstetter	Muscatine	Johnson of	Orr
Ditto	Elliott	Marion	Rutledge
Donlon	Greene	Lichty	Simmer
	Hayes	Miller	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

### SPECIAL ORDER MADE

Forsling of Woodbury moved that House File No. 174 be made a special order for Friday, March 20th, at 10:30 a. m.

On the question "Shall House File No. 174 be made a special order?" a roll call was demanded.

The ayes were, 48.

Aiken	Gallagher	Millhone	Rylander
Augustine	Gilmore	Morton	Shields
Ballew	Hansen of	Nelson of	Short
Beath	Audubon	Cherokee	Stanzel
Berry	Hansen of Scott	O'Donnell	Strachan
Brown	Hook	Osborn	TePaske
Byers	Hopkins	Pattison	Thiessen
Davis	Kern	Pendray	Thompson
Ellsworth	Lamb	Randall	Van Wert
Figgins	Lepley	Randolph	Watts
Finnern	McCaulley	Reed	Wearin
Forsling	McLain	Reimers	Witt
	Mathews	Roe	

The nays were, 31.

Avery	Garrett	Koch	Mead
Bair	Greaser	Langland	Paisley
Craven	Hanson of	Laughlin	Peaco
Dayton	Winnebago	Long	Sours
Drake of Keokuk	Hesse	McCreery	Stiger
Drake of	Hollingsworth	McDermott	Torgeson
Muscatine	Hush	Malone	Van Buren
Durant	Hutcheon	Mayne	Mr. Speaker
Felter			

Absent or not voting, 29.

Allen	Donlon	Greene	Hunt
Babcock	Elliott	Hayes	Husted
Bonnstetter	Fabritz	Helgason	Johnson of
Ditto	Gissel	Hollis	Marion



Kohler	Orr	Ryder	Tamisiea
Lichty	Ratliff	Simmer	Wamstad
Miller	Rawlings	Snyder	Whiting
Nelson of Story	Rutledge		

Motion prevailed and House File No. 174 was made a special order.

#### SAINT PATRICK'S DAY OBSERVANCE

TePaske of Sioux moved that the House, in observance of Saint Patrick's day, permit the Hon. P. H. Donlon of Clay county to address the House. Motion prevailed and the Hon. P. H. Donlon briefly addressed the House.

Forsling of Woodbury moved that the Hon. J. P. Gallagher of Iowa county be permitted to address the House in commemoration of Saint Patrick's day. Motion prevailed and the Hon. J. P. Gallagher briefly addressed the House.

Husted of Madison moved that Miss Grace Hamilton of Winter-set be permitted to give a reading as part of the Saint Patrick's day commemoration. Motion prevailed.

#### HOUSE FILE NO. 54 PLACED ON CALENDAR

Hush of Montgomery, chairman of the committee on ways and means, moved that the report of the committee recommending that House File No. 54 be indefinitely postponed be adopted.

Strachan of Humboldt moved the previous question.

Motion prevailed.

On the question "Shall the report be adopted?" a roll call was demanded.

The ayes were, 23.

Augustine	Figgins	Hush	Short
Bair	Forsling	Kern	Thompson
Ballew	Gallagher	Langland	Torgeson
Bonnstetter	Greasier	McCaulley	Van Buren
Byers	Hopkins	Ratliff	Wamstad
Ellsworth	Hunt	Rylander	

The nays were, 70.

Aiken	Berry	Dayton	Durant
Avery	Brown	Drake of Keokuk	Felter
Babcock	Craven	Drake of	Finnern
Beath	Davis	Muscatine	Garrett

Gissel	Kohler	Nelson of	Ryder
Hansen of	Lamb	Cherokee	Shields
Audubon	Laughlin	Nelson of Story	Sours
Hanson of	Lepley	O'Donnell	Stanzel
Winnnebago	Long	Osborn	Stiger
Helgason	McCreery	Paisley	Strachan
Hesse	McDermott	Pattison	Tamisiea
Hollingsworth	McLain	Peaco	TePaske
Hollis	Malone	Pendray	Thiessen
Hook	Mathews	Randall	Van Wert
Husted	Mayne	Randolph	Watts
Hutcheon	Mead	Rawlings	Wearin
Johnson of	Millhone	Reed	Whiting
Marion	Morton	Reimers	Witt
Koch		Roe	Mr. Speaker

Absent or not voting, 15.

Allen	Fabritz	Hayes	Rutledge
Ditto	Gilmore	Lichty	Simmer
Donlon	Greene	Miller	Snyder
Elliott	Hansen of Scott	Orr	

Report of committee was rejected and House File No. 54 was placed on the calendar.

Reed of Mahaska asked unanimous consent for the immediate consideration of House File No. 54.

Objection was made.

Reed of Mahaska moved that House File No. 54 be immediately considered.

Motion prevailed.

#### CONSIDERATION OF BILLS

House File No. 54, a bill for an act to amend the provisions of section sixty-nine hundred forty-four (6944) paragraph eleven (11) as it appears in the Code of 1927 exempting from taxation the real estate owned by any educational institution of this state as part of its endowment fund when leased or otherwise used with a view to pecuniary profit, was taken up for consideration.

Reed of Mahaska called up the amendment filed by him and found in the Journal of March 16th and moved its adoption.

TePaske of Sioux offered the following amendment to the amendment filed by Mr. Reed and found in the Journal of March 16th:

Amend the amendment filed March 16, to House File No. 54 by striking therefrom all of section one (1) of said amendment.

Amendment to the amendment adopted.

Reed of Mahaska offered the following amendment to the amendment filed by Mr. Reed and found in the Journal of March 16th:

Amend section 2 of the amendment by inserting after the word "assessed" in line three (3) of said amendment, the words: "in the taxing district where the real estate is located."

Amendment to the amendment adopted.

Amendment as amended adopted.

Pattison of Jefferson offered the following amendment and moved its adoption:

Add as Section 3 the following:

This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Oskaloosa Times Globe and the Fairfield Daily Ledger, newspapers published in Oskaloosa, Iowa, and Fairfield, Iowa, respectively.

Amendment adopted.

Reed 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, 78.

Aiken	Felter	Hush	Millhone
Avery	Figgins	Husted	Morton
Babcock	Finnern	Hutcheon	Nelson of
Beath	Forsling	Johnson of	Cherokee
Berry	Garrett	Marion	Nelson of Story
Bonnstetter	Gilmore	Kern	Osborn
Brown	Gissel	Kohler	Paisley
Byers	Greaser	Lamb	Pattison
Craven	Hanson of	Langland	Peaco
Davis	Winnebago	Laughlin	Pendray
Dayton	Helgason	Lepley	Randall
Drake of Keokuk	Hesse	McCreery	Randolph
Drake of	Hollingsworth	McDermott	Rawlings
Muscatine	Hollis	McLain	Reed
Durant	Hook	Mathews	Reimers
Ellsworth	Hopkins	Mayne	Roe
Fabritz	Hunt	Mead	Shields

Sours  
Stanzel  
Strachan  
Tamisiea

TePaske  
Thiessen  
Thompson  
Torgeson

Van Wert  
Wamstad  
Watts

Wearin  
Whiting  
Mr. Speaker

The nays were, 7.

Augustine  
Bair

Ballew  
Gallagher

Ratliff  
Rylander

Stiger

Absent or not voting, 23.

Allen  
Ditto  
Donlon  
Elliott  
Greene  
Hansen of  
Audubon

Hansen of  
Scott  
Hayes  
Koch  
Lichty  
Long

McCaulley  
Malone  
Miller  
O'Donnell  
Orr  
Rutledge

Ryder  
Short  
Simmer  
Snyder  
Van Buren  
Witt

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

Reed of Mahaska moved that the vote by which House File No. 54 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### SPECIAL ORDER MADE

Whiting of Johnson asked and obtained unanimous consent to have House File No. 340 made a special order for Thursday, March 19th, at 9:30 a. m.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 7, 225, 4, and 151.

C. J. ORR,  
*Chairman House Committee.*

LEW MACDONALD,  
*Acting Chairman Senate Committee.*

Report adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 38, 82, 189, 200, 310 and 356.

G. H. HESSE,  
*Acting Chairman House Committee.*

LEW MACDONALD,  
*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 bills:

House Files Nos. 7, 225, 4 and 151.

Senate Files Nos. 38, 82, 189, 200, 310 and 356.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 17th day of March, 1931, sent to the governor for his approval:

House Files Nos. 7, 225, 4 and 151.

C. J. ORR, *Chairman.*

Report adopted.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 16th, approved the following bills:

House Files Nos. 160 and 157.

#### 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. 21, a bill for an act relating to the destruction of weeds and the appointment of a weed commissioner.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 205, a bill for an act relating to the closed season on hunting and trapping certain fur-bearing animals.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence.

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 relating to the organization of corporations.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 91, a bill for an act relating to mergers and/or consolidations.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 356, a bill for an act relating to census figures.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 235, a bill for an act relating to the acquiring of settlement by poor persons.

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 providing for the issuance of new certificates to corporations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 230, a bill for an act relating to the turning to right or left into highways.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 158, a bill for an act to regulate the sale of substitutes for lard or cooking oil.

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 relative to the maintenance of primary roads.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 21

Amend by striking from lines four (4) and five (5), of section one (1) the words "Noxious weeds" and inserting in lieu thereof the words "Canada thistle, sow thistle, and quack grass".

Amend by striking from line six (6) of section one (1) the words "noxious weeds" and inserting in lieu thereof the words "Canada thistle, sow thistle, and quack grass".

#### SENATE AMENDMENT TO HOUSE FILE NO. 205

Amend by striking the words and figures "two hundred fifty (250)" in line nine and inserting in lieu thereof the words and figures "one hundred (100)".

#### SENATE AMENDMENT TO HOUSE FILE NO. 94

That the period at the end of Section 3 be changed to a comma, and the following be added thereto: "without expense to the state".

#### SENATE MESSAGES CONSIDERED

Senate File No. 230, a bill for an act to amend section five thousand thirty-three (5033) chapter two hundred fifty-one (251) of the code, 1927, relating to the turning to right or left into highways.

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

Senate File No. 99, a bill for an act providing for the issuance of new certificates to corporations by the Secretary of State in all cases wherein a certificate has been issued to a corporation or purported corporation renewing its corporate existence from an erroneous date and/or for a period of time in excess of that provided by law.

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

Senate File No. 235, a bill for an act to amend section five thousand three hundred and eleven (5311), paragraph one (1), of the code, 1927, relating to the acquiring of settlement by poor persons.

Read first and second times and referred to committee on cities and towns.

Senate File No. 207, a bill for an act to amend section forty-seven hundred fifty-five-b-twenty-nine (4755-b29) of the Code of 1927, relative to the maintenance of primary roads.

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

Senate File No. 158, a bill for an act to regulate the sale of substitutes for lard or cooking oil by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the Secretary of Agriculture.

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

#### AMENDMENTS FILED

Whiting of Johnson filed the following amendment to House Joint Resolution No. 7:

Amend House Joint Resolution No. 7 as follows:

1. By striking section three (3) thereof.

Bair of Buena Vista filed the following amendment to Senate File No. 162:

Amend Senate File No. 162 as follows:

Strike lines 8, 9, 10, 11, 12, 13, and 14 of section 3 and insert in lieu thereof the following: "all traveling expenses, equipment, supplies and other expenses, incurred in carrying out the directions of the board in regard to investigations, concerning special stream and lake pollution, shall be paid from any money in the fish and game fund not otherwise appropriated".

Further amend by adding as section 13 the following:

"Sec. 13. For the purpose of carrying out the provisions of this act, there is hereby appropriated for each year of the biennium beginning July 1, 1931, and ending June 30, 1933, the sum of ten thousand dollars



(\$10,000), from any money in the fish and game fund not otherwise appropriated."

Hush of Montgomery filed the following amendment to House File No. 114:

MR. SPEAKER: I offer as a substitute amendment for all pending amendments to House File No. 114 the following:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section seventy-one hundred sixty-three (7163) of the code, 1927, be amended by striking from line eleven (11) the words "not including" and inserting in lieu thereof the following:

"taking into consideration the amount of tax received in that year on".

Sec. 2. That section seventy-one hundred sixty-four (7164) of the code, 1927, be amended by striking from line six (6) the words "without including" and substituting in lieu thereof the following: "taking into consideration such district's estimated allotment of the tax on".

Also amend by striking the title and inserting in lieu thereof the following:

"An act to amend section seventy-one hundred sixty-three (7163) and seventy-one hundred sixty-four (7164) of the code, 1927, relating to the certification and computation of taxes."

On motion of Bair of Buena Vista 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 18, 1931.

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

Prayer was offered by the Rev. L. W. Inman, pastor of the Federated Churches, Shellsburg, Iowa.

Journal of March 17th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Davis of Delaware, from citizens of Delaware county, favoring an excise tax on substitutes for butter, lard and eggs. Agriculture.

By Dayton of Washington, from the board of supervisors of Washington county, favoring an extension of the ton-mile tax; and from citizens of Brighton, favoring House File No. 174 and opposing House File No. 340. Public health.

By Greaser of Benton, from the Vinton auxiliary of the American Legion, favoring compulsory military training in the state educational institutions. State educational institutions.

By Hansen of Scott, from citizens of Davenport, opposing the county assessor plan, favoring making tuberculin testing optional, opposing Senate File No. 120, favoring a tax on oleomargarine, favoring a regulation of public utilities, favoring a regulation of trucks and motor busses, opposing compulsory military training, favoring the continuance of Station KTNT and the Baker Hospital at Muscatine, favoring House File No. 79, and favoring a uniform textbook system for Iowa schools. Tax revision.

By Hush of Montgomery, from the Lake View Lodge, Brother-

hood of Railroad Trainmen, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Hunt of Louisa, from citizens of Louisa county, favoring restriction of weights and loads of motor trucks on highways. Motor vehicles and transportation.

By Kern of Polk, from members of the Board of Directors of the Young Women's Christian Association of Des Moines, favoring House File No. 217. State educational institutions.

By Lamb of Dallas, from teachers of Clinton and Lyons, favoring granting a standard elementary certificate to teachers of fifteen years' experience; and from citizens of Dallas Center, favoring a diversion of the primary road fund. Schools and textbooks, and roads and highways.

By Mayne of Pottawattamie, from citizens of Pottawattamie county, opposing the county assessor plan. Tax revision.

By O'Donnell of Carroll, from citizens of Carroll county, opposing fixing salaries of rural school teachers. Schools and textbooks.

By Osborn of Decatur, from citizens of Decatur county and from White Hall local of F. E. C. U. of Leon, opposing the county assessor plan. Tax revision.

By Pattison of Jefferson, from citizens of Jefferson county, favoring House File No. 174 and opposing House File No. 340. Public health.

By Mathews of Des Moines, from the American Legion auxiliary of Burlington, favoring required military training. State educational institutions.

By Reed of Mahaska, from citizens of Mahaska county, favoring a state driver's license law, and from the city council of Oskaloosa, favoring a diversion of the primary road fund. Motor vehicles and transportation, and roads and highways.

By Rylander of Marshall, from citizens of Marshalltown, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rutledge of Webster, from citizens of Webster county,

favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Shields of Clarke, from railroad employes of Clarke county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Tamisiea of Harrison, from citizens of Missouri Valley, opposing optional military training. State educational institutions.

By Thompson of Fayette, from the American Legion auxiliary of West Union, opposing House File No. 217; and from citizens of Oelwein, favoring House File No. 174 and opposing House File No. 340. State educational institutions, and public health.

By Van Buren of Jones, from citizens of Jones county, favoring House File No. 217. State educational institutions.

#### REPORTS OF COMMITTEES

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following reports:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred Senate File No. 25, a bill for an act to repeal section four thousand two hundred thirty-one (4231), code, 1927, relating to the non-employment of a teacher, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 414, a bill for an act to amend section three (3), chapter one hundred (100), acts of the forty-third (43rd) general assembly, relating to school 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.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 423, a bill for an act to amend section twenty-four (24), chapter one hundred (100), acts of the forty-third (43rd) general assembly, and sections forty-two hundred twenty (4220), forty-two hundred twenty-nine (4229), code, 1927; also sections forty-two hundred twenty-eight (4228), code, 1927, as amended by chapter thirty-five (35), acts of the forty-third (43rd) general assembly, and forty-two hundred forty (4240), code, 1927, as amended by chapter one hundred four (104), acts of the forty-third (43rd) general assembly, relating to school boards, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 389, a bill for an act to repeal sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred seventy-seven (3877), code, 1927, and to enact substitutes therefor, relating to teachers' certificates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by striking from lines eleven (11) and twelve (12) the following: "home economics or manual training,".

GEO. M. HOPKINS, *Chairman.*

Report adopted.

Hush of Montgomery, 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. 352, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review, providing for the making of reports by pipe line companies to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review to make rules, beg leave to report they have had the same 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 sections thirteen (13) and fourteen (14) of the bill and substituting in lieu thereof the following:

"Sec. 13. The state board of assessment and review shall on or before the third Monday in August of each year determine the value of pipe line property located in each taxing district of the state, and in fixing said value shall take into consideration the structures, equipment, pumping stations, etc., located in said taxing district, and shall transmit to the county auditor of each county through and into which any pipe line may extend, a statement showing the assessed value of said property in each of the taxing districts of said county. The said property shall then be taxed in said county, based upon the valuation so certified, in the same manner as is other property.

Sec. 14. At the first meeting of the board of supervisors held after said statement is received by the county auditor, it shall cause the same to be entered on its minute book, and make and enter therein an order describing and stating the assessed value of each pipe line lying in each city, town, township or lesser taxing district in its county, through or into which said pipe line extends, as fixed by the board of assessment and review, which shall constitute the taxable value of said property for taxing purposes; and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall transmit a copy of said order to the council of the city or town, or the trustees of the township, as the case may be.

All such pipe line property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purpose as the property of individuals within such counties, cities, towns, townships, and lesser taxing districts."

HOMER HUSH, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 401, a bill for an act to provide that taxes on farm equipment, including live stock, machinery and grain shall be a lien on such property and shall continue as a lien on such property when sold, and providing for the recovery of such taxes from the owners, purchasers or vendees, beg leave to report they have 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.

HOMER HUSH, *Chairman*.

Passed on file.

Van Buren of Jones, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 518, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits, beg leave to report they have had the

same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 517, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company for materials furnished to the Fish and Game Department of the State of Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Bair of Buena Vista, 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. 465, a bill for an act to regulate and prescribe the manner of coupling and fastening trailers when drawn by motor vehicles and to make certain regulations and requirements as to brakes upon such trailers, and to prescribe penalties for violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. PARK BAIR, *Chairman*.

Passed on file.

Hanson of Winnebago, from the committee on agriculture, submitted the following reports:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 201, a bill for an act to repeal sections eighteen hundred forty-six (1846) and eighteen hundred forty-eight (1848) of the code, 1927, and to enact substitute therefor, relating to the defining of a lawful fence, beg leave to report they have 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.

H. N. HANSON, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 388, a bill for an act to amend section twenty-nine hundred two (2902) of the code, 1927, as amended by chapter seventy-eight

(78) acts of the forty-third (43rd) general assembly, relating to the prohibition of gambling devices, sales of intoxicating liquors and other violations of law at county and district fairs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman.*

Report adopted.

Byers of Linn, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 81, a bill for an act to amend chapter 44, code, 1927, relating to the statute generally known as the absent voters' 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 House File No. 81 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section nine hundred twenty-eight (928), code, 1927, is hereby repealed and the following enacted in lieu thereof:

"928. Application for ballot. Any voter, under the circumstances specified in subsection 1 of the preceding section, may, on any day not Sunday or a holiday and not more than twenty (20) days prior to the date of election, and any voter under the circumstances specified in subsection 2 of the preceding section may on any day not Sunday or a holiday and not more than ten (10) days prior to the date of election, make application to the county auditor, or to the city or town clerk, as the case may be for an official ballot to be voted at such election.

Sec. 2. Section nine hundred thirty-six (936), code, 1927, is amended by striking from lines three (3) and four (4) the following: ", or someone makes the request for him,".

Sec. 3. Chapter forty-four (44) code, 1927, is amended by adding at the end thereof, the following:

"962-d1. Taking ballots from auditor's office. No county auditor, city or town clerk, or secretary of a school board or deputy thereof shall take, or permit any person to take, from his office prior to election day or on said day, except as provided in section nine hundred thirty-six (936), any official ballot except to mail ballots to voters who have made sworn application for them under this chapter, and except to forward to the judges of election the ballots of absent voters, and except to supply the judges of election with ballots as required by law.

"962-d2. Unlawful solicitation. No superintendent, general manager, overseer, or employee and no member of the family thereof, of any charitable or correctional institution which is under the control of the



state, or of any county home or of any public hospital which is under the control of any county, city, or town, and no public officer, elective or appointive, who is charged with any duty pertaining to such institution, home, or hospital, and no candidate for any office, and no member of a county or district central committee of any political party or any political organization and no employee of such committee, shall, directly or indirectly, influence or attempt to influence any committee inmate or patient in such institution, home, or hospital to apply for a ballot or aid or assist such inmate or patient in obtaining such ballot or in voting the same."

FRANK C. BYERS, *Chairman.*

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 536, a bill for an act to confer power upon the Board of Railroad Commissioners of the state of Iowa to grant a permit to any individual or firm, corporation, company or association organized under the laws of the state of Iowa or corporation authorized to transact business in the state of Iowa under the general incorporation laws of the state, engaged in the business of transporting or transmitting gas in or through pipe lines within or through the state of Iowa; and to obtain the necessary interests in real estate therefor and the manner of making compensation to said owner of said lands for said rights.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILL

House File No. 536, by committee on judiciary, a bill for an act to confer power upon the Board of Railroad Commissioners of the state of Iowa to grant a permit to any individual or firm, corporation, company or association organized under the laws of the state of Iowa or corporation authorized to transact business in the state of Iowa under the general incorporation laws of the state, engaged in the business of transporting or transmitting gas in or through pipe lines within or through the state of Iowa; and to obtain the necessary interests in real estate therefor and the manner of making compensation to said owner of said lands for said rights.

Read first and second times and passed on file.

## ADDITIONAL COPIES OF BILL ORDERED PRINTED

Shields of Clarke asked and obtained unanimous consent to have five hundred additional copies of House File No. 519 printed.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Helgason of Emmet, House File No. 21, a bill for an act to amend the law as it appears in section forty-eight hundred nineteen (4819) of the Code of 1927, and section one (1) of the chapter one hundred sixteen (116) of the laws of the Forty-third General Assembly, relating to the destruction of weeds and the appointment of a weed commissioner, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS TO HOUSE FILE NO. 21

Amend by striking from lines four (4) and five (5), of section one (1) the words "Noxious weeds" and inserting in lieu thereof the words "Canada thistle, sow thistle, and quack grass".

Amend by striking from line six (6) of section one (1) the words "noxious weeds" and inserting in lieu thereof the words "Canada thistle, sow thistle, and quack grass".

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

On the question "Shall the House concur?"

The ayes were, 76.

Augustine	Greaser	Long	Roe
Avery	Hansen of	McCreery	Rutledge
Bair	Audubon	McDermott	Ryder
Beath	Hansen of Scott	McLain	Rylander
Bonnstetter	Helgason	Mathews	Short
Ditto	Hesse	Mead	Snyder
Donlon	Hollingsworth	Millhone	Sours
Drake of Keokuk	Hollis	Morton	Stanzel
Drake of	Hook	Nelson of	Strachan
Muscatine	Hopkins	Cherokee	Tamisiea
Durant	Hush	Nelson of Story	TePaske
Ellsworth	Hutcheon	O'Donnell	Thiessen
Fabritz	Johnson of	Paisley	Thompson
Felter	Marion	Pattison	Torgeson
Figgins	Koch	Peaco	Van Wert
Finnern	Kohler	Pendray	Wamstad
Forsling	Lamb	Randall	Watts
Gallagher	Langland	Rawlings	Wearin
Garrett	Laughlin	Reed	Whiting
Gilmore	Lepley	Reimers	Mr. Speaker

The nays were, none.

Absent or not voting, 32.

Aiken	Dayton	Husted	Osborn
Allen	Elliott	Kern	Randolph
Babcock	Gissel	Lichty	Ratliff
Ballew	Greene	McCauley	Shields
Berry	Hanson of	Malone	Simmer
Brown	Winnebago	Mayne	Stiger
Byers	Hayes	Miller	Van Buren
Craven	Hunt	Orr	Witt
Davis			

House concurred in Senate amendments to House File No. 21.

On request of Thompson of Fayette, House File No. 205, a bill for an act to amend chapter fifty-eight (58), acts of the Forty-third (43rd) General Assembly, relating to the closed season on hunting and trapping certain fur-bearing animals, and providing for the extension of an open season upon hunting red foxes, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 205

Amend by striking the words and figures "two hundred fifty (250)" in line nine and inserting in lieu thereof the words and figures "one hundred (100)".

Mr. Thompson moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 70.

Augustine	Hanson of	McCreery	Roe
Avery	Winnebago	McDermott	Rutledge
Beath	Helgason	McLain	Ryder
Craven	Hesse	Malone	Rylander
Ditto	Hollingsworth	Mathews	Short
Donlon	Hollis	Mayne	Snyder
Drake of Keokuk	Hook	Mead	Sours
Durant	Hopkins	Millhone	Stanzel
Ellsworth	Hush	Morton	Strachan
Figgins	Hutcheon	Nelson of	Tamisiea
Finnern	Johnson of	Cherokee	TePaske
Forsling	Marion	Osborn	Thiessen
Gallagher	Koch	Paisley	Thompson
Garrett	Kohler	Pattison	Torgeson
Gilmore	Lamb	Pendray	Van Wert
Greaser	Langland	Randolph	Wamstad
Hansen of	Laughlin	Reed	Whiting
Audubon	Lepley	Reimers	Witt
	Long		Mr. Speaker

The nays were, none.

Absent or not voting, 38.

Aiken	Dayton	Hunt	Randall
Allen	Drake of	Husted	Ratliff
Babcock	Muscatine	Kern	Rawlings
Bair	Elliott	Lichty	Shields
Ballew	Fabritz	McCaulley	Simmer
Berry	Felter	Miller	Stiger
Bonnstetter	Gissel	Nelson of Story	Van Buren
Brown	Greene	O'Donnell	Watts
Byers	Hansen of Scott	Orr	Wearin
Davis	Hayes	Peaco	

House concurred in Senate amendment to House File No. 205.

### MOTION TO RECONSIDER

TePaske of Sioux moved that the House reconsider the vote by which the motion to reconsider the vote by which House File No. 54 was laid upon the table.

On the question "Shall the House reconsider the vote by which the motion to reconsider House File No. 54 was laid upon the table?" a roll call was demanded.

The ayes were, 76.

Augustine	Hanson of	McLain	Roe
Avery	Winnebago	Malone	Rutledge
Bair	Hesse	Mathews	Ryder
Beath	Hollingsworth	Mayne	Rylander
Berry	Hollis	Mead	Shields
Bonnstetter	Hook	Millhone	Short
Craven	Hopkins	Morton	Snyder
Ditto	Hush	Nelson of	Sours
Donlon	Hutcheon	Cherokee	Stanzel
Drake of Keokuk	Johnson of	Nelson of Story	Tamisiea
Durant	Marion	Osborn	TePaske
Ellsworth	Koch	Paisley	Thiessen
Fabritz	Kohler	Pattison	Thompson
Felter	Lamb	Peaco	Torgeson
Figgins	Langland	Pendray	Van Wert
Forsling	Laughlin	Randall	Wamstad
Gallagher	Lepley	Randolph	Wearin
Hansen of	Long	Rawlings	Whiting
Audubon	McCreery	Reed	Witt
Hansen of Scott	McDermott	Reimers	Mr. Speaker

The nays were, none.

Absent or not voting, 32.

Aiken	Byers	Elliott	Greaser
Allen	Davis	Finnern	Greene
Babcock	Dayton	Garrett	Hayes
Ballew	Drake of	Gilmore	Helgason
Brown	Muscatine	Gissel	Hunt

Husted  
Kern  
Lichty  
McCaulley

Miller  
O'Donnell  
Orr

Ratliff  
Simmer  
Stiger

Strachan  
Van Buren  
Watts

Motion prevailed and House reconsidered the vote by which the motion to reconsider House File No. 54 was laid upon the table.

Reed of Mahaska moved that the vote by which House File No. 54 passed the House be reconsidered.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 67.

Augustine	Hanson of	Mayne	Rutledge
Avery	Winnebago	Mead	Ryder
Beath	Hesse	Millhone	Rylander
Bonnstetter	Hollingsworth	Morton	Shields
Craven	Hollis	Nelson of	Snyder
Ditto	Hook	Cherokee	Sours
Donlon	Hush	Nelson of Story	Stanzel
Drake of Keokuk	Koch	O'Donnell	TePaske
Durant	Kohler	Osborn	Thiessen
Ellsworth	Laughlin	Paisley	Thompson
Fabritz	Lepley	Pattison	Torgeson
Felter	Long	Pendray	Van Buren
Finnern	McCreery	Randall	Van Wert
Gallagher	McDermott	Randolph	Wamstad
Gilmore	McLain	Rawlings	Wearin
Greaser	Malone	Reed	Whiting
Hansen of	Mathews	Reimers	Mr. Speaker
Audubon		Roe	

The nays were, 2.

Hopkins                      Simmer

Absent or not voting, 39.

Aiken	Drake of	Hunt	Miller
Allen	Muscatine	Husted	Orr
Babcock	Elliott	Hutcheon	Peaco
Bair	Figgins	Johnson of	Ratliff
Ballew	Forsling	Marion	Short
Berry	Garrett	Kern	Stiger
Brown	Gissel	Lamb	Strachan
Byers	Greene	Langland	Tamisia
Davis	Hansen of Scott	Lichty	Watts
Dayton	Hayes	McCaulley	Witt
	Helgason		

Motion prevailed and the House reconsidered.

Reed of Mahaska moved that the House reconsider the vote by which House File No. 54 passed to its third reading.

Motion prevailed.

Reed of Mahaska offered the following amendment and moved its adoption:

Amend House File No. 54:

1. By striking all after the enacting clause and substituting therefor the following:

"Section 1. That section sixty-nine hundred forty-four (6944), code, 1927, be amended by adding to subdivision eleven (11) thereof, the following:

'In case the real estate is held by the institution under an annuity contract, the annuitant shall pay in the taxing district where the real estate is located, taxes on the contract equal to the tax which would be assessed against the real estate represented by the contract. The institution making the annuity contract shall report the same to the assessor. Nothing in this act shall be construed to apply to contracts already entered into.'

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Oskaloosa Times Globe and the Fairfield Daily Ledger, newspapers published in Oskaloosa, Iowa, and Fairfield, Iowa, respectively."

2. Amend by striking all of the title after the word "amend" in line (1) thereof, and substituting therefor, the following:

"section sixty-nine hundred forty-four (6944), code, 1927, so as to provide for the taxation of annuity contracts."

Amendment adopted.

Reed 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, 80.

Augustine	Figgins	Johnson of	Mead
Avery	Finnern	Marion	Millhone
Ballew	Forsling	Koch	Morton
Beath	Gallagher	Kohler	Nelson of
Berry	Gilmore	Lamb	Cherokee
Bonnstetter	Gissel	Langland	Nelson of Story
Craven	Greaser	Laughlin	O'Donnell
Davis	Helgason	Lepley	Osborn
Ditto	Hesse	Long	Paisley
Donlon	Hollingsworth	McCreery	Pattison
Drake of Keokuk	Hollis	McDermott	Peaco
Durant	Hook	McLain	Pendray
Ellsworth	Hopkins	Malone	Randall
Fabritz	Hush	Mathews	Randolph
Felter	Hutcheon	Mayne	Rawlings

Reed	Simmer	Thompson	Watts
Roe	Snyder	Torgeson	Wearin
Rutledge	Stanzel	Van Buren	Whiting
Ryder	Strachan	Van Wert	Witt
Shields	TePaske	Wamstad	Mr. Speaker
Short	Thiessen		

The nays were, 2.

Ratliff                      Rylander

Absent or not voting, 26.

Aiken	Drake of	Hanson of	McCauley
Allen	Muscatine	Winnebago	Miller
Babcock	Elliott	Hayes	Orr
Bair	Garrett	Hunt	Reimers
Brown	Greene	Husted	Sours
Byers	Hansen of	Kern	Stiger
Dayton	Audubon	Lichty	Tamisiea
	Hansen of Scott		

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

### CONSIDERATION OF BILLS

Senate File No. 73, a bill for an act to legalize the corporate acts and proceedings of the Odd Fellows Building Association of Keokuk, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, with report of committee recommending passage, was taken up for consideration.

Paisley 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, 82.

Augustine	Muscatine	Hollis	McCreery
Avery	Durant	Hook	McDermott
Bair	Ellsworth	Hopkins	McLain
Ballew	Fabritz	Hush	Malone
Beath	Felter	Hutcheon	Mathews
Berry	Finnern	Johnson of	Mayne
Bonnstetter	Gallagher	Marion	Mead
Craven	Garrett	Koch	Millhone
Davis	Gilmore	Kohler	Morton
Dayton	Gissel	Lamb	Nelson of
Ditto	Greaser	Langland	Cherokee
Donlon	Helgason	Laughlin	Nelson of Story
Drake of Keokuk	Hesse	Lepley	O'Donnell
Drake of	Hollingsworth	Long	Osborn

Paisley	Roe	Stiger	Van Buren
Pattison	Rutledge	Strachan	Wamstad
Peaco	Ryder	Tamisiea	Watts
Pendray	Shields	TePaske	Wearin
Randolph	Snyder	Thiessen	Whiting
Rawlings	Sours	Thompson	Witt
Reed	Stanzel	Torgeson	Mr. Speaker
Reimers			

The nays were, none.

Absent or not voting, 26.

Aiken	Forsling	Hayes	Orr
Allen	Greene	Hunt	Randall
Babcock	Hansen of	Husted	Ratliff
Brown	Audubon	Kern	Rylander
Byers	Hansen of Scott	Lichty	Short
Elliott	Hanson of	McCauley	Simmer
Figgins	Winnebago	Miller	Van Wert

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

Paisley of Lee moved that the vote by which Senate File No. 73 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 52, a bill for an act to amend the law as it appears in section sixteen (16) of chapter fifty-seven (57) of the Acts of the Forty-third General Assembly so as to authorize fishing with trot-lines, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Watts of Van Buren, the amendment proposed by the committee, found in the Journal of February 24th, was adopted.

Watts of Van Buren called up the amendment filed by him and found in the Journal of March 16th and moved its adoption.

Amendment adopted.

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

On the question "Shall the bill pass?"



The ayes were, 79.

Augustine	Forsling	McCaulley	Rawlings
Avery	Gallagher	McCreery	Reed
Babcock	Garrett	McDermott	Roe
Bair	Gilmore	McLain	Rutledge
Ballew	Hansen of	Malone	Ryder
Beath	Audubon	Mathews	Rylander
Berry	Hansen of Scott	Mayne	Shields
Bonnstetter	Helgason	Millhone	Simmer
Craven	Hollingsworth	Morton	Snyder
Davis	Hook	Nelson of	Sours
Dayton	Hopkins	Cherokee	TePaske
Ditto	Hush	Nelson of Story	Thiessen
Donlon	Hutcheon	O'Donnell	Thompson
Drake of Keokuk	Johnson of	Osborn	Torgeson
Drake of	Marion	Paisley	Van Buren
Muscatine	Kern	Pattison	Van Wert
Ellsworth	Koch	Peaco	Wamstad
Fabritz	Kohler	Pendray	Watts
Felter	Langland	Randall	Whiting
Figgins	Laughlin	Randolph	Mr. Speaker
Winnern	Lepley	Ratliff	

The nays were, 3.

Durant	Greaser	Stanzel
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Absent or not voting, 26.

Aiken	Hanson of	Lamb	Short
Allen	Winnebago	Lichty	Stiger
Brown	Hayes	Long	Strachan
Byers	Hesse	Mead	Tamisiea
Elliott	Hollis	Miller	Wearin
Gissel	Hunt	Orr	Witt
Greene	Husted	Reimers	

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

Watts of Van Buren moved that the vote by which House File No. 52 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 415, a bill for an act to amend section fifty-seven hundred twelve (5712), code, 1927, relating to civil service, with report of committee recommending passage, was taken up for consideration.

Kern 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, 74.

Augustine	Greaser	Long	Reed
Avery	Hansen of	McCreery	Rutledge
Ballew	Audubon	McDermott	Ryder
Beath	Hansen of Scott	McLain	Rylander
Berry	Helgason	Malone	Shields
Bonnstetter	Hollingsworth	Mathews	Short
Craven	Hollis	Mead	Simmer
Davis	Hook	Millhone	Sours
Dayton	Hopkins	Morton	Stanzel
Ditto	Hush	Nelson of	Strachan
Donlon	Husted	Cherokee	TePaske
Drake of Keokuk	Hutcheon	Nelson of Story	Thiessen
Drake of	Johnson of	O'Donnell	Thompson
Muscatine	Marion	Osborn	Van Buren
Durant	Kern	Paisley	Wamstad
Ellsworth	Kohler	Peaco	Watts
Finnern	Lamb	Pendray	Wearin
Gallagher	Langland	Randolph	Whiting
Gilmore	Laughlin	Ratliff	Mr. Speaker
Gissel	Lepley		

The nays were, none.

Absent or not voting, 34.

Aiken	Figgins	Koch	Reimers
Allen	Forsling	Lichty	Roe
Babcock	Garrett	McCaulley	Snyder
Bair	Greene	Mayne	Stiger
Brown	Hanson of	Miller	Tamisiea
Byers	Winnebago	Orr	Torgeson
Elliott	Hayes	Pattison	Van Wert
Fabritz	Hesse	Randall	Witt
Felter	Hunt	Rawlings	

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

Senate File No. 44, a bill for an act to amend chapter 197 of the Code, 1927, entitled "Psychopathic Hospital", with report of committee recommending passage, was taken up for consideration.

Whiting 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, 71.

Augustine	Ballew	Bonnstetter	Donlon
Avery	Beath	Craven	Drake of Keokuk
Babcock	Berry	Dayton	

Drake of	Hush	Mead	Rylander
Muscatine	Husted	Millhone	Short
Durant	Hutcheon	Morton	Simmer
Fabritz	Johnson of	Nelson of	Sours
Felter	Marion	Cherokee	Stiger
Figgins	Kern	Nelson of Story	Strachan
Gallagher	Koch	Osborn	TePaske
Gissel	Kohler	Paisley	Thiessen
Greaser	Lamb	Pattison	Thompson
Greene	Langland	Peaco	Van Buren
Hansen of Scott	Laughlin	Pendray	Van Wert
Helgason	Lepley	Randall	Wamstad
Hollingsworth	Long	Randolph	Wearin
Hollis	McDermott	Ratliff	Whiting
Hook	McLain	Reed	Mr. Speaker
Hopkins	Mathews	Ryder	

The nays were, none.

Absent or not voting, 37.

Aiken	Forsling	Lichty	Roe
Allen	Garrett	McCaulley	Rutledge
Bair	Gilmore	McCreery	Shields
Brown	Hansen of	Malone	Snyder
Byers	Audubon	Mayne	Stanzel
Davis	Hanson of	Miller	Tamisiea
Ditto	Winnebago	O'Donnell	Torgeson
Elliott	Hayes	Orr	Watts
Ellsworth	Hesse	Rawlings	Witt
Finnern	Hunt	Reimers	

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

Whiting of Johnson moved that the vote by which Senate File No. 44 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### SENATE FILE REREFERRED

Forsling of Woodbury asked and obtained unanimous consent to have Senate File No. 99 withdrawn from the committee on judiciary and referred to the committee on private corporations.

#### NEBRASKA REPRESENTATIVE INTRODUCED

Speaker Johnson announced the presence of the Honorable C. S. Reece of the General Assembly of Nebraska, and introduced him to the House.

## CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, respectfully request a call of the House effective today at 10:00 a. m., for the consideration of House File No. 217.

HOMER HUSH

W. H. GISSEL

WALLACE M. SHORT

H. N. HANSON

C. M. LANGLAND

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Lichty of Black Hawk and Elliott of Scott, who, on motion were excused.

## CONSIDERATION OF BILLS

The hour having arrived for special order House File No. 217, a bill for an act to amend section thirty-nine hundred twenty-one (3921) of the code, 1927, as to powers and duties of state board of education so as to provide that the taking of instruction in military tactics, science or training shall be optional with any student, was taken up for consideration.

On motion of Hush of Montgomery the House recessed until 1:00 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

## CONSIDERATION OF BILLS

The House resumed consideration of House File No. 217.

Helgason of Emmet moved that the time for each speaker be limited to fifteen minutes.

Motion prevailed.

Simmer of Wapello moved that members of the House be excused until the vote is had on House File No. 217.

Hutcheon of Greene moved as a substitute that the call be now raised.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 48.

Augustine	Forsling	Johnson of	Mayne
Avery	Gallagher	Marion	Millhone
Bair	Garrett	Kern	Orr
Craven	Gilmore	Koch	Randolph
Davis	Greaser	Kohler	Ratliff
Ditto	Greene	Laughlin	Rawlings
Donlon	Hansen of	Lepley	Reed
Drake of Keokuk	Audubon	Long	Rutledge
Drake of	Hansen of Scott	McCaulley	Rylander
Muscatine	Hesse	McCreery	Tamasiea
Durant	Hollingsworth	McDermott	Wearin
Fabritz	Hollis	McLain	Witt
Figgins	Hutcheon	Malone	

The nays were, 40.

Allen	Helgason	Paisley	Stanzel
Babcock	Hook	Pattison	Strachan
Ballew	Hush	Peaco	TePaske
Beath	Mathews	Pendray	Thiessen
Berry	Mead	Randall	Tompson
Bonnstetter	Morton	Reimers	Torgeson
Dayton	Nelson of	Roe	Wamstad
Felter	Cherokee	Short	Watts
Finnern	Nelson of Story	Simmer	Whiting
Hanson of	O'Donnell	Sours	Mr. Speaker
Winnebago	Osborn		

Absent or not voting, 20.

Aiken	Gissel	Lamb	Shields
Brown	Hayes	Langland	Snyder
Byers	Hopkins	Lichty	Stiger
Elliott	Hunt	Miller	Van Buren
Ellsworth	Husted	Ryder	Van Wert

Motion prevailed and substitution was made.

Substitute motion adopted.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We the undersigned, request a call of the House for the final vote on House File No. 217.

S. R. TORGESON  
W. H. GISSEL  
WALLACE M. SHORT  
HOMER HUSH  
H. N. HANSON

The roll was called to ascertain the absentees.

The roll call disclosed all members present except Lichty of Black Hawk, Elliott of Scott and Reed of Mahaska who, on motion, were excused.

Ditto of Osceola moved the previous question.

Motion prevailed.

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

On the question "Shall the bill pass?"

The ayes were, 42.

Allen	Forsling	Mead	Shields
Babcock	Gissel	Miller	Short
Beath	Hanson of	Pattison	Strachan
Berry	Winnebago	Peaco	TePaske
Bonnstetter	Helgason	Pendray	Thompson
Brown	Hook	Randall	Torgeson
Craven	Hush	Randolph	Van Wert
Davis	Husted	Ratliff	Wamstad
Felter	Kohler	Reimers	Watts
Figgins	Langland	Roe	Mr. Speaker
Finnern	McLain	Rylander	

The nays were, 63.

Aiken	Gilmore	Lamb	Osborn
Augustine	Greaser	Laughlin	Paisley
Avery	Greene	Lepley	Rawlings
Bair	Hansen of	Long	Rutledge
Ballew	Audubon	McCaulley	Ryder
Byers	Hansen of Scott	McCreery	Simmer
Dayton	Hayes	McDermott	Snyder
Ditto	Hesse	Malone	Sours
Donlon	Hollingsworth	Mathews	Stanzel
Drake of Keokuk	Hollis	Mayne	Stiger
Drake of	Hopkins	Millhone	Tamisiea
Muscatine	Hunt	Morton	Thiessen
Durant	Hutcheon	Nelson of	Van Buren
Ellsworth	Johnson of	Cherokee	Wearin
Fabritz	Marion	Nelson of Story	Whiting
Gallagher	Kern	O'Donnell	Witt
Garrett	Koch	Orr	

Absent or not voting, 3.

Elliott	Lichty	Reed
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So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Greene of Pottawattamie moved that the vote by which House File No. 217 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has 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 unoccupied and abandoned cemetery lots.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 106, a bill for an act to regulate the sale of oleomargarine.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 98, a bill for an act to co-ordinate and harmonize various sections of the code, 1927, relating to appropriations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 222, a bill for an act relating to the levy of taxes to pay the cost of work designed for protection from floods.

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 authorize the State Highway Commission to employ persons to enforce the law relating to traffic on primary roads.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 122, a bill for an act relating to use of motor vehicles on highways.

Also, 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 relating to municipal bands to provide for municipal appropriation of funds.

WALTER H. BEAM, *Secretary.*

## SENATE AMENDMENTS TO HOUSE FILE NO. 57

Amend House File No. 57 as follows:

Strike out of line 2 of section 1 the phrase "or part thereof" and substitute in lieu thereof the phrase "or half lot".

Amend section 2 by inserting after the word "lot" in line 6 thereof the words "or half lot" and by inserting after the word "lots" in line 7 thereof "or half lots".

Strike the word "portion" from line 9 thereof and insert the word "half" in lieu thereof.

## SENATE AMENDMENT TO HOUSE FILE NO. 106

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby imposed, levied, and assessed, an inspection fee and excise tax of five cents upon each pound of oleomargarine sold, offered or exposed for sale, or given or delivered to a consumer, said fee and tax to be paid to the secretary of agriculture prior to any such sale, gift, or delivery.

Sec. 2. All oleomargarine offered or exposed for sale, or for distribution in any manner in this state, shall be put up in packages or cartons in the manner required by the federal regulations relative thereto. Before any such package or carton is broken or is offered or exposed for sale, gift or distribution to a consumer, there shall be securely affixed thereto, a suitable stamp or stamps denoting the fee thereon, and stamp or stamps shall be properly cancelled prior to the removal from said package or carton of any oleomargarine. The secretary of agriculture shall prescribe rules and regulations relative to the handling, keeping, disposal and distribution of oleomargarine, and the affixing and cancellation of the stamps provided and required by this act.

Sec. 3. Preparation of stamps. Delivery to Secretary of Agriculture. Sale. Accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of the oleomargarine in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Sec. 4. Spoiled Stamps. Any spoiled or unused stamps in the hands



of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the same. Such certificate shall relieve the accountable officer from accountability in the amount thereof.

Sec. 5. The payment of the inspection fee and tax and the stamping and cancellation of any carton or package of oleomargarine by the manufacturer or importer of any oleomargarine, shall exempt all other persons from the requirements of this act, relative to the stamping of, and cancellation of stamps on cartons and packages of oleomargarine.

Sec. 6. Unused Stamps. Refund. Upon written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount.

Sec. 7. Any person violating any of the provisions of the preceding sections of this act, or any rule or regulation prescribed by the secretary of agriculture, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not more than thirty days in the county jail.

Sec. 8. Tax Paid to General Fund. The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 98

Amend by striking from Section one (1), line two (2) the words and figures "seventeen hundred twelve (1712)".

Amend the title by striking from lines six (6) and seven (7) the words and figures "seventeen hundred twelve (1712)".

#### SENATE MESSAGES CONSIDERED

Senate File No. 222, a bill for an act to amend section sixty-one hundred (6100), Code, 1927, relating to the levy of taxes to pay the cost of work designed for protection from floods.

Read first and second times and referred to committee on cities and towns.

Senate File No. 93, a bill for an act to authorize the State Highway Commission to employ persons to enforce the law

relating to traffic on primary roads, to designate such persons as peace officers, and to provide for the payment of the compensation and expense of such persons.

Read first and second times and substituted for House File No. 119.

Senate File No. 122, a bill for an act to amend section fifty hundred twenty-one (5021) of the Code of 1927 relating to vehicles turning to the right when overtaken and to prohibit the drivers of overtaken vehicles from increasing their speed for the purpose of hindering the overtaking vehicle; and to provide for the designation and marking of portions of the primary road by the state highway commission and to make it unlawful for vehicles to pass within such designated portions and to provide for penalties therefor and violations thereof.

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

Senate File No. 41, a bill for an act to amend section fifty-eight hundred thirty-five (5835) of the Code, 1927, relating to municipal bands to provide for municipal appropriation of funds.

Read first and second times and referred to committee on cities and towns.

#### AMENDMENTS FILED

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendment to House File No. 513:

MR. SPEAKER: We move to amend House File No. 513, as follows:

1. By striking lines nine (9), ten (10) and eleven (11) of section one (1) thereof and substituting therefor:

"The third district shall consist of the counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

2. By striking lines nineteen (19), twenty (20) and twenty-one (21) of section one (1) thereof and substituting therefor:

"The seventh district shall consist of the counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, and Shelby."

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendment to House File No. 495:

MR. SPEAKER: We move to amend House File No. 495, as follows:

1. By striking lines six (6), seven (7) and eight (8) of section one (1) thereof and substituting therefor:

"Second District, Counties of Cedar, Clinton, Iowa, Jackson, Johnson, Jones, Muscatine and Scott."

2. By striking lines nine (9) and ten (10) of section one (1) thereof and substituting therefor:

"Third District, Counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

3. By striking lines twenty-five (25), twenty-six (26), and twenty-seven (27) of section one (1) thereof and substituting therefor:

"Ninth District, Counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, and Shelby."

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendment to House File No. 486:

MR. SPEAKER: We move to amend House File No. 486, as follows:

1. By striking lines nine (9), ten (10) and eleven (11) of section one (1) thereof and substituting therefor:

"Third district shall consist of Counties of Allamakee, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek."

2. By striking lines twenty-four (24), twenty-five (25) and twenty-six (26) of section one (1) thereof and substituting therefor:

"Ninth district shall consist of Counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, and Shelby."

Whiting of Johnson, Reimers of Lyon and Wearin of Mills filed the following amendment to House File No. 516:

MR. SPEAKER: We move to amend House File No. 516, as follows:

1. By striking lines ten (10) and eleven (11) of section one (1) thereof and substituting therefor:

"Second district shall consist of the counties of Cedar, Clinton, Iowa, Jackson, Johnson, Jones, Muscatine and Scott."

2. By striking all of line fourteen (14) of section one (1) after the word "Howard" and inserting in lieu thereof a period (.).

3. By striking lines twenty-three (23), twenty-four (24) and twenty-five (25) of section one (1) thereof and substituting therefor:

"Seventh district shall consist of the counties of Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie, and Shelby."

Hanson of Winnebago filed the following amendment to House File No. 309:

Amend House File No. 309 by striking Section 1 thereof and by adding in lieu of Section 1 the following:

Section 1. Every person, partnership or corporation engaged in the business of buying, or engaged in transporting for hire by motor vehicle any cattle, hogs, sheep, horses or goats, shall, for every such transaction, make out triplicate tickets written in ink or other indelible substance, which shall state thereon the date, the name and address of the seller, the number, color, breed, kind of animals and approximate weight of each, the kind and license number of the motor vehicle, and the name and address of the buyer of and the owner of the motor vehicle transporting said stock. Each of said triplicate tickets shall be signed by the seller and the operator of the motor vehicle. One of said tickets shall be kept by the seller, one shall be retained by the operator of the motor vehicle and one shall be delivered to the buyer of said stock at the time said stock is delivered. Said tickets shall be retained for a period of at least sixty (60) days and any peace officer shall have the right to inspect and examine said tickets at any reasonable time.

McCaulley of Calhoun filed the following amendment to Senate File No. 1:

Amend Senate File No. 1, as passed by the Senate as follows:

Strike from Section 31, Line 3, the words "The first Monday in November" and substitute thereof the words "September 15".

Also amend Section 36, line 5, by striking the word "auditor" and substitute the word "Assessor".

Strike from Section 39, line 4, the words "County auditor" and substitute thereof the words "County assessor".

Reimers of Lyon filed the following amendment to Senate File No. 133:

Amend Senate File No. 133, Section 4 by adding thereto the following:

"All contractors engaged in the construction of the primary road system and all contractors engaged in the construction of the secondary road system shall be permitted to move their necessary machinery and equipment over the roads of the state notwithstanding the provisions regarding dimensions contained in Sections 2, 3 and 4 of this act."

Whiting of Johnson and Stiger of Tama filed the following amendment to House File No. 59:

Amend House File No. 59, as follows:

1. By adding thereto as section twelve (12):

"Provided that the minority party, as shown by the last vote for governor in all the political divisions of the state, county, judicial, municipal, senatorial, representative, township and state, may nominate all candidates at a caucus or convention called by the political committee of said minority party. A list of said nominations shall be certified by said committee and filed with the same officers to which primary nominations were certified, at least twenty (20) days before the election.

Simmer of Wapello, Donlon of Palo Alto and Bonnstetter of Kossuth filed the following amendments to Senate File No. 1:

Amend Senate File No. 1 as follows:

1. By striking out sections one (1) to nine (9), inclusive, and by inserting in lieu thereof the following, to wit:

"Section 1. County assessor. The office of county assessor is hereby created, and the county auditor of each county shall, ex officio, be such county assessor.

Sec. 2. Term defined. Wherever the word 'assessor' appears in the law it shall be construed to mean county assessor.

Sec. 3. Deputies and assistants. The county assessor shall appoint such number of full or part time deputies and field men as the board of supervisors may approve. Deputies and field men shall hold office only during the pleasure of the county assessor, and shall be under the supervision and control of the county assessor who shall be responsible for their malfeasance, misfeasance, and nonfeasance.

Sec. 4. The term of office of all township, city and town assessors shall terminate on December 31, 1931."

2. By striking out paragraph one (1) of section ten (10).

3. By striking from line six (6) of section twenty-two (22) the words, "and by filing with the county auditor on or before the" and by inserting in lieu of said stricken words, the following words, to wit: "prior to the".

4. By striking from lines seven (7) and eight (8) of section twenty-two (22) the words, "said notice with proof of service thereon".

5. By striking from sections twenty-three (23), twenty-four (24), twenty-five (25), and twenty-seven (27) the word "auditor" and by inserting in lieu thereof in each case the word "assessor".

6. By striking from lines seven (7) and eight (8) of section twenty-

eight (28) the words "secretary of the county board", and by inserting in lieu thereof the word "assessor".

7. By striking from lines four (4) and five (5) of section twenty-nine (29) the words, "county auditor and the".

8. By striking from lines four (4) and five (5) of section thirty-one (31) the words, "the county auditor and".

9. By striking from lines one (1) and two (2) of section thirty-three (33) the words, "and county auditor";

Also by striking from line two (2) of section thirty-three (33) the word "their" and by inserting in lieu thereof the word "his".

10. By striking from line five (5) of section thirty-six (36) the word "auditor" and by inserting in lieu thereof the word "assessor".

11. By striking from line four (4) of section thirty-nine (39) the words, "furnished to him by the county auditor".

12. By striking from lines one (1) and two (2) of section forty-one (41) the words, "county auditor or the".

13. By striking from lines ten (10) and eleven (11) of section forty-two (42) the words, " , and shall, within fifteen days, certify to the correctness thereof, and deliver said books to the county auditor.".

14. By striking from lines one (1) and two (2) of section fifty-eight (58) the words and figures "That section fifty-four hundred forty-three (5443)" and by inserting in lieu thereof the following words and figures, to wit: "That section fifty-five hundred forty-three (5543)".

15. By striking from lines two (2), three (3), and four (4) of section eighty-five (85) the words, " , except as to the provisions of Section three (3) requiring the appointing board to appoint a county assessor prior to that date.".

16. By striking from the first line of the title to said Senate File No. 1 the words, "provide for his election,".

17. By renumbering the sections of the bill and the paragraphs of sections in accordance with the foregoing amendments.

On motion of Randall of Lucas 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, MARCH 19, 1931.

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

Prayer was offered by the Rev. W. A. Morgan, district superintendent of the Methodist Church, Indianola, Iowa.

Journal of March 18th corrected and approved.

## PETITIONS AND MEMORIALS

By Davis of Delaware, from citizens of Butler and Jefferson counties, favoring making bovine tuberculin testing optional; and from citizens of Jefferson county favoring a tax on substitutes for butter, lard and eggs. Animal industry, and agriculture.

By Ellsworth of Hardin, from citizens of Hardin county, favoring House File No. 174 and opposing House File No. 340. Public health.

By Greaser of Benton, from 889 students of Ames, favoring compulsory military training. State educational institutions.

By Johnson of Dickinson, from the thirty-second conference of the D. A. R., favoring barriers against entrance of anti-American organizations into our schools, favoring teachers taking the oath of allegiance to the United States, and opposing optional military training. Schools and textbooks.

By Laughlin of Fremont, from the American Legion of Hamburg, the Chamber of Commerce of Hamburg, the Sidney Community Club and the Farragut Community Club, favoring the acceptance of Tabor college. Appropriations.

By McCreery of Linn, from citizens of Linn county, favoring House File No. 174 and opposing House File No. 340. Public health.

By Pattison of Jefferson, from citizens of Jefferson county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Paisley of Lee, from the Rotary Club of Fort Madison, opposing a state income tax. Tax revision.

By Reed of Mahaska, from railroad employes of Mahaska county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Tamisiea of Harrison, from teachers of Harrison county, opposing House File No. 299. Schools and textbooks.

By Thompson of Fayette, from residents of Hawkeye and vicinity, opposing the county assessor plan. Tax revision.

By Witt of Butler, from citizens of Butler county, favoring making bovine tuberculin testing optional. Animal industry.

#### AMENDMENT WITHDRAWN

Watts of Van Buren moved to withdraw the amendment to House File No. 174 filed by him and found in the Journal of March 11th.

Motion prevailed.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Hansen of Scott, House File No. 94, a bill for an act to legalize and validate the corporate existence, acts, franchises, rights and privileges of the Keokuk & Hamilton Bridge Company and fixing the date of expiration of its renewed corporate existence, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 94

That the period at the end of Section 3 be changed to a comma, and the following be added thereto: "without expense to the state".

Hansen of Scott moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"



The ayes were, 77.

Allen	Gilmore	Langland	Reed
Augustine	Greaser	Laughlin	Reimers
Avery	Hansen of	Lepley	Roe
Babcock	Audubon	Long	Rutledge
Beath	Hansen of Scott	McCaulley	Ryder
Bonnstetter	Hanson of	McCreery	Rylander
Byers	Winnebago	McLain	Shields
Craven	Helgason	Mathews	Snyder
Dayton	Hollingsworth	Millhone	Sours
Ditto	Hollis	Morton	Tamisiea
Donlon	Hook	Nelson of	TePaske
Drake of	Hopkins	Cherokee	Thiessen
Muscatine	Hush	Nelson of Story	Thompson
Durant	Husted	Osborn	Van Buren
Ellsworth	Hutcheon	Paisley	Wamstad
Fabritz	Johnson of	Pattison	Watts
Figgins	Marion	Peaco	Wearin
Finnern	Koch	Pendray	Whiting
Forsling	Kohler	Randall	Witt
Gallagher	Lamb	Randolph	Mr. Speaker
Garrett		Rawlings	

The nays were, none.

Absent or not voting, 31.

Aiken	Felter	McDermott	Short
Bair	Gissel	Malone	Simmer
Ballew	Greene	Mayne	Stanzel
Berry	Hayes	Mead	Stiger
Brown	Hesse	Miller	Strachan
Davis	Hunt	O'Donnell	Torgeson
Drake of Keokuk	Kern	Orr	Van Wert
Elliott	Lichty	Ratliff	

House concurred in Senate amendment to House File No. 94.

On request of Wearin of Mills, House File No. 57, a bill for an act to provide for the levy and assessment of dues by the governing boards of cemeteries against all unused lots or parts of lots to be used for the perpetual care and upkeep of all lots or parts of lots located within a cemetery; to provide for the forfeiture of title to any unused lot or unused portion of a lot in the event of failure to pay the said assessment; to provide for the sale of all forfeited lots or portions of lots and for the use of the receipts from the sale of the same and for the redemption of said lots by the owner, heir or legal representative, and to provide for a lien on the lots or portions of lots for any unpaid assessment, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 57

Amend House File No. 57 as follows:

Strike out of line 2 of section 1 the phrase "or part thereof" and substitute in lieu thereof the phrase "or half lot".

Amend section 2 by inserting after the word "lot" in line 6 thereof the words "or half lot" and by inserting after the word "lots" in line 7 thereof "or half lots".

Strike the word "portion" from line 9 thereof and insert the word "half" in lieu thereof.

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

On the question "Shall the House concur?"

The ayes were, 84.

Allen	Greaser	Long	Reimers
Augustine	Hansen of	McCaulley	Roe
Avery	Audubon	McCreery	Rutledge
Babcock	Hansen of Scott	McDermott	Ryder
Beath	Hanson of	McLain	Rylander
Berry	Winnebago	Malone	Shields
Bonnstetter	Helgason	Mathews	Short
Craven	Hollingsworth	Mead	Snyder
Davis	Hollis	Millhone	Sours
Dayton	Hook	Morton	Strachan
Donlon	Hopkins	Nelson of	Tamisiea
Drake of	Hush	Cherokee	TePaske
Muscatine	Husted	Nelson of Story	Thiessen
Durant	Hutcheon	Osborn	Thompson
Ellsworth	Johnson of	Paisley	Van Buren
Fabritz	Marion	Pattison	Van Wert
Felter	Koch	Peaco	Wamstad
Figgins	Kohler	Pendray	Watts
Finnern	Lamb	Randall	Wearin
Forsling	Langland	Randolph	Whiting
Gallagher	Laughlin	Rawlings	Witt
Garrett	Lepley	Reed	Mr. Speaker
Gilmore			

The nays were, none.

Absent or not voting, 24.

Aiken	Drake of Keokuk	Hunt	Orr
Bair	Elliott	Kern	Ratliff
Ballew	Gissel	Lichty	Simmer
Brown	Greene	Mayne	Stanzel
Byers	Hayes	Miller	Stiger
Ditto	Hesse	O'Donnell	Torgeson

House concurred in Senate amendments to House File No. 57.

On request of Van Buren of Jones, House File No. 98, a bill for an act to coordinate and harmonize various sections of the Code, 1927, with the state appropriation act provided by section three hundred thirty-three (333) of said Code, to avoid duplicate

appropriations in said Code and Act, and to this end to repeal sections fourteen hundred twenty-six (1426), seventeen hundred twelve (1712), and twenty-seven hundred eighty-one (2781), and to amend sections sixteen hundred fifty-five (1655) twenty-five hundred thirty-three (2533), thirty-nine hundred forty-one (3941), forty hundred twenty-eight (4028), and forty-five hundred fifty-nine (4559), all of said Code, and relating to appropriations, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 98

Amend by striking from Section one (1), line two (2) the words and figures "seventeen hundred twelve (1712)".

Amend the title by striking from lines six (6) and seven (7) the words and figures "seventeen hundred twelve (1712)".

Mr. Van Buren moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 76.

Allen	Gilmore	McCaulley	Reed
Augustine	Greaser	McCreery	Reimers
Avery	Hansen of	McDermott	Roe
Babcock	Audubon	McLain	Rutledge
Beath	Hansen of Scott	Malone	Ryder
Craven	Hanson of	Mathews	Rylander
Davis	Winnebago	Mead	Snyder
Dayton	Helgason	Millhone	Sours
Ditto	Hook	Morton	Strachan
Donlon	Hopkins	Nelson of	Tamisiea
Drake of	Hush	Cherokee	TePaske
Muscatine	Husted	Nelson of Story	Thiessen
Durant	Johnson of	Osborn	Thompson
Ellsworth	Marion	Paisley	Van Buren
Fabritz	Koch	Pattison	Van Wert
Felter	Kohler	Peaco	Wamstad
Figgins	Lamb	Pendray	Wearin
Finnern	Langland	Randolph	Whiting
Forsling	Laughlin	Ratliff	Witt
Gallagher	Lepley	Rawlings	Mr. Speaker
Garrett			

The nays were, none.

Absent or not voting, 32.

Aiken	Berry	Byers	Gissel
Bair	Bonnstetter	Drake of Keokuk	Greene
Ballew	Brown	Elliott	Hayes

Hesse	Kern	O'Donnell	Simmer
Hollingsworth	Lichty	Orr	Stanzel
Hollis	Long	Randall	Stiger
Hunt	Mayne	Shields	Torgeson
Hutcheon	Miller	Short	Watts

House concurred in Senate amendments to House File No. 98.

On request of McCreery of Linn, House File No. 106, a bill for an act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture, with Senate amendment, was taken up for consideration and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 106

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby imposed, levied, and assessed, an inspection fee and excise tax of five cents upon each pound of oleomargarine sold, offered or exposed for sale, or given or delivered to a consumer, said fee and tax to be paid to the secretary of agriculture prior to any such sale, gift, or delivery.

Sec. 2. All oleomargarine offered or exposed for sale, or for distribution in any manner in this state, shall be put up in packages or cartons in the manner required by the federal regulations relative thereto. Before any such package or carton is broken or is offered or exposed for sale, gift or distribution to a consumer, there shall be securely affixed thereto, a suitable stamp or stamps denoting the fee thereon, and stamp or stamps shall be properly cancelled prior to the removal from said package or carton of any oleomargarine. The secretary of agriculture shall prescribe rules and regulations relative to the handling, keeping, disposal and distribution of oleomargarine, and the affixing and cancellation of the stamps provided and required by this act.

Sec. 3. Preparation of stamps. Delivery to Secretary of Agriculture. Sale. Accounting. The auditor of state shall prepare and have suitable stamps for use on each package or carton as the secretary of agriculture shall prescribe, and there shall be sufficient space thereon for the insertion of the name and address of the manufacturer of the oleomargarine in the carton or package to which the stamp is to be affixed. Upon requisition of the secretary of agriculture the auditor of state shall deliver to him the stamps designated in such requisition and shall charge the secretary of agriculture with the stamps so delivered, and shall keep an accurate record of all stamps coming into and leaving his hands. The secretary of agriculture shall sell the stamps to all persons applying therefor.

Sec. 4. Spoiled Stamps. Any spoiled or unused stamps in the hands of either the secretary of agriculture or auditor of state shall be destroyed upon joint certificate of the auditor of state, secretary of agriculture and state accountant, setting forth the number, denomination and face value of the same. Such certificate shall relieve the accountable officer from accountability in the amount thereof.

Sec. 5. The payment of the inspection fee and tax and the stamping and cancellation of any carton or package of oleomargarine by the manufacturer or importer of any oleomargarine, shall exempt all other persons from the requirements of this act, relative to the stamping of, and cancellation of stamps on cartons and packages of oleomargarine.

Sec. 6. Unused Stamps. Refund. Upon written request of the original purchaser thereof and the return of any unused stamps the secretary of agriculture shall redeem such stamps and cause a refund to be made therefor. The secretary of agriculture shall prepare a voucher showing the amount of such refund due and the auditor of state shall draw a warrant on the treasurer of state for such amount.

Sec. 7. Any person violating any of the provisions of the preceding sections of this act, or any rule or regulation prescribed by the secretary of agriculture, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not more than thirty days in the county jail.

Sec. 8. Tax Paid to General Fund. The secretary of agriculture shall enforce the provisions of this act, and shall on the first day of each month, transfer and pay to the treasurer of state for use and benefit of the general fund of the state the funds collected under the provisions of this act and in his hands, on said dates.

Mr. McCreery moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 72.

Allen	Forsling	Hush	Millhone
Augustine	Gallagher	Husted	Morton
Avery	Garrett	Johnson of	Nelson of
Babcock	Gissel	Marion	Cherokee
Beath	Greaser	Koch	Osborn
Berry	Hansen of	Kohler	Paisley
Bonnstetter	Audubon	Lamb	Pattison
Davis	Hansen of Scott	Langland	Peaco
Dayton	Hanson of	Laughlin	Pendray
Donlon	Winnebago	Lepley	Randolph
Durant	Helgason	McCreery	Ratliff
Fabritz	Hollingsworth	McDermott	Reed
Felter	Hollis	McLain	Reimers
Figgins	Hook	Mathews	Roe
Finnern	Hopkins	Mead	Rutledge

Ryder	Sours	Thompson	Wearin
Rylander	Strachan	Van Buren	Whiting
Simmer	TePaske	Van Wert	Witt
Snyder	Thiessen	Wamstad	Mr. Speaker

The nays were, none.

Absent or not voting, 36.

Aiken	Elliott	Lichty	Randall
Bair	Ellsworth	Long	Rawlings
Ballew	Gilmore	McCaulley	Shields
Brown	Greene	Malone	Short
Byers	Hayne	Mayne	Stanzel
Craven	Hesse	Miller	Stiger
Ditto	Hunt	Nelson of Story	Tamisiea
Drake of Keokuk	Hutcheon	O'Donnell	Torgeson
Drake of Muscatine	Kern	Orr	Watts

House concurred in Senate amendment to House File No. 106.

### CONSIDERATION OF BILLS

House File No. 340, a bill for an act to repeal the law as it appears in section twenty-five hundred forty-eight (2548), section twenty-five hundred fifty-one (2551), and section twenty-five hundred fifty-four (2554) of the code of Iowa, 1927, and to enact substitutes therefor; relating to the definition of osteopathy, osteopathy and surgery, and the requirements necessary to practice osteopathy and osteopathy and surgery, and prohibiting the use of drugs and medicine by osteopaths, with report of committee amendments, without recommendation, was taken up for consideration.

Ellsworth of Hardin offered the following amendment to the committee amendment and moved its adoption:

Amend by striking in line three (3) of section four (4) of the committee amendment found in the Journal of March 13th, the word "chiropractor" and inserting in lieu thereof the word "chiropractors".

Amendment to committee amendment adopted.

Committee amendment, as amended, adopted.

Ellsworth of Hardin offered the following amendment and moved its adoption:

Amend Section three (3) of House File No. 340 by striking from line six (6) thereof the word "practice" and inserting in lieu thereof the word "prescribe".

Amendment adopted.

Torgeson of Worth moved that further action on House File

No. 340 be deferred until 10:30 a. m. tomorrow and be made a special order along with House File No. 174.

Motion prevailed.

House File No. 407, a bill for an act providing for regulation of the sale and distribution of substances commonly known as antifreeze and containing methanol, with report of committee recommending passage, was taken up for consideration.

Ditto of Osceola moved that the bill be read a third time now and placed upon its passage.

Simmer of Wapello moved as a substitute motion that House File No. 407 be indefinitely postponed.

On the question "Shall House File No. 407 be indefinitely postponed?" a roll call was demanded.

The ayes were, 24.

Babcock	Gissel	Hopkins	Reed
Ballew	Greaser	Laughlin	Rylander
Bonnstetter	Hansen of Scott	McDermott	Shields
Davis	Hanson of	Mead	Simmer
Durant	Winnebago	Miller	Torgeson
Gallagher	Hollis	Randall	Van Wert
Gilmore			

The nays were, 55.

Augustine	Hollingsworth	McLain	Rawlings
Avery	Hook	Malone	Reimers
Beath	Hush	Mathews	Rutledge
Berry	Husted	Mayne	Ryder
Byers	Hutcheon	Millhone	Sours
Dayton	Johnson of	Morton	Stiger
Ditto	Marion	Nelson of	Strachan
Drake of Keokuk	Kern	Cherokee	Tamisiea
Drake of	Koch	Nelson of Story	Thiessen
Muscatine	Kohler	Osborn	Thompson
Ellsworth	Lamb	Paisley	Wearin
Fabritz	Langland	Peaco	Whiting
Felter	Lepley	Randolph	Witt
Garrett	McCaulley	Ratliff	Mr. Speaker
Greene	McCreery		

Absent or not voting, 29.

Aiken	Finnern	Lichty	Short
Allen	Forsling	Long	Snyder
Bair	Hansen of	O'Donnell	Stanzel
Brown	Audubon	Orr	TePaske
Craven	Hayes	Pattison	Van Buren
Donlon	Helgason	Pendray	Wamstad
Elliott	Hesse	Roe	Watts
Figgins	Hunt		

Motion to indefinitely postpone lost.

Ditto of Osceola renewed his motion that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 56.

Augustine	Hesse	McCaulley	Roe
Avery	Hollis	McCreery	Rutledge
Bair	Hook	McLain	Ryder
Beath	Hunt	Malone	Short
Brown	Husted	Mayne	Snyder
Byers	Hutcheon	Millhone	Stiger
Craven	Johnson of	Miller	Strachan
Dayton	Marion	Morton	Tamisiea
Ditto	Kern	O'Donnell	Thiessen
Drake of Keokuk	Koch	Osborn	Watts
Drake of	Langland	Paisley	Wearin
Muscatine	Laughlin	Peaco	Whiting
Fabritz	Lichty	Randolph	Witt
Garrett	Long	Rawlings	Mr. Speaker
Greene		Reimers	

The nays were, 45.

Allen	Gallagher	Lamb	Reed
Babcock	Gilmore	Lepley	Rylander
Ballew	Gissel	McDermott	Shields
Berry	Greaser	Mathews	Simmer
Bonnstetter	Hansen of Scott	Mead	Sours
Davis	Hansen of	Nelson of	Stanzel
Donlon	Winnebago	Cherokee	TePaske
Durant	Helgason	Nelson of Story	Thompson
Ellsworth	Hollingsworth	Pattison	Torgeson
Felter	Hopkins	Pendray	Van Buren
Figgins	Hush	Randall	Van Wert
Forsling	Kohler	Ratliff	

Absent or not voting, 7.

Aiken	Hansen of	Hayes	Wamstad
Elliott	Audubon	Orr	
Finnern			

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

Ditto of Osceola moved that the vote by which House File No. 407 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Greene of Pottawattamie asked unanimous consent to defer action on Senate File No. 1 for one hour, it having been made a special order for 10:00 a. m. today.

Objection was made.



Simmer of Wapello moved that the House proceed with the disposition of Senate File No. 1 and that the House accord the privileges of the House Chamber to the public hearing on the tubercular test law for this afternoon, and if necessary accord them the privileges of the House Chamber for an evening hearing.

Motion prevailed.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, hereby request a call of the House at 10:00 a. m. today for the consideration of Senate File No. 1.

MARION R. MCCAULLEY,  
J. H. JOHNSON,  
FRED B. WITT  
E. M. LICHTY  
E. O. ELLSWORTH

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Elliott of Scott who, on motion, was excused.

The hour having arrived for the special order, Senate File No. 1, a bill for an act to create the office of county assessor, provide for his election, prescribe his powers and duties, provide for the listing and assessment of property for taxation, to provide penalties for the violation thereof, to constitute a county board of review and to prescribe its duties; to coordinate various statutes with this; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-

one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), all of the Code of Iowa 1927, and section fifty-seven-a two (57-a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in sections four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), ten hundred sixty-six (1066), fifteen hundred sixty-six (1566), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), fifty-six hundred sixty-four (5664), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two

(6732), sixty-eight hundred sixty-seven (6867), sixty-nine hundred seventy-three (6973), seventy hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-one hundred forty-eight (7148), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), seventy-two hundred nineteen (7219), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300), seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), Code, 1927, and section fifty-seven-a four (57-a4), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section one (1), chapter one hundred sixty-two (162), Acts of the Forty-third General Assembly, all relating to the listing and assessment of property for taxation, with report of committee recommending passage was taken up for consideration, having been substituted for House File No. 1.

McCreery of Linn called up the amendment filed by him and found in the Journal of March 14th and moved its adoption.

Simmer of Wapello moved that the amendment filed by him and found in the Journal of March 18th be called up and be disposed of in preference to those amendments filed heretofore.

Allen of Pocahontas raised the point of order that it would

require a two-thirds (2/3) vote. The Speaker held the point of order well taken.

On the question "Shall the Simmer amendment be taken up?" a roll call was demanded.

The ayes were, 18.

Babcock	Kern	Malone	Rylander
Bonnstetter	Lamb	Morton	Simmer
Craven	Langland	Pendray	Snyder
Garrett	Laughlin	Randolph	Wearin
Gissel		Rutledge	

The nays were, 73.

Aiken	Greene	Long	Roe
Allen	Hansen of	McCaulley	Ryder
Augustine	Audubon	McCreery	Shields
Avery	Hansen of Scott	McDermott	Sours
Ballew	Hanson of	McLain	Stanzel
Beath	Winnebago	Mathews	Stiger
Berry	Hesse	Mayne	Strachan
Brown	Hollingsworth	Millhone	Tamisiea
Byers	Hollis	Miller	TePaske
Dayton	Hopkins	Nelson of	Thiessen
Ditto	Hunt	Cherokee	Thompson
Donlon	Husted	Nelson of Story	Torgeson
Drake of Keokuk	Hutcheon	O'Donnell	Van Buren
Durant	Johnson of	Paisley	Van Wert
Fabritz	Marion	Pattison	Wamstad
Felter	Koch	Peaco	Watts
Figgins	Kohler	Randall	Whiting
Finnern	Lepley	Rawlings	Witt
Gallagher	Lichty	Reed	Mr. Speaker
Greaser			

Absent or not voting, 17.

Bair	Ellsworth	Helgason	Osborn
Davis	Forsling	Hook	Ratliff
Drake of	Gilmore	Hush	Reimers
Muscatine	Hayes	Mead	Short
Elliott		Orr	

Motion to give Simmer amendment preference lost.

The House resumed consideration of the McCreery amendment.

McCreery of Linn asked and obtained unanimous consent to have his amendment apply to section seventeen in lieu of section fifteen as shown in the original amendment; and also that section sixteen, as shown in the latter part of the original amendment apply to section eighteen.

Husted of Madison offered the following amendment to the amendment filed by Mr. McCreery:

Amend by striking in the first line of section fifteen (15) of the amendment found in the Journal of March 14th, the word "shall" and inserting in lieu thereof the word "may".

Further amend by striking in the first line of the following paragraph the word "shall" and inserting in lieu thereof the word "may".

Berry of Monroe moved the previous question to the amendment to the amendment and the amendment by Mr. McCreery.

Motion prevailed.

On the question "Shall the amendment to the amendment be adopted?" a roll call was demanded.

The ayes were, 23.

Allen	Hanson of	Lichty	Ratliff
Avery	Winnebago	McLain	Sours
Babcock	Helgason	Mead	Strachan
Beath	Hesse	Millhorne	Thiessen
Drake of	Hollingsworth	Osborn	Wamstad
Muscatine	Hopkins	Pattison	Mr. Speaker
	Husted		

The nays were, 74.

Aiken	Gissel	Lepley	Reed
Augustine	Greaser	Long	Reimers
Bair	Greene	McCaulley	Roe
Ballew	Hansen of	McCreery	Rutledge
Berry	Audubon	McDermott	Ryder
Bonnstetter	Hansen of Scott	Malone	Rylander
Byers	Hollis	Mathews	Shields
Davis	Hook	Mayne	Short
Dayton	Hunt	Miller	Simmer
Ditto	Hush	Morton	Snyder
Donlon	Hutcheon	Nelson of	Stanzel
Durant	Johnson of	Cherokee	Tamisiea
Fabritz	Marion	O'Donnell	TePaske
Felter	Kern	Paisley	Thompson
Figgins	Koch	Peaco	Torgeson
Finnern	Kohler	Pendray	Van Wert
Forsling	Lamb	Randall	Watts
Gallagher	Langland	Randolph	Whiting
Garrett	Laughlin	Rawlings	Witt
Gilmore			

Absent or not voting, 11.

Brown	Elliott	Nelson of Story	Van Buren
Craven	Ellsworth	Orr	Wearin
Drake of Keokuk	Hayes	Stiger	

Amendment to the amendment lost.

On the question "Shall the amendment offered by Mr. McCreery be adopted?" a roll call was demanded.

The ayes were, 22.

Babcock	Gissel	Lamb	Reed
Byers	Hansen of	Laughlin	Thiessen
Ditto	Audubon	McCreery	Van Buren
Donlon	Hanson of	Mead	Van Wert
Felter	Winnebago	Paisley	Whiting
Gilmore	Hush	Rawlings	Witt

The nays were, 75.

Aiken	Garrett	Lepley	Reimers
Allen	Greaser	Lichty	Roe
Augustine	Greene	Long	Rutledge
Avery	Hansen of Scott	McCaulley	Ryder
Ballew	Helgason	McDermott	Rylander
Beath	Hesse	McLain	Shields
Berry	Hollingsworth	Malone	Short
Bonnstetter	Hollis	Mathews	Simmer
Craven	Hook	Millhone	Snyder
Davis	Hopkins	Miller	Sours
Dayton	Hunt	Morton	Stanzel
Drake of Keokuk	Husted	Nelson of	Strachan
Drake of	Hutcheon	Cherokee	Tamisica
Muscatine	Johnson of	O'Donnell	TePaske
Durant	Marion	Osborn	Thompson
Fabritz	Kern	Pattison	Torgeson
Figgins	Koch	Peaco	Wamstad
Finnern	Kohler	Pendray	Watts
Forsling	Langland	Randolph	Mr. Speaker
Gallagher		Ratliff	

Absent or not voting, 11.

Bair	Ellsworth	Nelson of Story	Stiger
Brown	Hayes	Orr	Wearin
Elliott	Mayne	Randall	

Amendment by Mr. McCreery lost.

McCaulley of Calhoun called up the amendment filed by him and found in the Journal of March 16th and moved its adoption.

Mr. McCaulley asked and obtained unanimous consent to strike the figures "29" in paragraph five (5) of the amendment filed by him, and inserting in lieu thereof the figures "24".

Amendments adopted.

Van Wert of Franklin moved that the House do now adjourn until 9:00 a. m. Friday.

Motion lost.

Reimers of Lyon called up the amendment filed by him and found in the Journal of March 16th and moved its adoption.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 91, 92, 21 and 205.

C. J. ORR,  
*Chairman House Committee.*

LEW MACDONALD,  
*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 bills:

House Files Nos. 91, 92, 21 and 205.

## BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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 March, 1931, sent to the governor for his approval:

House Files Nos. 91, 92, 21 and 205.

C. J. ORR, *Chairman.*

Report adopted.

## AMENDMENT FILED

Watts of Van Buren filed the following amendment to House File No. 174:

Amend House File No. 174 by striking all of section four (4) and inserting in lieu thereof the following:

Sec. 4. The word "physician", by whatever term it is modified, or its equivalent, wheresoever found in any existing law or statute, shall, as to duty, obligation and privilege be enlarged to include Osteopathic Physician with like effect and as though the words "Osteopathic Physician"

were written out in such statute, provided, however, that the language in this Section shall not be so construed as to grant or give to Osteopathic Physicians the right or franchise either to practice medicine, or perform major surgery, as licensed under Chapter 116, of the Code.

Davis of Delaware moved that the House do now adjourn until 9:00 a. m. Friday.

Motion prevailed and 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, MARCH 20, 1931.

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

Prayer was offered by the Rev. Orville W. Morrow, pastor of the Methodist Church, Guthrie Center, Iowa.

Journal of March 19th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Davis of Delaware, from citizens of Henry county, Wever, and Fort Madison, favoring making bovine tuberculin testing optional. Animal industry.

By Fabritz of Wapello, from members of the Wapello county bar, protesting limiting the sheriff's fees to six cents per mile; and from residents of Wapello county, favoring House File No. 174 and opposing House File No. 340. County and township organization, and public health.

By Dayton of Washington, from citizens of Brighton, favoring House File No. 174 and opposing House File No. 340. Public health.

By Johnson of Dickinson, from James Harlan chapter, D. A. R., Mt. Pleasant, favoring compulsory military training, and favoring the teacher's oath bill. Schools and textbooks.

By Hansen of Audubon, from citizens of Audubon, opposing the elimination of the band tax; and opposing truck regulations. Reduction of expenditures, and motor vehicles and transportation.

By Morton of Wright, from citizens of Belmond and Eagle

Grove, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Pattison of Jefferson, from citizens of Jefferson county, favoring House File No. 174 and opposing House File No. 340. Public health.

By Reed of Mahaska, from citizens of Given, favoring regulation of trucks and motor busses. Motor vehicles and transportation.

By Hunt of Louisa, from the board of supervisors of Louisa county, favoring House File No. 85. Roads and highways.

By Ellsworth of Hardin, from citizens of Hardin county, favoring House File No. 174 and opposing House File No. 340. Public health.

By Randall of Lucas, from citizens of Lucas county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Durant of Hancock, from citizens of Klemme and Garner, opposing the county assessor plan; and favoring House File No. 174 and opposing House File No. 340. Tax revision, and public health.

By Tamisiea of Harrison, from Julius F. Miller Post No. 337, Missouri Valley American Legion, opposing an amusement tax. Tax revision.

By Laughlin of Fremont, from the Sidney post of the American Legion, favoring a State Teachers College at Tabor. Appropriations.

#### PRESENTATION TO SPEAKER

Brown of Polk expressed to the Speaker, Mr. Johnson, the appreciation and gratitude of the House for the way in which he maintained order and decorum under the conditions which surrounded the deliberations of the House on March 19th.

At the conclusion of Mr. Brown's remarks, he presented the Speaker with a bouquet of roses and moved that the members of the House who endorsed his sentiments so expressed arise, whereupon all members of the House arose and gave a general applause.

McCaulley of Calhoun asked and obtained unanimous consent to have Mr. Brown's remarks printed in the Journal, as follows:

It is not easy to foresee, in the experiences of man, what may be either his strength or weakness, as he moves along in the pathway of life when there are no disturbing influences and nothing to move him either to the heights of heroism or lower him to the depths of cowardice.

It is only when put under temptation or under circumstances of imminent danger, or under pressure of impending calamity, that the worth of a man, if he has it in him, stands out. Fortitude is one of the greatest virtues. Add to it discretion, mental calmness and clearness of vision, and we have a combination in character which has made outstanding examples. Many a man fails for lack of one or more of the characteristics suggested; and until trial, these hidden, latent qualities are unknown and unobserved. Many a man who, in the calm, serene and peaceful pursuit of his daily life, could reach a mature judgment, might, if taken by surprise, throw to the winds all of the safeguards developed from his experience, and become irrational in mind and misguided in action.

Few of us, and possibly none of us, under the circumstances which surrounded the House on yesterday, could or would have acted with more discretion and diplomacy, and yet with a greater determination that order and decorum should prevail, and that the deliberations of one branch of our government should not be interrupted or disrupted under pressure, regardless of its source or of its magnitude, than did our Speaker. I think that he should be openly commended for the fine spirit which he evidenced, and for his sincerity of purpose, and his quality of fairness and his determination that the dignity of the law should be sustained, and that the orderly processes of government should not be disrupted or overthrown.

#### SOUTH DAKOTA REPRESENTATIVE ADDRESSES THE HOUSE

Allen of Pocahontas announced the presence of the Honorable Mr. Freeman of the General Assembly of South Dakota, and moved that Mr. Freeman address the House.

Motion prevailed and the Honorable Mr. Freeman briefly addressed the House.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 19th, approved the following bills:

House Files Nos. 151 and 225.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Hollingsworth of Boone asked and obtained unanimous consent

to have printed three hundred copies of House File No. 340 as amended by the House.

#### REPORT OF COMMITTEE CALLED UP

Shields of Clarke called up the report of the committee on compensation of public officers, on House File No. 8, found in the Journal of February 13th.

McCreery of Linn, chairman of the committee on compensation of public officers, moved that the report of the committee recommending House File No. 8 out to the House without recommendation, be adopted.

#### CALL OF THE HOUSE

The following call of the House was filed:

**MR. SPEAKER:** We the undersigned hereby request a call of the House be now made for the consideration of House File No. 8.

**THEODORE DRAKE**

**A. H. AVERY**

**GEO. A. KERN**

**HOWARD A. MATHEWS**

**D. R. MCCREERY**

**ROY DRAKE**

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Elliott of Scott, who, on motion, was excused.

Forsling of Woodbury moved that Rutledge of Webster be excused from the call of the House.

On the question "Shall the excuse be granted?" a roll call was demanded.

The ayes were, 70.

Aiken	Forsling	Hollis	Lepley
Avery	Gallagher	Hook	Lichty
Babcock	Gilmore	Hopkins	Long
Beath	Gissel	Hunt	McCaulley
Berry	Greaser	Hush	McCreery
Brown	Hansen of	Husted	McLain
Davis	Audubon	Hutcheon	Malone
Dayton	Hansen of Scott	Johnson of	Mead
Ditto	Hanson of	Marion	Millhone
Drake of Keokuk	Winnebago	Kern	Nelson of
Ellsworth	Hayes	Koch	Cherokee
Fabritz	Hesse	Kohler	Nelson of Story
Felter	Hollingsworth	Lamb	Orr

Pattison	Roe	Tamisiea	Wamstad
Pendray	Rylander	TePaske	Watts
Randall	Shields	Thompson	Wearin
Randolph	Simmer	Torgeson	Witt
Ratliff	Snyder	Van Wert	Mr. Speaker
Reed	Sours		

The nays were, 36.

Allen	Durant	Mathews	Reimers
Augustine	Figgins	Mayne	Ryder
Bair	Finnern	Miller	Short
Ballew	Garrett	Morton	Stanzel
Bonnstetter	Greene	O'Donnell	Stiger
Byers	Helgason	Osborn	Strachan
Craven	Langland	Paisley	Thiessen
Donlon	Laughlin	Peaco	Van Buren
Drake of	McDermott	Rawlings	Whiting
Muscatine			

Absent or not voting, 2.

Elliott Rutledge

Motion to excuse Rutledge prevailed and Mr. Rutledge was excused from the call of the House.

Forsling of Woodbury moved the previous question.

Motion prevailed.

On the question "Shall the report of the committee be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 64.

Augustine	Garrett	Lamb	Reimers
Babcock	Gissel	Lichty	Roe
Ballew	Greaser	McCaulley	Shields
Beath	Greene	McLain	Short
Bonnstetter	Hansen of	Malone	Snyder
Brown	Audubon	Mead	Strachan
Craven	Helgason	Miller	Tamisiea
Davis	Hesse	Morton	TePaske
Donlon	Hollingsworth	Nelson of	Thiessen
Drake of Keokuk	Hook	Cherokee	Thompson
Durant	Hopkins	Peaco	Torgeson
Ellsworth	Hush	Pendray	Van Wert
Fabritz	Husted	Randall	Wamstad
Felter	Hutcheon	Randolph	Watts
Finnern	Kern	Ratliff	Wearin
Forsling	Koch	Reed	Mr. Speaker
Gallagher	Kohler		

The nays were, 42.

Aiken	Dayton	Hansen of Scott	Johnson of
Allen	Ditto	Hanson of	Marion
Avery	Drake of	Winnebago	Langland
Bair	Muscatine	Hayes	Laughlin
Berry	Figgins	Hollis	Lepley
Byers	Gilmore	Hunt	Long

McCreery	O'Donnell	Rawlings	Stanzel
McDermott	Orr	Ryder	Stiger
Mathews	Osborn	Rylander	Van Buren
Mayne	Paisley	Simmer	Whiting
Millhone	Pattison	Sours	Witt
Nelson of Story			

Absent or not voting, 2.

Elliott	Rutledge
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Committee report adopted.

The hour having arrived for special order for consideration of House File No. 340 and 174, Whiting of Johnson asked and obtained unanimous consent to postpone the special order until Tuesday, March 24th, at 10:00 a. m.

Kern of Polk asked unanimous consent to have the motion to reconsider the vote by which Senate File No. 148 failed to pass the House, filed by him and found in the Journal of February 27th, made a special order for Wednesday, March 25th, at 10:00 a. m.

Objection was made.

Pendray of Jackson moved that the rules be suspended and that the House proceed to the disposition of House File No. 8.

On the question "Shall the rules be suspended?" a roll call was demanded.

The ayes were, 52.

Beath	Greaser	Kohler	Randolph
Bonnstetter	Greene	Lamb	Ratliff
Brown	Hansen of	Lepley	Reed
Craven	Audubon	McLain	Reimers
Davis	Helgason	Malone	Roe
Donlon	Hesse	Mead	Short
Durant	Hollingsworth	Morton	Snyder
Ellsworth	Hook	Nelson of	TePaske
Fabritz	Hopkins	Cherokee	Thiessen
Felter	Hush	Osborn	Torgeson
Finnern	Husted	Peaco	Watts
Forsling	Hutcheon	Pendray	Wearin
Gallagher	Kern	Randall	
Gissel	Koch		

The nays were, 50.

Aiken	Babcock	Byers	Drake of
Allen	Bair	Dayton	Muscatine
Augustine	Ballew	Ditto	Figgins
Avery	Berry	Drake of Keokuk	Garrett

Gilmore	Laughlin	Nelson of Story	Sours
Hansen of Scott	Lichty	O'Donnell	Stiger
Hanson of	Long	Orr	Strachan
Winnebago	McCreery	Paisley	Van Buren
Hayes	McDermott	Pattison	Van Wert
Hollis	Mathews	Rawlings	Wamstad
Hunt	Mayne	Ryder	Whiting
Johnson of	Millhone	Rylander	Witt
Marion	Miller	Simmer	Mr. Speaker
Langland			

Absent or not voting, 6.

Elliott	Rutledge	Shields	Thompson
McCauley		Stanzel	

Motion to suspend the Rules having failed to receive a two-thirds majority was lost.

### CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 1, a bill for an act to create the office of county assessor.

The House resumed the consideration of the amendment by Mr. Reimers, filed by him and found in the Journal of March 16th.

Berry of Monroe moved the previous question.

Motion prevailed.

On the question "Shall the amendment offered by Mr. Reimers be adopted?" a roll call was demanded.

The ayes were, 47.

Allén	Gilmore	Langland	Ryder
Avery	Gissel	Laughlin	Snyder
Bair	Greaser	Lepley	Sours
Beath	Greene	McCreery	Stiger
Bonnstetter	Hansen of	McLain	Strachan
Brown	Audubon	Miller	TePaske
Byers	Hanson of	Nelson of Story	Torgeson
Dayton	Winnebago	Orr	Van Wert
Donlon	Helgason	Osborn	Wamstad
Drake of	Hunt	Randall	Wearin
Muscatine	Hush	Randolph	Whiting
Ellsworth	Lamb	Rawlings	Mr. Speaker
Felter		Reimers	

The nays were, 48.

Aiken	Drake of Keokuk	Garrett	Husted
Augustine	Durant	Hansen of Scott	Hutcheon
Babcock	Fabritz	Hayes	Johnson of
Ballew	Figgins	Hesse	Marion
Berry	Finnern	Hollis	Kern
Craven	Forsling	Hook	Kohler
Davis	Gallagher	Hopkins	Lichty

Long	Morton	Peaco	Stanzel
McCaulley	Nelson of	Ratliff	Tamisiea
McDermott	Cherokee	Reed	Thiessen
Malone	O'Donnell	Roe	Watts
Mathews	Paisley	Short	Witt
Millhone	Pattison		

Absent or not voting, 13.

Ditto	Mayne	Rutledge	Simmer
Elliott	Mead	Rylander	Thompson
Hollingsworth	Pendray	Shields	Van Buren
Koch			

Amendment lost.

McCaulley of Calhoun called up the amendment filed by him and found in the Journal of March 18th and moved its adoption.

Amendment adopted.

Simmer of Wapello called up the amendment by Donlon of Palo Alto, Bonnstetter of Kossuth and himself, filed by them, found in the Journal of March 18th, and moved its adoption:

Reimers of Lyon offered the following amendment to the amendment and moved its adoption.

Amend the Simmer amendment as follows:

By striking all of section three (3) thereof, and substituting therefor the following:

"Sec. 3. Deputies and assistants. The county assessor shall appoint such number of full or part time deputies and field men as may become necessary, and fix the salaries of said deputies and field men; both the appointment and number of deputies and field men and their salaries shall be subject to the approval of the board of supervisors. Deputies and field men shall hold office only during the pleasure of the county assessor, and shall be under the supervision and control of the county assessor who shall be responsible for their malfeasance, misfeasance, and nonfeasance."

Hanson of Winnebago moved that the House do now adjourn until 9:00 a. m. Saturday.

Forsling of Woodbury moved to amend the motion by changing the hour to 1:30 p. m. today.

Kern of Polk moved the previous question.

Motion prevailed.



On the question "Shall the motion to adjourn be amended?" a roll call was demanded.

The ayes were, 78.

Aiken	Gallagher	Lepley	Rawlings
Augustine	Garrett	Lichty	Reed
Babcock	Gilmore	Long	Ryder
Bair	Gissel	McLain	Rylander
Ballew	Greaser	Mathews	Shields
Beath	Greene	Mayne	Short
Bonnstetter	Hansen of	Millhone	Snyder
Craven	Audubon	Miller	Sours
Davis	Hayes	Morton	Stiger
Dayton	Helgason	Nelson of	Strachan
Ditto	Hesse	Cherokee	Tamisiea
Donlon	Hollis	Nelson of Story	TePaske
Drake of Keokuk	Hook	O'Donnell	Thiessen
Drake of	Hunt	Orr	Thompson
Muscatine	Hutcheon	Osborn	Van Wert
Durant	Kern	Paisley	Wamstad
Ellsworth	Kohler	Pattison	Watts
Fabritz	Lamb	Peaco	Wearin
Figgins	Langland	Pendray	Whiting
Finnern	Laughlin	Randall	Mr. Speaker
Forsling			

The nays were, 19.

Allen	Hanson of	Husted	Roe
Avery	Winnebago	McCaulley	Simmer
Berry	Hollingsworth	Randolph	Stanzel
Brown	Hopkins	Ratliff	Torgeson
Hansen of Scott	Hush	Reimers	Witt

Absent or not voting, 11.

Byers	Johnson of	McCreery	Mead
Elliott	Marion	McDermott	Rutledge
Felter	Koch	Malone	Van Buren

Amendment adopted.

Motion, as amended, prevailed and the House adjourned until 1:30 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Johnson 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. 192, a bill for an act relating to fish, game, and fur-bearing animals.

Also, 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 relating to the practice of pharmacy, and providing a penalty for violation thereof.

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 relating to the motor vehicle department and the funds and records thereof.

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 relating to the authorization of cities and towns to improve streets by the use of shale.

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

Senate Joint Resolution No. 10, relating to conservation.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 192, a bill for an act to amend sections twelve (12), thirteen (13), fourteen (14), seventeen (17), twenty-six (26), twenty-eight (28), twenty-nine (29), thirty-two (32), and thirty-three (33) of chapter fifty-seven (57) of the acts of the forty-third (43rd) general assembly; and sections one (1), three (3), and four (4) of chapter fifty-eight (58) of the acts of the forty-third (43rd) general assembly; and sections seventeen hundred nine (1709), seventeen hundred fifteen (1715), seventeen hundred twenty-two (1722), seventeen hundred fifty-four (1754), and seventeen hundred seventy-nine (1779), Code, 1927, relating to fish, game, and fur-bearing animals; and to enact additional provisions relating to and regulating the propagation and protection of fish, game, wild birds and animals, including the regulation of the time when hunting dogs may not be permitted to be afield for the purpose of training.

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

Senate Joint Resolution No. 10, a joint resolution providing for the employment by the State Board of Conservation of a park and regional planning engineer to make a comprehensive, statewide, twenty-five year program for the acquisition, conservation, maintenance, and construction of a system of parks, recreational grounds, beauty and scenic spots, scenic highways, fish, game, and bird refuges and sanctuaries with plans, specifications, and estimated cost which shall serve as a guide for the conservation activities of the state, and specifying the funds out of which to pay the cost of such plans and program.

• Read first and second times and substituted for House Joint Resolution No. 7.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 44 and 73.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 44 and 73.

#### CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 1.

The House resumed consideration of Mr. Reimers' amendment to the Simmer amendment.

Amendment to the amendment adopted.

McCreery of Linn moved that the House resolve itself into a

committee of the whole for further consideration of Senate File No. 1.

Forsling of Woodbury moved the previous question.

Motion prevailed.

On the question "Shall the House resolve itself into a committee of the whole?" a roll call was demanded.

The ayes were, 11.

Allen	Hanson of	Hush	Nelson of Story
Avery	Winnebago	McCreery	Wamstad
Hansen of	Hopkins	Morton	Mr. Speaker
Audubon			

The nays were, 87.

Aiken	Gallagher	Long	Roe
Augustine	Garrett	McCaulley	Ryder
Babcock	Gilmore	McDermott	Rylander
Bair	Gissel	McLain	Shields
Ballew	Greaser	Malone	Short
Beath	Greene	Mathews	Simmer
Berry	Hansen of Scott	Mayne	Snyder
Bonnstetter	Hayes	Mead	Sours
Brown	Helgason	Millhone	Stanzel
Byers	Hollis	Miller	Stiger
Craven	Hook	O'Donnell	Strachan
Davis	Husted	Orr	Tamisica
Dayton	Hutcheon	Osborn	TePaske
Ditto	Johnson of	Paisley	Thiessen
Drake of Keokuk	Marion	Pattison	Thompson
Drake of	Kern	Peaco	Torgeson
Muscatine	Koch	Pendray	Van Buren
Durant	Kohler	Randall	Van Wert
Ellsworth	Lamb	Randolph	Watts
Fabritz	Langland	Rawlings	Wearin
Felter	Lepley	Reed	Whiting
Figgins	Lichty	Reimers	Witt
Forsling			

Absent or not voting, 10.

Donlon	Hesse	Laughlin	Ratliff
Elliott	Hollingsworth	Nelson of	Rutledge
Finnern	Hunt	Cherokee	

Motion to go into committee of the whole lost.

Millhone of Page moved the previous question.

Motion prevailed.

On the question "Shall the Simmer amendment be adopted?" a roll call was demanded.

The ayes were, 40.

Allen	Felter	Laughlin	Sours
Avery	Gissel	Lepley	Strachan
Babcock	Hanson of	Osborn	TePaske
Bair	Winnebago	Pendray	Thompson
Bonnstetter	Hesse	Randall	Torgeson
Byers	Hook	Reimers	Van Wert
Craven	Hush	Roe	Wamstad
Ditto	Kohler	Rylander	Wearin
Donlon	Lamb	Simmer	Whiting
Drake of Keokuk	Langland	Snyder	Witt
Fabritz			

The nays were, 61.

Aiken	Greaser	Long	Paisley
Augustine	Greene	McCaulley	Pattison
Ballew	Hansen of	McCreery	Peaco
Beath	Audubon	McDermott	Randolph
Berry	Hansen of Scott	McLain	Ratliff
Brown	Hayes	Malone	Rawlings
Davis	Helgason	Mathews	Reed
Dayton	Hollis	Mead	Ryder
Drake of	Hopkins	Millhone	Shields
Muscatine	Husted	Miller	Short
Durant	Hutcheon	Morton	Stanzel
Ellsworth	Johnson of	Nelson of	Stiger
Figgins	Marion	Cherokee	Tamisiea
Finnern	Kern	Nelson of Story	Van Buren
Forsling	Koch	O'Donnell	Watts
Gallagher	Lichty	Orr	Mr. Speaker
Garrett			

Absent or not voting, 7.

Elliott	Hollingsworth	Mayne	Thiessen
Gilmore	Hunt	Rutledge	

Simmer amendment lost.

Johnson of Marion offered the following amendment and moved its adoption:

Amend Senate File No. 1, as passed by the Senate, by adding section seventy-five a two (75a2) as follows:

"75-a. Strike from section seventy-two hundred thirty-eight (7238) of the code, 1927, beginning with line 1, the following:

'The auditor, when making up the tax list, before it is placed in the hands of the county treasurer' and inserting in lieu thereof the following:

'The treasurer, upon receipt of the tax list,'."

Also further amend Senate File No. 1 as passed by the Senate, by striking from line seventeen (17) of section seventy-six (76), the following:

"seventy-two hundred thirty-eight (7238),".

Amendment adopted.

Simmer of Wapello offered the following amendment and moved its adoption:

Amend Senate File No. 1 by striking all of sections one (1), two (2), three (3), and four (4) and substituting in lieu thereof the following:

"Section 1. The board of supervisors of any county may create the office of county assessor. Said assessor shall, upon qualifying, take over the assessment work already accomplished in his county by the township, city, and town assessors and shall adopt or modify such work as he may see fit under and in accordance with this act, and upon such qualifying the term of office of such township, city, and town assessor, shall terminate, but such persons may be retained for such time as said county assessor may deem advisable as field men, but only insofar as he may deem such retention necessary and advisable."

Forsling of Woodbury moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 23.

Allen	Fabritz	Pendray	Stanzel
Beath	Garrett	Randall	Thompson
Berry	Gissel	Randolph	Van Wert
Bonnstetter	Hook	Reimers	Wearin
Byers	Hush	Ryder	Whiting
Ditto	Lepley	Simmer	

The nays were, 77.

Aiken	Greene	Laughlin	Peaco
Augustine	Hansen of Scott	Lichty	Ratliff
Avery	Hanson of	Long	Rawlings
Babcock	Winnebago	McCaulley	Reed
Ballew	Hayes	McCreery	Roe
Brown	Helgason	McDermott	Rylander
Davis	Hesse	McLain	Shields
Dayton	Hollingsworth	Malone	Short
Donlon	Hollis	Mathews	Sours
Drake of Keokuk	Hopkins	Mead	Stiger
Drake of	Hunt	Millhone	Strachan
Muscatine	Husted	Miller	Tamisiea
Durant	Hutcheon	Morton	TePaske
Ellsworth	Johnson of	Nelson of	Thiessen
Felter	Marion	Cherokee	Torgeson
Figgins	Kern	O'Donnell	Van Buren
Finnern	Koch	Orr	Wamstad
Forsling	Kohler	Osborn	Watts
Gallagher	Lamb	Paisley	Witt
Gilmore	Langland	Pattison	Mr. Speaker
Greaser			

Absent or not voting, 8.

Bair  
Craven  
Elliott

Hansen of  
Audubon

Mayne  
Nelson of Story

Rutledge  
Snyder

Amendment lost.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We hereby request a call of the House on the final vote today on Senate File No. 1.

J. H. JOHNSON  
MARION R. McCAULLEY  
HUGH J. TAMISIEA  
J. P. GALLAGHER  
C. A. HOLLIS  
FRED B. WITT  
E. M. LICHTY

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Elliott of Scott, and Rutledge of Webster who, on motion, were excused.

Forsling of Woodbury moved the previous question.

Motion prevailed.

Greene 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, 41.

Avery  
Bonnstetter  
Brown  
Byers  
Dayton  
Donlon  
Ellsworth  
Gallagher  
Gissel  
Greaser  
Greene

Hansen of  
Audubon  
Hanson of  
Winnebago  
Helgason  
Hesse  
Hollingsworth  
Hollis  
Hopkins  
Hush  
Husted

Johnson of  
Marion  
Kern  
Langland  
Lichty  
McCauley  
McCreery  
McLain  
Millhone  
Morton  
Nelson of Story

Pattison  
Reimers  
Shields  
Snyder  
Strachan  
Tamisiea  
TePaske  
Torgeson  
Van Buren  
Wamstad  
Mr. Speaker

The nays were, 65.

Aiken	Figgins	Malone	Reed
Allen	Finnern	Mathews	Roe
Augustine	Forsling	Mayne	Ryder
Babcock	Garrett	Mead	Rylander
Bair	Gilmore	Miller	Short
Ballew	Hansen of Scott	Nelson of	Simmer
Beath	Hayes	Cherokee	Sours
Berry	Hook	O'Donnell	Stanzel
Craven	Hunt	Orr	Stiger
Davis	Hutcheon	Osborn	Thiessen
Ditto	Koch	Paisley	Thompson
Drake of Keokuk	Kohler	Peaco	Van Wert
Drake of	Lamb	Pendray	Watts
Muscatine	Laughlin	Randall	Wearin
Durant	Lepley	Randolph	Whiting
Fabritz	Long	Ratliff	Witt
Felter	McDermott	Rawlings	

Absent or not voting, 2.

Elliott Rutledge

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Allen of Pocahontas moved to reconsider the vote by which Senate File No. 1 failed to pass the House.

#### AMENDMENTS FILED

Ellsworth of Hardin filed the following amendment to House File No. 358:

Amend House File No. 358 by striking Section 4 and inserting in lieu thereof the following:

"Sec. 4. Section forty-six hundred six (4606), code of 1927, is amended by striking therefrom subdivision two (2) and the first two lines of subdivision three (3) thereof.

Torgeson of Worth filed the following amendment to Senate Joint Resolution No. 10:

Amend Senate Joint Resolution No. 10 by striking the period at the end of line fourteen (14), Section two (2) and inserting in lieu thereof a comma (,) and by adding the following: "giving and directing precedence to the completion of any project now in the process of re-habilitation or development, and which project has been specially authorized by a legislative act, and on which project state expenditures have been made for surveys, plans, and land contracts".



Hush of Montgomery moved that the House adjourn until 9:00 a. m. Saturday.

Motion prevailed and the House adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 21, 1931.

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

Prayer was offered by Dr. Arthur E. Bennett, pastor of the Methodist Church, Des Moines.

Journal of March 20th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Torgeson of Worth for the day, on request of Thompson of Fayette; Augustine of Ringgold for the day, on request of Lepley of Grundy; Drake of Keokuk for the day, on request of Koch of Bremer; Craven of Jasper for the day, on request of Short of Woodbury; Davis of Delaware for the day, on request of Snyder of Hamilton; Van Wert of Franklin for the day, on request of Strachan of Humboldt; Nelson of Story for the day, on request of Ballew of Appanoose; Hollis of Black Hawk for the day, on request of Johnson of Marion; Orr of Clayton for the day, on request of Johnson of Marion; Pattison of Jefferson for the day, on request of Long of Cerro Gordo; Elliott of Scott for the day, on request of McCauley of Calhoun; Hesse of O'Brien for the day, on request of Ditto of Osceola.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Ellsworth of Hardin, from citizens of Buckeye, favoring House File No. 174 and opposing House File No. 340. Public health.

By Hunt of Louisa, from citizens of Louisa county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Fabritz of Wapello, from citizens of Ottumwa, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Hutcheon of Greene, from citizens of Greene county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rylander of Marshall, from citizens of Marshalltown, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Reimers of Lyon, from citizens of Rock Rapids, favoring granting power and authority to cities and towns to buy and sell electrical, gas, water and heating equipment and appliances, and furnish service for the same; and from the Farmers' Union meeting of Rock Rapids, favoring making bovine tuberculin testing optional. Public utilities, and animal industry.

By Bonnstetter of Kossuth, from citizens of Kossuth county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Snyder of Hamilton, from citizens of Webster City, supporting House File No. 340 and opposing House File No. 174. Public health.

#### REPORTS OF COMMITTEES

Rylander of Marshall, from the committee on board of control, submitted the following report:

MR. SPEAKER: Your committee on board of control, to whom was referred Senate File No. 163, a bill for an act to repeal the law as it appears in section thirty-three hundred sixty-six (3366), Code of 1927, and to enact a substitute therefor, relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend sub-section one (1) of section one (1) by striking from line eight (8) thereof the word and figure "ten (10)" and inserting in lieu thereof the word and figure "five (5)".

2. Amend sub-section two (2) of section one (1) by striking from line six (6) thereof the word and figure "ten (10)" and inserting in lieu thereof the word and figure "five (5)".

3. Amend sub-section three (3) of section one (1) by striking from line two (2) thereof the word and figure "ten (10)" and inserting in lieu thereof the word and figure "five (5)".

4. Amend said bill by adding the following sub-section to section one:

"4. This act shall not apply to any woman now married to any man within the above classes and now living with her husband in the Iowa Soldier's Home, Marshalltown, Iowa."

J. F. RYLANDER, *Chairman.*

Report adopted.

Hollingsworth of Boone, from the committee on public utilities, submitted the following report:

MR. SPEAKER: Your committee on public utilities, to whom was referred House File No. 343, a bill to provide for the creation of a public service commission, providing for its appointment, fixing the salaries of the members thereof; to define their powers and duties; to provide for the appointment of employees and their compensation; to provide for the regulation of all public service companies; to define, prescribe, and limit their powers and duties; to impose and provide for the collection of an occupation tax from all public service companies; to fix and prescribe penalties for the violation of any of the provisions of said act, and to repeal all laws or parts of laws which are inconsistent therewith; and to abolish the railroad commission, beg leave to report they have had the same under consideration and have instructed me to report the same to the House with the recommendation that the same be reported back to the House as a Committee bill, which is now designated as House File No. 537, and the said House File No. 537 be substituted for House File No. 343, and that House File No. 537 be recommended for passage.

FRANK HOLLINGSWORTH, *Chairman.*

Report adopted and House File No. 537 was substituted for House File No. 343.

#### SENATE FILE NO. 90 LOST

Bair of Buena Vista asked that the Senate be requested to furnish an engrossed copy of Senate File No. 90 to take the place of the original bill, which has been lost. Consent granted.

#### MOTION TO RECONSIDER CALLED UP

Berry of Monroe called up the motion to reconsider the vote by which Senate File No. 1 failed to pass the House, found in the Journal of March 20th, and moved that the motion to reconsider be laid on the table.

Allen of Pocahontas raised the point of order that, by virtue of House Rule No. 32, no disposition could be made of the motion to reconsider, on the succeeding day, except by the author of the motion. The Speaker held the point of order well taken.

#### HOUSE FILES INDEFINITELY POSTPONED

On motion of Hopkins of Guthrie, chairman of the committee on schools and textbooks, the report of the committee recommending that House File No. 299 be indefinitely postponed was adopted.

On motion of Brown of Polk, chairman of the committee on cities and town, the report of the committee recommending that House File No. 437 be indefinitely postponed was adopted.

#### HOUSE FILES WITHDRAWN

Brown of Polk asked and obtained unanimous consent to have House File No. 88 withdrawn from the committee on cities and towns and from further consideration of the House.

Reed of Mahaska asked and obtained unanimous consent to have House File No. 529 withdrawn from the committee on conservation of resources and from further consideration of the House.

#### HOUSE FILE NO. 430 REREFERRED

Brown of Polk asked and obtained unanimous consent to have House File No. 430 re-referred to the committee on cities and towns.

Hutcheon of Greene moved that the House proceed to the consideration of bills in such order as the Speaker may direct, reserving the right to the author of any bill to make his request for disposition of his bill.

On the question "Shall motion prevail?" a roll call was demanded.

The ayes were, 57.

Avery	Hansen of	Lepley	Rawlings
Ballew	Audubon	Lichty	Reed
Beath	Hansen of Scott	Long	Ryder
Berry	Helgason	McLain	Rylander
Brown	Hollingsworth	Malone	Shields
Donlon	Hook	Mathews	Sours
Durant	Hopkins	Mayne	Strachan
Ellsworth	Hutcheon	Millhone	Tamisiea
Fabritz	Johnson of	Morton	TePaske
Felter	Marion	Nelson of	Thiessen
Forsling	Kern	Cherokee	Wamstad
Gallagher	Koch	Paisley	Wearin
Garrett	Kohler	Peaco	Whiting
Gilmore	Lamb	Pendray	Witt
Greaser	Langland	Randolph	Mr. Speaker

The nays were, 12.

Allen	Gissel	Mead	Simmer
Babcock	Hayes	O'Donnell	Snyder
Byers	McCreery	Osborn	Watts

Absent or not voting, 39.

Aiken	Bonnstetter	Dayton	Drake of
Augustine	Craven	Ditto	Muscatine
Bair	Davis	Drake of Keokuk	Elliott

Figgins	Hush	Orr	Short
Finnern	Husted	Pattison	Stanzel
Greene	Laughlin	Randall	Stiger
Hanson of	McCaulley	Ratliff	Thompson
Winnebago	McDermott	Reimers	Torgeson
Hesse	Miller	Roe	Van Buren
Hollis	Nelson of Story	Rutledge	Van Wert
Hunt			

Motion prevailed and House proceeded to the disposition of bills under Speaker Johnson's direction.

#### CONSIDERATION OF BILLS

House File No. 338, a bill for an act to legalize a certain deed executed in the name of the Independent School District of Monona, Iowa, by W. Baskerville, president, and Edward Wirkler, secretary, of said Independent School District, on January 12, 1931, conveying to Carl G. Schultz certain real estate situated in the town of Monona, Iowa, 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, 78.

Allen	Hansen of	McCreery	Rawlings
Avery	Audubon	McDermott	Reed
Babcock	Hansen of Scott	McLain	Reimers
Ballew	Helgason	Malone	Roe
Beath	Hollingsworth	Mathews	Ryder
Berry	Hook	Mayne	Shields
Bonnstetter	Hopkins	Mead	Short
Brown	Hush	Millhone	Snyder
Byers	Hutcheon	Miller	Sours
Ditto	Johnson of	Morton	Strachan
Donlon	Marion	Nelson of	Tamisiea
Durant	Kern	Cherokee	TePaske
Ellsworth	Koch	O'Donnell	Thiessen
Fabritz	Kohler	Osborn	Thompson
Felter	Lamb	Paisley	Wamstad
Figgins	Langland	Peaco	Watts
Forsling	Laughlin	Pendray	Wearin
Garrett	Lepley	Randall	Whiting
Gilmore	Lichty	Randolph	Witt
Gissel	Long	Ratliff	Mr. Speaker
Greaser			

The nays were, none.

Absent or not voting, 30.

Aiken	Elliott	Hesse	Rutledge
Augustine	Finnern	Hollis	Rylander
Bair	Gallagher	Hunt	Simmer
Craven	Greene	Husted	Stanzel
Davis	Hanson of	McCaulley	Stiger
Dayton	Winnebago	Nelson of Story	Torgeson
Drake of Keokuk	Hayes	Orr	Van Buren
Drake of Muscatine		Pattison	Van Wert

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

House File No. 364, a bill for an act to amend section seven (7), chapter one hundred ninety-two (192), acts of the forty-third (43) general assembly, relating to the management of public utilities in cities acting under special charters, with report of committee on judiciary 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, 72.

Allen	Greaser	Lichty	Reed
Avery	Greene	Long	Reimers
Babcock	Hansen of	McCreery	Ryder
Ballew	Audubon	McDermott	Shields
Beath	Hansen of Scott	McLain	Short
Berry	Hollingsworth	Mathews	Snyder
Bonnstetter	Hook	Mead	Sours
Brown	Hopkins	Millhone	Stiger
Ditto	Hush	Miller	Strachan
Durant	Hutcheon	Morton	Tamisiea
Ellsworth	Johnson of	Nelson of	TePaske
Fabritz	Marion	Cherokee	Thiessen
Felter	Kern	O'Donnell	Thompson
Figgins	Koch	Osborn	Watts
Finnern	Kohler	Peaco	Wearin
Forsling	Lamb	Pendray	Whiting
Garrett	Langland	Randall	Witt
Gilmore	Laughlin	Randolph	Mr. Speaker
Gissel	Lepley	Ratliff	

The nays were, none.

Absent or not voting, 36.

Aiken	Byers	Dayton	Drake of
Augustine	Craven	Donlon	Muscatine
Bair	Davis	Drake of Keokuk	Elliott

Gallagher	Hunt	Paisley	Simmer
Hanson of	Husted	Pattison	Stanzel
Winnebago	McCaulley	Rawlings	Torgeson
Hayes	Malone	Roe	Van Buren
Helgason	Mayne	Rutledge	Van Wert
Hesse	Nelson of Story	Rylander	Wamstad
Hollis	Orr		

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

House File No. 354, a bill for an act to authorize the issuance of a patent to certain lands in Clayton county, Iowa, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendment proposed by the committee, found in the Journal of February 26th, was 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, 79.

Allen	Hansen of	McDermott	Reed
Avery	Audubon	McLain	Reimers
Babcock	Hansen of Scott	Malone	Roe
Ballew	Helgason	Mathews	Ryder
Beath	Hollingsworth	Mayne	Rylander
Berry	Hook	Mead	Shields
Bonnstetter	Hopkins	Millhone	Short
Brown	Hush	Miller	Snyder
Byers	Hutcheon	Morton	Stanzel
Ditto	Johnson of	Nelson of	Stiger
Durant	Marion	Cherokee	Strachan
Ellsworth	Kern	O'Donnell	Tamisiea
Fabritz	Koch	Osborn	TePaske
Felter	Kohler	Paisley	Thiessen
Figgins	Lamb	Peaco	Thompson
Finnern	Langland	Pendray	Wamstad
Garrett	Laughlin	Randall	Watts
Gilmore	Lepley	Randolph	Wearin
Gissell	Lichty	Ratliff	Whiting
Greene	Long	Rawlings	Witt
	McCreery		Mr. Speaker

The nays were, none.

Absent or not voting, 29.

Aiken	Craven	Donlon	Drake of
Augustine	Davis	Drake of Keokuk	Muscatine
Bair	Dayton		Elliott



Forsling	Hayes	McCaulley	Simmer
Gallagher	Hesse	Nelson of Story	Sours
Greaser	Hollis	Orr	Torgeson
Hanson of	Hunt	Pattison	Van Buren
Winnebago	Husted	Rutledge	Van Wert

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

House File No. 305, a bill for an act to amend section ten thousand nine hundred thirty-four-b nine (10934-b9) of the code, 1927, relating to the costs and expenses incident to disbarment proceedings, 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, 75.

Avery	Greene	McCreery	Reed
Babcock	Hansen of	McDermott	Reimers
Ballew	Audubon	McLain	Roe
Beath	Hansen of Scott	Malone	Ryder
Brown	Helgason	Mathews	Rylander
Byers	Hollingsworth	Mayne	Shields
Dayton	Hook	Mead	Short
Ditto	Hush	Millhone	Snyder
Donlon	Hutcheon	Miller	Stanzel
Durant	Johnson of	Morton	Strachan
Ellsworth	Marion	Nelson of	Tamisiea
Fabritz	Kern	Cherokee	TePaske
Felter	Koch	O'Donnell	Thiessen
Figgins	Lamb	Osborn	Thompson
Finnern	Langland	Peaco	Wamstad
Forsling	Laughlin	Pendray	Watts
Garrett	Lepley	Randall	Wearin
Gilmore	Lichty	Randolph	Whiting
Greaser	Long	Ratliff	Witt
		Rawlings	Mr. Speaker

The nays were, none.

Absent or not voting, 33.

Aiken	Drake of	Hollis	Pattison
Allen	Muscatine	Hopkins	Rutledge
Augustine	Elliott	Hunt	Simmer
Bair	Gallagher	Husted	Sours
Berry	Gissel	Kohler	Stiger
Bonnstetter	Hanson of	McCaulley	Torgeson
Craven	Winnebago	Nelson of Story	Van Buren
Davis	Hayes	Orr	Van Wert
Drake of Keokuk	Hesse	Paisley	

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

House File No. 372, a bill for an act to regulate the use and operation of motor vehicles in this state on the public highways thereof by nonresidents of this state; to fix and declare the legal effect of such use and operation; and to prescribe the procedure for serving original notices of suit on nonresidents for damages arising out of the use and operation in this state of such vehicles by nonresidents, with report of committee recommending passage, was taken up for consideration.

Mayne 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, 59.

Allen	Hansen of	Lepley	Randolph
Avery	Audubon	Lichty	Reed
Babcock	Hansen of Scott	Long	Rylander
Beath	Helgason	McCreery	Snyder
Berry	Hollingsworth	McDermott	Stanzel
Brown	Hook	McLain	Stiger
Byers	Hopkins	Malone	Strachan
Dayton	Hutcheon	Mathews	Tamisiea
Donlon	Johnson of	Mayne	TePaske
Durant	Marion	Mead	Thompson
Ellsworth	Kern	Millhone	Watts
Fabritz	Koch	Morton	Wearin
Garrett	Kohler	Nelson of	Whiting
Gilmore	Lamb	Cherokee	Witt
Gissel	Langland	Osborn	Mr. Speaker
Greene	Laughlin		

The nays were, 7.

Bonnstetter	Peaco	Roe	Wamstad
Miller	Pendray	Thiessen	

Absent or not voting, 42.

Aiken	Felter	Hunt	Rawlings
Augustine	Figgins	Hush	Reimers
Bair	Finnern	Husted	Rutledge
Ballew	Forsling	McCaulley	Ryder
Craven	Gallagher	Nelson of Story	Shields
Davis	Greaser	O'Donnell	Short
Ditto	Hanson of	Orr	Simmer
Drake of Keokuk	Winnnebago	Paisley	Sours
Drake of	Hayes	Pattison	Torgeson
Muscatine	Hesse	Randall	Van Buren
Elliott	Hollis	Ratliff	Van Wert

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

House File No. 307, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public improvements, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Tamisiea of Harrison, the amendments proposed by the committee, found in the Journal of February 26th, were adopted.

Tamisiea of Harrison called up the amendment filed by him and found in the Journal of February 27th and moved its adoption.

Amendment adopted.

Forsling of Woodbury moved that further action on House File No. 307 be deferred.

Motion prevailed.

House File No. 316, a bill for an act to amend chapter fifty-eight (58) acts of the forty-third (43rd) general assembly, relating to the buying and selling of the skins or hides of fur-bearing animals, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 75.

Allen	Felter	Hush	McLain
Avery	Finnern	Hutcheon	Malone
Babcock	Gallagher	Johnson of	Mathews
Bair	Garrett	Marion	Mead
Ballew	Gilmore	Koch	Millhone
Beath	Gissel	Kohler	Miller
Berry	Greaser	Lamb	Morton
Bonnstetter	Greene	Langland	Nelson of
Brown	Hansen of	Laughlin	Cherokee
Donlon	Audubon	Lepley	O'Donnell
Durant	Helgason	Lichty	Osborn
Ellsworth	Hook	Long	Paisley
Fabritz	Hopkins	McDermott	Peaco

Pendray	Ryder	Stanzel	Thompson
Randall	Rylander	Stiger	Wamstad
Randolph	Shields	Strachan	Watts
Ratliff	Short	Tamisiea	Wearin
Rawlings	Simmer	TePaske	Whiting
Reed	Snyder	Thiessen	Mr. Speaker
Roe	Sours		

The nays were, none.

Absent or not voting, 33.

Aiken	Elliott	Hollingsworth	Orr
Augustine	Figgins	Hollis	Pattison
Byers	Forsling	Hunt	Reimers
Craven	Hansen of Scott	Husted	Rutledge
Davis	Hanson of	Kern	Torgeson
Dayton	Winnebago	McCaulley	Van Buren
Ditto	Hayes	McCreery	Van Wert
Drake of Keokuk	Hesse	Mayne	Witt
Drake of Muscatine		Nelson of Story	

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

House File No. 427, a bill for an act to repeal sections seventy-four hundred sixty-six (7466), and seventy-four hundred seventy-six (7476), code, 1927, and to enact a substitute therefor, relating to the classification of land within drainage districts, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?"

The ayes were, 76.

Avery	Garrett	Kohler	Miller
Babcock	Gilmore	Lamb	Morton
Bair	Gissel	Langland	Nelson of
Ballew	Greaser	Laughlin	Cherokee
Beath	Greene	Lepley	Osborn
Berry	Hansen of Scott	Lichty	Paisley
Bonnstetter	Helgason	Long	Peaco
Brown	Hollingsworth	McCaulley	Pendray
Byers	Hook	McCreery	Randall
Donlon	Hopkins	McDermott	Randolph
Durant	Hush	McLain	Ratliff
Fabritz	Hutcheon	Malone	Reed
Felter	Johnson of	Mathews	Reimers
Figgins	Marion	Mayne	Roe
Finnern	Kern	Mead	Ryder
Gallagher	Koch	Millhone	Rylander

Shields	Stanzel	TePaske	Wamstad
Short	Stiger	Thiessen	Wearin
Snyder	Strachan	Thompson	Mr. Speaker
Sours	Tamisiea		

The nays were, none.

Absent or not voting, 32.

Aiken	Drake of	Hayes	Rawlings
Allen	Muscatine	Hesse	Rutledge
Augustine	Elliott	Hollis	Simmer
Craven	Ellsworth	Hunt	Torgeson
Davis	Forsling	Husted	Van Buren
Dayton	Hansen of	Nelson of Story	Van Wert
Ditto	Audubon	O'Donnell	Watts
Drake of Keokuk	Hanson of	Orr	Whiting
	Winnebago	Pattison	Witt

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

House File No. 380, a bill for an act to repeal chapter three (3) acts of the forty-third (43rd) general assembly, and to amend section two hundred thirty-five (235) code, 1927, relating to the free distribution of codes and session laws, 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, 75.

Aiken	Gilmore	Long	Reed
Allen	Gissel	McCaulley	Reimers
Avery	Greene	McCreery	Roe
Babcock	Hansen of	McDermott	Ryder
Ballew	Audubon	McLain	Rylander
Beath	Hansen of Scott	Malone	Shields
Berry	Helgason	Mathews	Short
Bonnstetter	Hollingsworth	Mayne	Snyder
Brown	Hook	Millhone	Sours
Byers	Hopkins	Miller	Stanzel
Donlon	Hush	Morton	Stiger
Durant	Hutcheon	Nelson of	Strachan
Ellsworth	Johnson of	Cherokee	Tamisiea
Fabritz	Marion	Osborn	TePaske
Felter	Kern	Paisley	Thiessen
Figgins	Koch	Peaco	Thompson
Finnern	Langland	Pendray	Wamstad
Forsling	Laughlin	Randolph	Wearin
Gallagher	Lepley	Ratliff	Mr. Speaker
Garrett	Lichty		

The nays were, none.

Absent or not voting, 33.

Augustine	Elliott	Kohler	Rutledge
Bair	Greaser	Lamb	Simmer
Craven	Hanson of	Mead	Torgeson
Davis	Winnebago	Nelson of Story	Van Buren
Dayton	Hayes	O'Donnell	Van Wert
Ditto	Hesse	Orr	Watts
Drake of Keokuk	Hollis	Pattison	Whiting
Drake of	Hunt	Randall	Witt
Muscatine	Husted	Rawlings	

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

House File No. 392, a bill for an act to amend chapter five hundred twenty-two (522) of the code, 1927, relating to partition procedure, with report of committee recommending passage, was taken up for consideration.

Kern 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, 69.

Aiken	Gallagher	Langland	Pendray
Avery	Garrett	Laughlin	Randolph
Babcock	Gissel	Lepley	Ratliff
Bair	Greaser	Lichty	Reed
Ballew	Greene	Long	Reimers
Beath	Hansen of	McCaulley	Roe
Berry	Audubon	McCreery	Ryder
Bonnstetter	Helgason	McLain	Shields
Brown	Hollingsworth	Mathews	Sours
Byers	Hook	Mayne	Stanzel
Dayton	Hopkins	Mead	Stiger
Durant	Hush	Millhone	Strachan
Ellsworth	Hutcheon	Miller	Tamisiea
Fabritz	Johnson of	Morton	TePaske
Felter	Marion	Nelson of	Thiessen
Figgins	Kern	Cherokee	Wamstad
Finnern	Koch	Osborn	Wearin
Forsling	Lamb	Peaco	Mr. Speaker

The nays were, none.

Absent or not voting, 39.

Allen	Drake of	Hayes	Malone
Augustine	Muscatine	Hesse	Nelson of Story
Craven	Elliott	Hollis	O'Donnell
Davis	Gilmore	Hunt	Orr
Ditto	Hansen of Scott	Husted	Paisley
Donlon	Hanson of	Kohler	Pattison
Drake of Keokuk	Winnebago	McDermott	Randall

Rawlings  
Rutledge  
Rylander  
Short

Simmer  
Snyder  
Thompson

Torgeson  
Van Buren  
Van Wert

Watts  
Whiting  
Witt

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

House File No. 429, a bill for an act to amend Section twelve thousand three hundred and forty-three (12,343) of the code of 1927, relating to the sale of lands in actions for partition at private sale, with report of committee recommending passage, was taken up for consideration.

Stiger 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, 69.

Avery	Gissel	Lepley	Ratliff
Babcock	Greaser	Lichty	Rawlings
Ballew	Greene	Long	Reed
Beath	Hansen of	McCaulley	Reimers
Berry	Audubon	McCreery	Ryder
Bonnstetter	Helgason	McLain	Rylander
Brown	Hollingsworth	Malone	Shields
Byers	Hopkins	Mathews	Short
Dayton	Hush	Mayne	Snyder
Donlon	Hutcheon	Mead	Sours
Durant	Johnson of	Millhone	Stiger
Ellsworth	Marion	Miller	Tamisiea
Fabritz	Kern	Morton	TePaske
Felter	Koch	Osborn	Thiessen
Figgins	Kohler	Paisley	Wamstad
Finnern	Lamb	Peaco	Wearin
Gallagher	Langland	Pendray	Mr. Speaker
Garrett	Laughlin	Randolph	

The nays were, 3.

Hook	Randall	Stanzel
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Absent or not voting, 36.

Aiken	Elliott	Husted	Simmer
Allen	Forsling	McDermott	Strachan
Augustine	Gilmore	Nelson of	Thompson
Bair	Hansen of Scott	Cherokee	Torgeson
Craven	Hanson of	Nelson of Story	Van Buren
Davis	Winnebago	O'Donnell	Van Wert
Ditto	Hayes	Orr	Watts
Drake of Keokuk	Hesse	Pattison	Whiting
Drake of	Hollis	Roe	Witt
Muscatine	Hunt	Rutledge	

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

House File No. 453, a bill for an act to amend section five hundred six (506), Code, 1927, relating to proclamations for elections, with report of committee on judiciary 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, 71.

Allen	Gallagher	Laughlin	Randolph
Avery	Garrett	Lepley	Ratliff
Babcock	Gissel	Lichty	Reed
Bair	Greaser	Long	Reimers
Ballew	Hansen of	McCaulley	Ryder
Beath	Audubon	McCreery	Rylander
Berry	Helgason	McDermott	Shields
Bonnstetter	Hollingsworth	McLain	Short
Brown	Hook	Malone	Snyder
Byers	Hopkins	Mayne	Sours
Dayton	Hush	Mead	Stanzel
Donlon	Hutcheon	Miller	Stiger
Durant	Johnson of	Morton	Strachan
Ellsworth	Marion	Nelson of	TePaske
Fabritz	Kern	Cherokee	Thiessen
Felter	Koch	Osborn	Wamstad
Figgins	Kohler	Peaco	Wearin
Finnern	Lamb	Pendray	Mr. Speaker
Forsling	Langland		

The nays were, 2.

Mathews Paisley

Absent or not voting, 35.

Aiken	Greene	Millhone	Simmer
Augustine	Hansen of Scott	Nelson of Story	Tamisiea
Craven	Hanson of	O'Donnell	Thompson
Davis	Winnebago	Orr	Torgeson
Ditto	Hayes	Pattison	Van Buren
Drake of Keokuk	Hesse	Randall	Van Wert
Drake of	Hollis	Rawlings	Watts
Muscatine	Hunt	Roe	Whiting
Elliott	Husted	Rutledge	Witt
Gilmore			

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

House File No. 476, a bill for an act to amend chapter six hun-



dred forty (640), section thirteen thousand eight hundred four (13804), and chapter six hundred forty-five (645) of the code, 1927, relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions, with report of committee on judiciary 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.

Hush of Montgomery moved to reconsider the vote by which House File No. 476 passed to its third reading.

Motion prevailed.

Forsling of Woodbury asked and obtained unanimous consent to defer further action on House File No. 476.

House File No. 268, a bill for an act to amend chapter three hundred forty-six (346) of the code, 1927, relieving the county treasurer from listing delinquent special assessments upon the tax list, as required in section seventy-one hundred ninety-three (7193) of the code, 1927, and to require the county auditor to list the respective special assessments within the respective counties in books known as special assessment tax list, and to require the treasurer to refer thereto on the respective tax lists each year, was taken up for consideration, having been withdrawn from the committee and placed on the calendar.

Helgason 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, 62.

Allen	Durant	Hollingsworth	McDermott
Avery	Ellsworth	Hook	McLain
Babcock	Fabritz	Hopkins	Malone
Bair	Felter	Hush	Mathews
Ballew	Finnern	Johnson of	Mayne
Beath	Garrett	Marion	Miller
Bonns'etter	Gilmore	Kern	Morton
Brown	Gissel	Koch	Nelson of
Byers	Greaser	Kohler	Cherokee
Dayton	Hansen of	Lamb	Osborn
Ditto	Audubon	Langland	Peaco
Donlon	Helgason	McCreery	Pendray

Randolph	Rylander	Stanzel	Wearin
Ratliff	Shields	TePaske	Whiting
Rawlings	Snyder	Thiessen	Witt
Reed	Sours	Wamstad	Mr. Speaker
Ryder			

The nays were, none.

Absent or not voting, 46.

Aiken	Greene	Lichty	Roe
Augustine	Hansen of Scott	Long	Rutledge
Berry	Hanson of	McCaulley	Short
Craven	Winnebago	Mead	Simmer
Davis	Hayes	Millhone	Stiger
Drake of Keokuk	Hesse	Nelson of Story	Strachan
Drake of	Hollis	O'Donnell	Tamisiea
Muscatine	Hunt	Orr	Thompson
Elliott	Husted	Paisley	Torgeson
Figgins	Hutcheon	Pattison	Van Buren
Forsling	Laughlin	Randall	Van Wert
Gallagher	Lepley	Reimers	Watts

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 fifty-five hundred forty-three (5543), code of 1927, relating to meetings of the township trustees, with report of committee recommending amendment and passage, was taken up for consideration.

Berry of Monroe moved that the amendment proposed by the committee, and found in the Journal of March 12th, be adopted.

Committee amendment lost.

Ellsworth of Hardin called up the amendment filed by him, found in the Journal of March 13th, and moved its adoption.

Amendment adopted.

Ellsworth of Hardin offered the following amendment and moved its adoption:

Amend House File No. 333 by adding thereto the following section:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the World Journal, a newspaper published at Ackley, Iowa, and the Eldora Herald, a newspaper published at Eldora, Iowa."

Amendment adopted.

Mr. Ellsworth moved that the bill be read a third time now

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Avery	Gissel	Langland	Ratliff
Babcock	Greaser	Laughlin	Reed
Bair	Hansen of	Lepley	Roe
Ballew	Audubon	Long	Ryder
Beath	Hansen of Scott	McCreery	Rylander
Berry	Helgason	McDermott	Shields
Bonnstetter	Hollingsworth	McLain	Snyder
Brown	Hook	Mathews	Sours
Donlon	Hopkins	Mayne	Tamisiea
Durant	Hush	Millhone	TePaske
Ellsworth	Hutcheon	Miller	Thiessen
Fabritz	Johnson of	Morton	Watts
Felter	Marion	Nelson of	Wearin
Figgins	Kern	Cherokee	Whiting
Forsling	Koch	Peaco	Witt
Gallagher	Kohler	Pendray	Mr. Speaker
Garrett	Lamb	Randolph	

The nays were, 2.

Osborn                      Stanzel

Absent or not voting, 42.

Aiken	Elliott	Lichty	Reimers
Allen	Finnern	McCaulley	Rutledge
Augustine	Gilmore	Malone	Short
Byers	Greene	Mead	Simmer
Craven	Hanson of	Nelson of Story	Stiger
Davis	Winnebago	O'Donnell	Strachan
Dayton	Hayes	Orr	Thompson
Ditto	Hesse	Paisley	Torgeson
Drake of Keokuk	Hollis	Pattison	Van Buren
Drake of	Hunt	Randall	Van Wert
Muscatine	Husted	Rawlings	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. 332, a bill for an act to repeal section twenty-two hundred thirty-three (2233), code of 1927, and to enact a substitute therefor, relating to meetings of the local board of health, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Ellsworth of Hardin, the amendment proposed by the committee, found in the Journal of March 13th, was adopted.

Ellsworth of Hardin offered the following amendment and moved its adoption:

Amend House File No. 332 by adding thereto the following section:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Alden Times, a newspaper published at Alden, Iowa, and the Hardin County Citizen, a newspaper published at Iowa Falls, Iowa."

Amendment adopted.

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

On the question "Shall the bill pass?"

The ayes were, 62.

Avery	Greaser	McCreery	Ratliff
Babcock	Hansen of Scott	McDermott	Reed
Ballew	Helgason	McLain	Roe
Beath	Hollingsworth	Malone	Ryder
Bonnstetter	Hook	Mathews	Rylander
Brown	Hush	Mayne	Shields
Byers	Hutcheon	Mead	Snyder
Donlon	Johnson of	Millhone	Sours
Durant	Marion	Morton	Stanzel
Ellsworth	Koch	Nelson of	Tamisiea
Fabritz	Kohler	Cherokee	TePaske
Felter	Lamb	Osborn	Thiessen
Gallagher	Langland	Paisley	Watts
Garrett	Laughlin	Peaco	Whiting
Gilmore	Lepley	Pendray	Witt
Gissel	Long	Randolph	Mr. Speaker

The nays were, 1.

Rawlings

Absent or not voting, 45.

Aiken	Elliott	Hopkins	Reimers
Allen	Figgins	Hunt	Rutledge
Augustine	Finnern	Husted	Short
Bair	Forsling	Kern	Simmer
Berry	Greene	Lichty	Stiger
Craven	Hansen of	McCaulley	Strachan
Davis	Audubon	Miller	Thompson
Dayton	Hansen of	Nelson of Story	Torgeson
Ditto	Winnebago	O'Donnell	Van Buren
Drake of Keokuk	Hayes	Orr	Van Wert
Drake of	Hesse	Pattison	Wamstad
Muscatine	Hollis	Randall	Wearin

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

House File No. 441, a bill for an act to amend sections forty-three hundred twenty-two (4322) and forty-three hundred twenty-three (4323), code of 1927, relating to common school libraries, with report of committee on schools and textbooks recommending passage, was taken up for consideration.

Mayne 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, 58.

Allen	Hansen of	Lepley	Reed
Avery	Audubon	McDermott	Ryder
Bair	Hansen of Scott	McLain	Rylander
Ballew	Helgason	Malone	Shields
Beath	Hollingsworth	Mathews	Snyder
Brown	Hook	Mayne	Sours
Byers	Hopkins	Millhone	Stanzel
Donlon	Hush	Miller	TePaske
Durant	Hutcheon	Morton	Thiessen
Ellsworth	Johnson of	Nelson of	Wamstad
Fabritz	Marion	Cherokee	Watts
Gallagher	Kern	Osborn	Wearin
Garrett	Koch	Pendray	Whiting
Gilmore	Lamb	Ratliff	Witt
Gissel	Langland	Rawlings	Mr. Speaker
Greaser			

The nays were, none.

Absent or not voting, 50.

Aiken	Felter	Laughlin	Randolph
Augustine	Figgins	Lichty	Reimers
Babcock	Finnern	Long	Roe
Berry	Forsling	McCaulley	Rutledge
Bonnstetter	Greene	McCreery	Short
Craven	Hanson of	Mead	Simmer
Davis	Winnebago	Nelson of Story	Stiger
Dayton	Hayes	O'Donnell	Strachan
Ditto	Hesse	Orr	Tamisiea
Drake of Keokuk	Hollis	Paisley	Thompson
Drake of	Hunt	Pattison	Torgeson
Muscatine	Husted	Peaco	Van Buren
Elliott	Kohler	Randall	Van Wert

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

House File No. 424, a bill for an act to amend the law as it appears in section forty-one hundred fifty-two (4152), code of 1927, relating to the subdivision of independent school districts,

with report of committee recommending passage, was taken up for consideration.

Mayne 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, 59.

Aiken	Gissel	McDermott	Roe
Avery	Greaser	McLain	Ryder
Babcock	Hansen	Mathews	Rylander
Beath	of Audubon	Mayne	Snyder
Brown	Helgason	Millhone	Sours
Dayton	Hollingsworth	Miller	Strachan
Donlon	Hook	Morton	Tamisiea
Durant	Hopkins	Nelson	TePaske
Ellsworth	Hush	of Cherokee	Thiessen
Fabritz	Hutcheon	Osborn	Wamstad
Figgins	Johnson	Paisley	Watts
Finnern	of Marion	Peaco	Wearin
Forsling	Koch	Pendray	Whiting
Gallagher	Laughlin	Ratliff	Witt
Garrett	Lepley	Reed	Mr. Speaker
Gilmore	McCreery		

The nays were, none.

Absent or not voting, 49.

Allen	Elliott	Lamb	Rawlings
Augustine	Felter	Langland	Reimers
Bair	Greene	Lichty	Rutledge
Ballew	Hansen of Scott	Long	Shields
Berry	Hanson	McCaulley	Short
Bonnstetter	of Winnebago	Malone	Simmer
Byers	Hayes	Mead	Stanzel
Craven	Hesse	Nelson of Story	Stiger
Davis	Hollis	O'Donnell	Thompson
Ditto	Hunt	Orr	Torgeson
Drake of Keokuk	Husted	Pattison	Van Buren
Drake	Kern	Randall	Van Wert
of Muscatine	Kohler	Randolph	

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

House File No. 314, a bill for an act to amend section eleven thousand eight hundred eighty-three (11883), code, 1927, relating to the appointment of administrators of estates, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brown of Polk the amendment proposed by the committee, found in the Journal of March 12th, was adopted.

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

On the question "Shall the bill pass?"

The ayes were, 67.

Aiken	Greaser	McCreery	Rylander
Avery	Hansen of Scott	McDermott	Shields
Babcock	Helgason	McLain	Short
Bair	Hollingsworth	Mathews	Simmer
Bonnstetter	Hook	Mayne	Snyder
Brown	Hopkins	Mead	Sours
Dayton	Hush	Millhone	Stanzel
Donlon	Hutcheon	Morton	Strachan
Durant	Johnson of	Nelson of	Tamisiea
Fabritz	Marion	Cherokee	TePaske
Felter	Kern	Osborn	Thiessen
Figgins	Koch	Pendray	Wamstad
Finnern	Kohler	Randolph	Watts
Forsling	Lamb	Ratliff	Wearin
Gallagher	Langland	Reed	Whiting
Garrett	Laughlin	Roe	Witt
Gilmore	Lepley	Ryder	Mr. Speaker
Gissel			

The nays were, 1.

Miller

Absent or not voting, 40.

Allen	Elliott	Husted	Peaco
Augustine	Ellsworth	Lichty	Randall
Ballew	Greene	Long	Rawlings
Beath	Hansen of	McCaulley	Reimers
Berry	Audubon	Malone	Rutledge
Byers	Hanson of	Nelson of Story	Stiger
Craven	Winnebago	O'Donnell	Thompson
Davis	Hayes	Orr	Torgeson
Ditto	Hesse	Paisley	Van Buren
Drake of Keokuk	Hollis	Pattison	Van Wert
Drake of	Hunt		
Muscatine			

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

House File No. 422, a bill for an act to amend section thirty-two hundred thirty-six (3236) of the code, 1927, relating to the sale of food commodities by weight, or in United States standard containers, with report of committee recommending passage, was taken up for consideration.

Snyder of Hamilton moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 66.

Avery	Helgason	McLain	Rylander
Bonnstetter	Hollingsworth	Mathews	Shields
Brown	Hook	Mayne	Short
Dayton	Hush	Mead	Simmer
Donlon	Hutcheon	Millhone	Snyder
Durant	Johnson of	Morton	Sours
Ellsworth	Marion	Nelson of	Stanzel
Felter	Kern	Cherokee	Strachan
Figgins	Koch	Osborn	Tamisiea
Finnern	Kohler	Paisley	TePaske
Forsling	Lamb	Pendray	Thiessen
Garrett	Langland	Randall	Wamstad
Gilmore	Lepley	Randolph	Watts
Gissel	Long	Ratliff	Wearin
Greaser	McCaulley	Reed	Whiting
Hansen of	McCreery	Roe	Witt
Audubon	McDermott	Ryder	Mr. Speaker
Hansen of Scott			

The nays were, none.

Absent or not voting, 42.

Aiken	Ditto	Hesse	Orr
Allen	Drake of Keokuk	Hollis	Pattison
Augustine	Drake of	Hopkins	Peaco
Babcock	Muscatine	Hunt	Rawlings
Bair	Elliott	Husted	Reimers
Ballew	Fabritz	Laughlin	Rutledge
Beath	Gallagher	Lichty	<b>Stiger</b>
Berry	Greene	Malone	Thompson
Byers	Hanson of	Miller	Torgeson
Craven	Winnebago	Nelson of Story	Van Buren
Davis	Hayes	O'Donnell	Van Wert

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

House File No. 476, a bill for an act to amend chapter six hundred forty (640), section thirteen thousand eight hundred four (13804), and chapter six hundred forty-five (645) of the code, 1927, relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions, with report of committee on judiciary recommending passage, was taken up for consideration.

Shields of Clarke moved the previous question.

Motion prevailed.



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, 70.

Avery	Greene	Long	Roe
Babcock	Hansen	McDermott	Ryder
Beath	of Audubon	McLain	Rylander
Bonnstetter	Hansen of Scott	Malone	Shields
Brown	Helgason	Mathews	Short
Byers	Hollingsworth	Mayne	Snyder
Dayton	Hopkins	Mead	Stanzel
Ditto	Hush	Millhone	Stiger
Donlon	Hutcheon	Morton	Strachan
Durant	Johnson	Nelson	Tamisiea
Fabritz	of Marion	of Cherokee	TePaske
Felter	Kern	Osborn	Thiessen
Figgins	Koch	Pendray	Wamstad
Finnern	Kohler	Randolph	Watts
Forsling	Lamb	Ratloff	Wearin
Gallagher	Langland	Rawlings	Whiting
Garrett	Laughlin	Reed	Witt
Gilmore	Lichty	Reimers	Mr. Speaker
Greaser			

The nays were, 4.

Gissel	McCreery	Simmer	Sours
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Absent or not voting, 34

Aiken	Drake	Hook	Paisley
Allen	of Muscatine	Hunt	Pattison
Augustine	Elliott	Husted	Peaco
Bair	Ellsworth	Lepley	Randall
Ballew	Hanson	McCaulley	Rutledge
Berry	of Winnebago	Miller	Thompson
Craven	Hayes	Nelson of Story	Torgeson
Davis	Hesse	O'Donnell	Van Buren
Drake of Keokuk	Hollis	Orr	Van Wert

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

House File No. 290, a bill for an act to amend the law as it appears in section forty-seven hundred forty-six (4746) of the code, 1927, relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Helgason of Emmet, the amendment proposed by

the committee, found in the Journal of February 24th, was adopted.

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

On the question "Shall the bill pass?"

The ayes were, 71.

Avery	Greaser	Laughlin	Ratliff
Babcock	Greene	Lepley	Reed
Ballew	Hansen of	Lichty	Reimers
Beath	Audubon	Long	Roe
Berry	Hansen of Scott	McCreery	Rylander
Bonnstetter	Helgason	McLain	Shields
Byers	Hollingsworth	Malone	Short
Dayton	Hook	Mathews	Simmer
Donlon	Hopkins	Mayne	Snyder
Durant	Hush	Mead	Sours
Ellsworth	Hutcheon	Miller	Stanzel
Fabritz	Johnson of	Morton	Strachan
Felter	Marion	Nelson of	TePaske
Figgins	Kern	Cherokee	Wamstad
Finnern	Koch	O'Donnell	Wearin
Gallagher	Kohler	Osborn	Whiting
Garrett	Lamb	Pendray	Witt
Gilmore	Langland	Randall	Mr. Speaker
Gissel		Randolph	

The nays were, none.

Absent or not voting, 37.

Aiken	Drake of	Husted	Rutledge
Allen	Muscatine	McCaulley	Ryder
Augustine	Elliott	McDermott	Stiger
Bair	Forsling	Millhone	Tamisica
Brown	Hanson of	Nelson of Story	Thiessen
Craven	Winnebago	Orr	Thompson
Davis	Hayes	Paisley	Torgeson
Ditto	Hesse	Pattison	Van Buren
Drake of Keokuk	Hollis	Peaco	Van Wert
	Hunt	Rawlings	Watts

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

Short of Woodbury asked unanimous consent to have his remarks printed in the Journal.

Objection was made.

Short of Woodbury moved that his remarks be printed in the Journal.

Ditto of Osceola moved that the motion by Mr. Short be laid on the table.

Motion prevailed.

### CONSIDERATION OF BILLS

Senate File No. 211, a bill for an act to repeal Section Twelve Thousand Eight Hundred Four (12804) of the Code, 1927, and to enact a substitute therefor, providing for the selection of the Chief Justice of the Supreme Court for a term of six months, rather than a year, 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, 71.

Allen	Hansen of Scott	McLain	Reimers
Avery	Helgason	Malone	Roe
Babcock	Hollingsworth	Mathews	Ryder
Beath	Hook	Mayne	Rylander
Bonnstetter	Hopkins	Mead	Shields
Byers	Hush	Millhone	Short
Dayton	Johnson of	Miller	Simmer
Donlon	Marion	Morton	Stanzel
Durant	Kern	Nelson of	Stiger
Ellsworth	Koch	Cherokee	Strachan
Fabritz	Kohler	O'Donnell	Tamisiea
Felter	Lamb	Osborn	TePaske
Figgins	Langland	Peaco	Wamstad
Finnern	Laughlin	Pendray	Wearin
Forsling	Lepley	Randall	Whiting
Garrett	Lichty	Randolph	Witt
Gilmore	McCaulley	Ratliff	Mr. Speaker
Gissel	McCreery	Reed	
Greene	McDermot		

The nays were, none.

Absent or not voting, 37.

Aiken	Drake of	Hayes	Pattison
Augustine	Muscatine	Hesse	Rawlings
Bair	Elliott	Hollis	Rutledge
Ballew	Gallagher	Hunt	Snyder
Berry	Greaser	Husted	Sours
Brown	Hansen of	Hutcheon	Thiessen
Craven	Audubon	Long	Thompson
Davis	Hanson of	Nelson of Story	Torgeson
Ditto	Winnebago	Orr	Van Buren
Drake of Keokuk		Paisley	Van Wert
			Watts

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

Strachan of Humboldt moved that the House adjourn until 10:00 a. m. Monday.

Forsling of Woodbury moved to amend the motion to adjourn by adding that the House adjourn at 12:15 p. m. today to reconvene at 10:00 a. m. Monday.

Amendment adopted.

Motion, as amended, prevailed.

### CONSIDERATION OF BILLS

Senate File No. 284, a bill for an act to amend Section Sixty-seven Hundred Seventy-eight, (6778), of the Code, 1927, to make provisions of Section Seven (7) of Senate File One Hundred Seventy-nine (179), of the Fortieth Extra General Assembly applicable to special charter cities, 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, 72.

Allen	Garrett	McCauley	Reed
Avery	Gilmore	McCreery	Reimers
Babcock	Gissel	McDermott	Roe
Ballew	Hansen of	McLain	Ryder
Beath	Audubon	Malone	Rylander
Berry	Hansen of Scott	Mathews	Shields
Bonnstetter	Hollingsworth	Mayne	Short
Brown	Hook	Mead	Snyder
Byers	Hopkins	Millhone	Stanzel
Dayton	Hush	Morton	Strachan
Donlon	Johnson of	Nelson of	Tamisiea
Durant	Marion	Cherokee	TePaske
Ellsworth	Kern	O'Donnell	Thiessen
Fabritz	Koch	Osborn	Wamstad
Felter	Kohler	Peaco	Wearin
Figgins	Lamb	Pendray	Whiting
Finnern	Langland	Randall	Witt
Forsling	Laughlin	Randolph	Mr. Speaker
Gallagher	Lichty	Ratliff	

The nays were, none.

Absent or not voting, 36.

Aiken	Greaser	Hutcheon	Rutledge
Augustine	Greene	Lepley	Simmer
Bair	Hanson of	Long	Sours
Craven	Winnebago	Miller	Stiger
Davis	Hayes	Nelson of Story	Thompson
Ditto	Helgason	Orr	Torgeson
Drake of Keokuk	Hesse	Paisley	Van Buren
Drake of	Hollis	Pattison	Van Wert
Muscatine	Hunt	Rawlins	Watts
Elliott	Husted		

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

Senate File No. 116, a bill for an act to amend the law as it appears in section four (4) of chapter ten (10) of the acts of the forty-third general assembly so as to remove from the exemptions from the provisions of the Iowa securities act certain securities issued by certain railroad and public service utilities corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Kern of Polk, the amendments proposed by the committee, found in the Journal of March 14th, were adopted.

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

On the question "Shall the bill pass?"

The ayes were, 61.

Allen	Garrett	McCreery	Reimers
Avery	Gissel	McDermott	Roe
Beath	Greene	McLain	Ryder
Berry	Hansen	Malone	Rylander
Bonnstetter	of Audubon	Mathews	Shields
Brown	Hansen of Scott	Mayne	Short
Byers	Helgason	Millhone	Snyder
Ditto	Hollingsworth	Morton	Sours
Donlon	Hook	Nelson	Tamisiea
Durant	Hush	of Cherokee	TePaske
Ellsworth	Kern	Osborn	Thiessen
Fabritz	Kohler	Peaco	Wamstad
Felter	Lamb	Pendray	Wearin
Finnern	Langland	Randolph	Whiting
Forsling	Lepley	Ratliff	Mr. Speaker
Gallagher	Lichty	Reed	

The nays were, none.

Absent or not voting, 47.

Aiken	Gilmore	Koch	Rutledge
Augustine	Greaser	Laughlin	Simmer
Babcock	Hanson	Long	Stanzel
Bair	of Winnebago	McCaulley	Stiger
Ballew	Hayes	Mead	Strachan
Craven	Hesse	Miller	Thompson
Davis	Hollis	Nelson of Story	Torgeson
Dayton	Hopkins	O'Donnell	Van Buren
Drake of Keokuk	Hunt	Orr	Van Wert
Drake	Husted	Paisley	Watts
of Muscatine	Hutcheon	Pattison	Witt
Elliott	Johnson	Randall	
Figgins	of Marion	Rawlings	

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. 106, a bill for an act to amend section twenty (20) of chapter thirty (30), acts of the forty-third (43rd) general assembly relating to the issuance by trust companies of debentures or bonds, with report of committee recommending passage, was taken up for consideration.

Shields 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, 57.

Avery	Greaser	Malone	Roe
Beath	Hansen of	Mathews	Ryder
Berry	Audubon	Mayne	Rylander
Byers	Helgason	Mead	Shields
Donlon	Hook	Millhone	Short
Durant	Hush	Morton	Snyder
Ellsworth	Kern	Nelson of	Sours
Fabritz	Kohler	Cherokee	Tamisiea
Felter	Langland	Osborn	TePaske
Figgins	Laughlin	Peaco	Thiessen
Finnern	Lepley	Pendray	Wamstad
Forsling	Lichty	Randolph	Wearin
Gallagher	McCreery	Ratliff	Whiting
Garrett	McDermott	Reed	Mr. Speaker
Gissel	McLain	Reimers	

The nays were, 1.

Stanzel

Absent or not voting, 50.

Aiken	Augustine	Bair	Bonnstetter
Allen	Babcock	Ballew	Brown

Craven	Hanson of	Koch	Rutledge
Davis	Winnebago	Lamb	Simmer
Dayton	Hayes	Long	Stiger
Ditto	Hesse	McCaulley	Strachan
Drake of Keokuk	Hollingsworth	Miller	Thompson
Drake of	Hollis	Nelson of Story	Torgeson
Muscatine	Hopkins	O'Donnell	Van Buren
Elliott	Hunt	Orr	Van Wert
Gilmore	Husted	Paisley	Watts
Greene	Hutcheon	Pattison	Witt
Hansen of Scott	Johnson of	Randall	
	Marion	Rawlings	

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

Senate File No. 20, a bill for an act to amend Section one (1) of Chapter one hundred twenty-one (121) of the laws of the Fortieth General Assembly relating to tax levy for park purposes, for the improvement of lakes by dredging or otherwise deepening of same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes, with report of committee recommending passage, was taken up for consideration.

Mayne 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, 63.

Allen	Greaser	McCreery	Reed
Avery	Greene	McDermott	Reimers
Beath	Hansen of	McLain	Ryder
Bonnstetter	Audubon	Mathews	Rylander
Brown	Helgason	Mayne	Shields
Byers	Hollingsworth	Millhone	Short
Ditto	Hook	Morton	Snyder
Donlon	Hutcheon	Nelson of	Stanzel
Durant	Kern	Cherokee	Tamisiea
Ellsworth	Kohler	O'Donnell	TePaske
Fabritz	Lamb	Osborn	Thiessen
Felter	Langland	Peaco	Wamstad
Finnern	Laughlin	Pendray	Watts
Forsling	Lepley	Randolph	Wearin
Gallagher	Lichty	Ratliff	Whiting
Garrett	McCaulley	Rawlings	Mr. Speaker
Gilmore			

The nays were, 7.

Figgins	Hush	Mead	Strachan
Gissel	Malone	Sours	

Absent or not voting, 38.

Aiken	Drake of	Husted	Randall
Augustine	Muscatine	Johnson of	Roe
Babcock	Elliott	Marion	Rutledge
Bair	Hansen of Scott	Koch	Simmer
Ballew	Hanson of	Long	Stiger
Berry	Winnebago	Miller	Thompson
Craven	Hayes	Nelson of Story	Torgeson
Davis	Hesse	Orr	Van Buren
Dayton	Hollis	Paisley	Van Wert
Drake of Keokuk	Hopkins	Pattison	Witt
Hunt			

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

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 20th, approved the following bills:

House Files Nos. 7 and 4.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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, 57, 106, 234, 156 and 339.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 94, 57, 106, 234, 156 and 339.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:



MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 21st day of March, 1931, sent to the governor for his approval: House Files Nos. 94, 57, 106, 234, 156, and 339.

C. J. ORR, *Chairman.*

Report adopted.

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 468, a bill for an act to legalize the proceedings relating to an election held in the town of Traer, Iowa, on the proposition of establishing and constructing a municipal swimming pool and issuing bonds for such purpose and levying an annual tax for the payment of such bonds and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

#### INTRODUCTION OF BILL

House File No. 537, by committee on public utilities, a bill for an act to provide for the creation of a public service commission, providing for its appointment, fixing the salaries of the members thereof; to define their powers and duties; to provide for the appointment of employees and their compensation; to provide for the regulation of all public service companies; to define, prescribe, and limit their powers and duties; to prescribe the procedure of the commission and in the courts; to impose and provide for the collection of an annual license fee from all public service companies; to fix and prescribe penalties for the violation of any of the provisions of said act, and to repeal all laws or parts of laws which are inconsistent therewith; and to abolish the railroad commission.

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 Senate was asked:

House File No. 237, a bill for an act to legalize the corporate acts and proceedings of the Portsmouth livestock shipping association of Portsmouth, Iowa.

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 relating to the payment and apportionment of road taxes.

Also, 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 purchase by public officers and departments of articles manufactured at state institutions.

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 probation officers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 146, a bill for an act relating to state sinking fund for public deposits.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 285, a bill for an act to amend section thirty-seven hundred sixty-two (3762), Code, 1927, relating to the purchase by public officers and departments of articles manufactured at state institutions, and providing a penalty for the violation of said section.

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

Senate File No. 145, a bill for an act to amend sections seventy-one hundred forty-four (7144), seventy-two hundred eight (7208), and seventy-two hundred twelve (7212), and to repeal section seventy-two hundred thirteen (7213), all of the Code, 1927, and relating to the payment and apportionment of road taxes.

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

Senate File No. 312, a bill for an act to amend section thirty-six hundred twelve (3612) of the code, 1927, relating to probation officers.

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

Senate File No. 146, a bill for an act to amend, revise, and codify sections one hundred thirty-nine (139), one hundred forty (140), ten hundred ninety-a twenty (1090-a20), ten hundred ninety-b two (1090-b2), forty-three hundred nineteen (4319), fifty-five hundred forty-eight (5548), fifty-five hundred forty-nine (5549), fifty-six hundred fifty-one (5651), fifty-six hundred fifty-three (5653), seventy-four hundred four (7404), and seventy-four hundred seven (7407), Code, 1927, relating to deposits by governmental bodies of public funds, and to so amend sections ten hundred ninety-a six (1090-a6), ten hundred ninety-a seven (1090-a7), and fifty-five hundred forty-seven (5547), Code, 1927, relating to the state sinking fund for public deposits and to the duties of the township clerk, as to coordinate and harmonize said sections with this act.

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

#### AMENDMENTS FILED

Greaser of Benton filed the following amendment to Senate File No. 133:

Amend my amendment to Senate File No. 133 by striking Section Nine (9) thereof and substituting therefor the following:

Sec. 9. Any person, firm or corporation engaged in the business of hauling bridge material, telephone and telegraph poles, or any other material for structural work which requires the use of a truck, or truck and trailer of a length in excess of these specified in section eight (8) hereof, may transport such material provided such person, firm or corporation shall first secure a permit from the highway commission, and the highway commission may in its discretion issue such a permit.

TePaske of Sioux filed the following amendment to House File No. 395:

Amend House File No. 395 by striking the word "high" from line six (6) of section one (1) of said bill.

Pursuant to the motion duly adopted 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, MARCH 23, 1931.

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

Prayer was offered by the Rev. Ella K. Sours, pastor of the Church of Christ, Iowa Falls, Iowa.

Journal of March 21st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Bair of Buena Vista for the day, on request of Mathews of Des Moines; Elliott of Scott for the day, on request of Brown of Polk; Augustine of Ringgold for the day, on request of Lepley of Grundy.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Berry of Monroe, from citizens of Monroe county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Hutcheon of Greene, from citizens of Greene county, favoring a speed limit on motor vehicles, and opposing increased candle power on automobiles. Motor vehicles and transportation.

By Pattison of Jefferson, from citizens of Jefferson county, favoring a speed limit on motor vehicles, and opposing increased candle power on automobiles. Motor vehicles and transportation.

By Rutledge of Webster, from citizens of Moorland, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Wearin of Mills, from the Emerson post of the American Legion, favoring provision for a State Teachers College at Tabor; and from the officers and directors of the Mills County Farm Bureau, favoring the county assessor plan. Appropriations, and tax revision.

### REPORTS OF COMMITTEES

Bair of Buena Vista, from the committee on motor vehicles and transportation, submitted the following reports:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 458, a bill for an act (1) to amend section six (6) of chapter one hundred twenty-two (122) acts of the forty-third (43rd) general assembly, relating to the time of forwarding motor vehicle or trailer license fee receipts to the secretary of state; (2) to amend section forty-eight hundred eighty (4880) of the code, 1927, relating to time when the vendee of a motor vehicle shall make application for registration of said motor vehicle; (3) to amend section forty-nine hundred twenty-four (4924) of the code, 1927, relating to refunds of motor vehicle license fees and specifying time for filing claim and amount of refund; (4) to amend section forty-nine hundred twenty-five (4925) of the code, 1927, relating to the time of payment of refunds upon motor vehicle license fees; (5) to amend section forty-nine hundred twenty-seven (4927) of the code, 1927, to provide that registration fees upon motor vehicles of dealers and used car dealers are in lieu of other taxes; (6) to amend section fifty hundred twelve (5012) of the code, 1927, by providing for the retention by the county treasurer of twenty-five cents (25c) for each motor vehicle license transferred; (7) to amend section fifty hundred thirteen (5013) of the code, 1927, relating to the date of report of county treasurer to the motor vehicle department pertaining to fees and penalties; (8) to amend chapter two hundred fifty-one (251) of the code, 1927, by inserting therein sections fifty hundred eighteen-d one (5018-d1), fifty hundred eighteen-d two (5018-d2), fifty hundred eighteen-d three (5018-d3), fifty hundred eighteen-d four (5018-d4), fifty hundred eighteen-d five (5018-d5), fifty hundred eighteen-d six (5018-d6) and fifty hundred eighteen-d seven (5018-d7) providing for a period for an official inspection of the safety equipment of motor vehicles upon proclamation by the governor, and authorizing the motor vehicle department to designate, furnish instructions to, and supervise official inspection stations, and authorizing the issuance of official certificates of inspection, and specifying the conditions upon which certificates of inspection may be issued, and authorizing the issuance of regulations pertaining to equipment and condition of repair of motor vehicles, and requiring compliance by owners and operators of motor vehicles with minimum requirements of such regulations, and requiring reports to be made by official inspection stations, and authorizing revocation of the designation of official inspection stations; and prohibiting the operation of motor

vehicles upon the highways in certain cases, and providing a penalty for violation of the provisions relating to operation of motor vehicles found not in such condition to comply with the minimum requirements of regulations of the motor vehicle department, and for violation of provisions relating to the operation of motor vehicles without inspection; (9) to amend section ten thousand three hundred forty-three (10343) of the code, 1927, relating to artisan's liens; (10) to amend section thirteen thousand one hundred eleven-a five (13111-a5) of the code, 1927, to change the penalty for violation of the provisions of chapter five hundred eighty-two-A one (582-A1) of the code, 1927, beg leave to report they have had the same 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 to read as follows:

"A bill for an act (1) to amend section six (6) of chapter one hundred twenty-two (122) acts of the forty-third (43rd) general assembly, relating to the time of forwarding motor vehicle or trailer license fee receipts to the secretary of state; (2) to amend section forty-eight hundred eighty (4880) of the code, 1927, relating to time when the vendee of a motor vehicle shall make application for registration of said motor vehicle; (3) to amend section forty-nine hundred twenty-four (4924) of the code, 1927, relating to refunds of motor vehicle license fees and specifying time for filing claim and amount of refund; (4) to amend section forty-nine hundred twenty-five (4925) of the code, 1927, relating to the time of payment of refunds upon motor vehicle license fees; (5) to amend section forty-nine hundred twenty-seven (4927) of the code, 1927, to provide that registration fees upon motor vehicles of dealers and used car dealers are in lieu of other taxes; (6) to amend section fifty hundred thirteen (5013) of the code, 1927, relating to the date of report of county treasurer to the motor vehicle department pertaining to fees and penalties; (7) to amend section ten thousand three hundred forty-three (10343) of the code, 1927, relating to artisan's liens; (8) to amend section thirteen thousand one hundred eleven-a five (13111-a5) of the code, 1927, to change the penalty for violation of the provisions of chapter five hundred eighty-two-A one (582-A1) of the code, 1927."

2. Further amend by striking all after the enacting clause and insert in lieu thereof the following:

"Section 1. Section six (6) of chapter one hundred twenty-two (122) acts of the forty-third (43rd) general assembly is amended by inserting after the word "department" in line six (6) thereof, the following: "on the day the license is issued".

Sec. 2. Section forty-eight hundred eighty (4880) of the code, 1927, is amended by striking from line three (3) thereof the words "at once" and inserting in lieu thereof the words "on the same day or the next succeeding secular day".

Sec. 3. Section forty-nine hundred twenty-four (4924) of the code,

1927, as amended by chapter one hundred twenty-three (123), acts of the forty-third (43rd) general assembly is repealed and the following enacted in lieu thereof:

"4924. If after a motor vehicle has been registered and the required registration fee paid therefor, such motor vehicle is destroyed by fire or accident, or junked and identity as a motor vehicle entirely eliminated, or stolen, and not recovered by the owner before the expiration of the registration period for which such fee was paid, or sold, and continuously used beyond the boundaries of the state, said owner shall, upon the furnishing of adequate proof of such theft, or destruction by accident, or the junking and entire elimination of identity of a motor vehicle, or sale, be paid a refund on account of the unused portion of the motor vehicle license fee paid for such year. Such refund shall be computed upon a quarterly basis to the end that when the use of such motor vehicle license terminates in the first quarter of the year and proper proof thereof is furnished during such quarter, the amount of refund shall be three-fourths ( $\frac{3}{4}$ ) of the total license fee for the year, and in like manner when the use of such motor vehicle license terminates during the second and third quarters of the year and proper proof of such termination is furnished during such quarter, the amount of refund shall be either one-half ( $\frac{1}{2}$ ) or one-fourth ( $\frac{1}{4}$ ) of the total amount of license fee for the year, as the case may be. No refunds shall be made when the use of such motor vehicle license terminates in the last quarter of the year or when the amount thereof is less than two dollars (\$2.00); and if the use of such motor vehicle license terminates in a particular quarter of the year and proper proof thereof is not furnished to the department within ten (10) days after the ending of the quarter of the year in which said loss occurs, the refunds shall be computed as though the use of the motor vehicle license terminated in the same quarter during which the proof of termination is furnished.

Sec. 4. Section forty-nine hundred twenty-five (4925) of the code, 1927, as amended by chapter one hundred twenty-three (123), acts of the forty-third (43rd) general assembly, is amended as follows:

1. By inserting after the comma (,) in line three (3) thereof, the words "during the quarter following the date".

2. By inserting at the end of said section the following: "The department may also make refunds to correct errors and overcharges on license fees".

Sec. 5. Section forty-nine hundred twenty-seven (4927) of the code, 1927, is amended by striking from lines three (3) and four (4) thereof the following: "and dealers and used car dealers".

Sec. 6. That section fifty hundred thirteen (5013) of the code, 1927, is amended by striking from lines two (2) and three (3) thereof the words "on the fifteenth day of each month" and adding and inserting in lieu thereof the following: "on or before the fifteenth day of the first month

in which the penalty attaches and on or before the fifth day of each succeeding month".

Sec. 7. Section ten thousand three hundred forty-three (10343) of the code, 1927, is amended:

1. By striking from lines eight (8), nine (9) and ten (10) thereof the words "while such property is lawfully in his possession, which possession he may retain until such compensation is paid" and inserting in lieu thereof the words "until such compensation for his service and material is paid".

2. By adding thereto the following: "Whenever such property shall lawfully come into possession of such lien-holder he may retain such possession until such lien is discharged, provided, however, that legal ownership in said property has not changed."

Sec. 8. Section thirteen thousand one hundred eleven-a five (13111-a5) of the code, 1927, is amended by striking from the last line thereof the following: ", or both".

J. PARK BAIR, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred House File No. 456, a bill for an act to amend section forty-nine hundred ten (4910), Code, 1927, relating to license fees on motor vehicles, beg leave to report they have 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. PARK BAIR, *Chairman*.

Passed on file.

Johnson of Marion, from the committee on police regulations and suppression of crime, submitted the following report:

MR. SPEAKER: Your committee on police regulations and suppression of crime, to whom was referred House File No. 448, a bill for an act to repeal the law as it appears in section fifty hundred twenty-seven (5027) of the code, 1927, and to enact a substitute therefor relating to driving a motor vehicle while intoxicated, and prescribing punishments therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. H. JOHNSON, *Chairman*.

Report adopted.

Simmer of Wapello, from the committee on insurance, submitted the following report:



MR. SPEAKER: Your committee on insurance, to whom was referred House File No. 357, a bill for an act to amend Section ninety-one hundred nineteen (9119), Code 1927, relating to licensing of agents, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEONARD SIMMER, *Chairman*.

Report adopted.

Finnern of Crawford, from the committee on printing, submitted the following reports:

MR. SPEAKER: Your committee on printing, to whom was referred House File No. 420, a bill for an act to amend section four hundred twenty-six (426) of the code, 1927, providing for the payment of publication of the federal census, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. C. FINNERN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on printing, to whom was referred House File No. 419, a bill for an act to amend section sixty-two (62) of the code, 1927, providing for the payment of 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 do pass.

H. C. FINNERN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on printing, to whom was referred House File No. 310, a bill for an act to amend section fifty-three hundred ninety-eight (5398) of the code, 1927, pertaining to the selection of official newspapers in the respective 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 do pass.

H. C. FINNERN, *Chairman*.

Report adopted.

#### MOTIONS TO RECONSIDER CALLED UP

Berry on Monroe called up the motion to reconsider the vote by which Senate File No. 1 failed to pass the House, found in

the Journal of March 20th, and moved that the motion to reconsider be laid on the table.

Johnson of Marion moved that action on the motion to table the motion to reconsider be made a special order for Friday at 10:00 a. m.

Johnson of Marion asked and obtained unanimous consent to withdraw his motion providing for a special order on the motion to table.

On the question "Shall the motion to reconsider be tabled?" a roll call was demanded.

The ayes were, 46.

Aiken	Finnern	Malone	Rawlings
Ballew	Forsling	Mathews	Reed
Beath	Garrett	Mayne	Ryder
Berry	Gilmore	Miller	Short
Craven	Hansen of Scott	Nelson of	Stanzel
Davis	Hook	Cherokee	Stiger
Drake of Keokuk	Kern	O'Donnell	Thiessen
Drake of	Koch	Orr	Watts
Muscatine	Kohler	Osborn	Wearin
Durant	Laughlin	Paisley	Whiting
Ellsworth	Lepley	Peaco	Witt
Fabritz	Long	Ratliff	
Figgins			

The nays were, 54.

Allen	Hanson of	McCauley	Rylander
Avery	Winnebago	McCreery	Shields
Babcock	Helgason	McDermott	Simmer
Bonnstetter	Hollingsworth	McLain	Snyder
Brown	Hollis	Mead	Sours
Byers	Hopkins	Millhone	Strachan
Dayton	Hush	Morton	Tamisiea
Donlon	Husted	Nelson of Story	TePaske
Felter	Hutcheon	Pattison	Thompson
Gallagher	Johnson of	Pendray	Torgeson
Gissel	Marion	Randolph	Van Buren
Greaser	Lamb	Reimers	Van Wert
Greene	Langland	Roe	Wamstad
Hansen of	Lichty	Rutledge	Mr. Speaker
Audubon			

Absent or not voting, 8.

Augustine	Ditto	Hayes	Hunt
Bair	Ellriott	Hesse	Randall

Motion to lay the motion to reconsider Senate File No. 1 on the table lost.

Allen of Pocahontas asked unanimous consent to make the

motion to reconsider the vote by which Senate File No. 1 failed to pass the House a special order for Tuesday, March 31st, at 10:00 a. m.

Objection was made.

Allen of Pocahontas moved that the motion to reconsider the vote by which Senate File No. 1 failed to pass the House be made a special order for Tuesday, March 31st, at 10:00 a. m.

Peaco of Clinton moved the previous question.

Allen of Pocahontas asked unanimous consent to withdraw his motion.

Objection was made.

Simmer of Wapello moved that permission be granted to Mr. Allen to withdraw his motion.

Motion prevailed and Mr. Allen's motion was withdrawn.

Berry of Monroe moved that the House proceed with consideration of the motion to reconsider the vote by which Senate File No. 1 failed to pass the House.

Allen of Pocahontas moved that the motion to reconsider the vote by which Senate File No. 1 failed to pass the House, be made a special order for Wednesday, April 1, at 10:00 a. m.

Allen of Pocahontas asked and obtained unanimous consent to withdraw his request for special order.

Berry of Monroe asked and obtained unanimous consent to withdraw his motion to proceed with the consideration of the motion to reconsider the vote by which Senate File No. 1 failed to pass the House.

Hansen of Scott called up Mr. Avery's motion to reconsider the vote by which House File No. 322 failed to pass the House, found in the Journal of March 14th, and moved its adoption.

Greaser of Benton moved the previous question.

Motion prevailed.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 52.

Allen	Figgins	Lamb	Pendray
Avery	Finnern	Lepley	Randall
Beath	Gallagher	Lichty	Rawlings
Bonnstetter	Garrett	McCreery	Reed
Craven	Greaser	McDermott	Rutledge
Davis	Hansen of Scott	Malone	Shields
Dayton	Hollingsworth	Millhone	Sours
Ditto	Hopkins	Nelson of Story	Stiger
Donlon	Husted	O'Donnell	Strachan
Drake of Keokuk	Johnson of	Orr	TePaske
Drake of	Marion	Osborn	Van Wert
Muscatine	Kern	Paisley	Watts
Durant	Koch	Pattison	Witt
Ellsworth		Peaco	

The nays were, 34.

Babcock	Helgason	Miller	Stanzel
Berry	Hook	Nelson of	Tamisiea
Brown	Hush	Cherokee	Thiessen
Byers	Hutcheon	Randolph	Thompson
Forsling	Kohler	Ratliff	Torgeson
Gilmore	Langland	Reimers	Wamstad
Gissel	McLain	Roe	Wearin
Hanson of	Mathews	Ryder	Whiting
Winnebago	Mead	Short	Mr. Speaker

Absent or not voting, 22.

Aiken	Felter	Hollis	Morton
Augustine	Greene	Hunt	Rylander
Bair	Hansen of	Laughlin	Simmer
Ballew	Audubon	Long	Snyder
Elliott	Hayes	McCaulley	Van Buren
Fabritz	Hesse	Mayne	

House refused to reconsider.

Kern of Polk called up his motion to reconsider the vote by which Senate File No. 148 failed to pass the House, found in the Journal of February 27th, and moved its adoption.

On the question "Shall the House reconsider?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 58.

Aiken	Byers	Durant	Hansen of
Allen	Craven	Fabritz	Audubon
Avery	Davis	Felter	Hanson of
Beath	Dayton	Finnern	Winnebago
Berry	Donlon	Gallagher	Helgason
Bonnstetter	Drake of	Gissel	Hollingsworth
Brown	Muscatine		Hollis

Hopkins	Lichty	Pattison	Sours
Hush	Long	Randall	Strachan
Husted	McCreery	Randolph	TePaske
Hutcheon	McLain	Ratliff	Thiessen
Johnson of Marion	Mathews	Reed	Thompson
Kern	Nelson of Cherokee	Rutledge	Wamstad
Lamb	Nelson of Story	Rylander	Whiting
Langland	Orr	Shields	Witt
		Snyder	Mr. Speaker

The nays were, 38.

Babcock	Hook	Miller	Ryder
Ballew	Kohler	Morton	Short
Ditto	Laughlin	O'Donnell	Stanzel
Drake of Keokuk	Lepley	Osborn	Stiger
Ellsworth	McDermott	Paisley	Tamisiea
Figgins	Malone	Peaco	Torgeson
Forsling	Mayne	Pendray	Van Wert
Garrett	Mead	Rawlings	Watts
Greaser	Millhone	Reimers	Wearin
Hansen of Scott		Roe	

Absent or not voting, 12.

Augustine	Gilmore	Hesse	McCaulley
Bair	Greene	Hunt	Simmer
Elliott	Hayes	Koch	Van Buren

Motion prevailed and the House reconsidered.

Kern of Polk moved that the House reconsider the vote by which Senate File No. 148 passed to its third reading.

Motion prevailed.

### SPEAKER'S REQUEST

Speaker requested the House to indicate their desire as to whether a steering committee should be appointed at this time.

On the question "Shall a steering committee be appointed?" a roll call was demanded.

The ayes were, 74.

Allen	Durant	Hansen of	Kern
Avery	Ellsworth	Audubon	Koch
Ballew	Fabritz	Hansen of Scott	Lamb
Beath	Felter	Hanson of	Langland
Bonnstetter	Figgins	Winnebago	Lepley
Brown	Finnern	Hollingsworth	Lichty
Byers	Gallagher	Hollis	Long
Craven	Garrett	Hook	McCreery
Donlon	Gilmore	Hush	McDermott
Drake of Keokuk	Gissel	Husted	McLain
Drake of	Greaser	Johnson of	Malone
Muscatine		Marion	Mathews

Mayne	Orr	Reimers	Tamisiea
Mead	Osborn	Roe	TePaske
Millhone	Pattison	Rutledge	Thompson
Morton	Pendray	Rylander	Torgeson
Nelson of	Randall	Shields	Van Wert
Cherokee	Randolph	Simmer	Wamstad
Nelson of Story	Ratliff	Snyder	Witt
O'Donnell	Reed	Stiger	Mr. Speaker

The nays were, 22.

Aiken	Hopkins	Peaco	Strachan
Babcock	Kohler	Rawlings	Thiessen
Berry	Laughlin	Ryder	Watts
Ditto	Miller	Short	Wearin
Forsling	Paisley	Sours	Whiting
Helgason		Stanzel	

Absent or not voting, 12.

Augustine	Dayton	Hayes	Hutcheon
Bair	Elliott	Hesse	McCaulley
Davis	Greene	Hunt	Van Buren

Speaker authorized to appoint steering committee.

#### APPOINTMENT OF STEERING COMMITTEE

The Speaker appointed the following as members of the steering committee: Torgeson of Worth, Ellsworth of Hardin, Rutledge of Webster, Ditto of Osceola, Beath of Adams, Simmer of Wapello, Laughlin of Fremont, Strachan of Humboldt, and Tamisiea of Harrison.

#### 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. 212, a bill for an act relating to offenses involving bills of lading.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 175, a bill for an act relating to county public hospitals.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 208, a bill for an act relating to the issuance by the Code Editor of annotations to the code.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 211, a bill for an act relating to the filing of claims growing out of a relating to public improvements.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 144, a bill for an act relating to the election and term of office of judges 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. 142, a bill for an act relating to schools and school districts.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 141, a bill for an act relating to the use as evidence of certain records or certified copies.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 136, a bill for an act relative to the legislative recommendations of the code editor.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 140, a bill for an act to provide for the swearing or affirmation of jurors in civil cases.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 138, a bill for an act relating to the investigations, findings, and orders of the state board of eugenics.

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 relating to highways.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 212

Amend by striking from line three (3) Section one (1) the words "each" and "therefrom" and inserting in lieu of the word "therefrom" the words "from each".

## SENATE MESSAGES CONSIDERED

Senate File No. 140, a bill for an act to provide for the swearing or affirmation of jurors in civil cases.

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

Senate File No. 141, a bill for an act to amend section eleven thousand two hundred ninety-one (11291), Code, 1927, relating to the use as evidence of certain records or certified copies thereof.

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

Senate File No. 142, a bill for an act to amend section thirty-five (35), chapter one hundred (100), acts of the forty-third (43) general assembly, relating to schools and school districts.

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

Senate File No. 136, a bill for an act to amend section one hundred fifty-seven (157), Code, 1927, relative to the legislative recommendations of the code editor.

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

Senate File No. 138, a bill for an act to amend section ten (10), chapter sixty-six (66), acts of the forty-third (43) general assembly, relating to the investigations, findings, and orders of the state board of eugenics.

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

Senate File No. 144, a bill for an act to repeal section five hundred fourteen (514), Code, 1927, and to enact a substitute therefor, relating to the election and term of office of judges 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 repeal sections forty-six hundred eighty-six (4686) and forty-eight hundred forty-three (4843), Code, 1927, and to amend sections forty-five hundred



sixty (4560), forty-six hundred seven (4607), forty-six hundred eight (4608), as amended by the forty-third (43rd) general assembly, chapter twenty (20), section sixty-seven (67), forty-six hundred fifty-seven (4657), forty-seven hundred fifty-five-b twenty-seven (4755-b27), forty-eight hundred thirty-one-b one (4831-b1), forty-eight hundred forty-two (4842), forty-eight hundred forty-seven (4847), forty-eight hundred sixty-two (4862), fifty-one hundred fifty-one (5151), fifty-five hundred fifty-six (5556), fifty-five hundred eighty-five (5585), Code, 1927, and chapter twenty-two (22), acts of the forty-third (43rd) general assembly, and to repeal sections forty-six hundred twenty-seven (4627), forty-six hundred twenty-eight (4628), forty-six hundred twenty-nine (4629), forty-eight hundred thirty-four (4834), forty-eight hundred thirty-seven (4837), forty-eight hundred thirty-eight (4838), forty-eight hundred forty-five (4845), forty-eight hundred fifty-six (4856), forty-eight hundred fifty-seven (4857), forty-eight hundred fifty-eight (4858), Code, 1927, and to enact substitutes therefor, relating to the establishment, vacation, alteration, change, construction, use, and maintenance of highways and to the funds and donations set apart and expended for highway purposes, to the duties of the state highway commission and other public officers and public employees with reference to highways, to obstructions in and along highways and the removal of such obstructions, and to coordinate and harmonize the law of this state on the subject of highways.

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

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 23rd, approved the following bills:

House Files Nos. 57, 94, 205, 234, 339, 91 and 156.

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 482, a bill for an act to legalize the payment of funds by Johnson County, Iowa, from the court expense fund, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 10358 of the Code, 1927.

#### MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which the committee report on House File No. 437 was accepted.

FRANK G. SNYDER.

### WHY HOUSE FILE NO. 340 SHOULD NOT BE SUBSTITUTED FOR HOUSE FILE NO. 174

First. Because such a substitution would not permit the Legislature to pass upon each bill separately and independent of each other or upon the merits or demerits of each bill.

Second. Because such a substitution and passage would result in the passage of House File No. 340, which is objectionable for the following, among other, reasons:

#### House File No. 340. Section 1.

(a) No necessity for the Bill since the present law most adequately and correctly covers this same field.

(b) Deprives the Osteopathic Physician of his right to practice the profession in which he is well trained and for which he has been licensed

(c) Converts into a mere masseur the great army of skilled Osteopathic Physicians who have been adequately trained for their profession.

(d) Reduces the Osteopathic Physician, who has qualified for a great profession, to the lowly station of a bath house attendant.

(e) A skillful attempt to destroy the profession of Osteopathy and surgery with its great hospitals and institutions of learning.

(f) Eliminates the Osteopathic Physician as an active competitor of the medical doctor who desires a clear field without competition.

(g) Deprives the general public of the professional services of the Osteopathic Physician upon which they have come to depend, and takes away from them their constitutional right to select their own physician.

(h) Takes away the necessity for any license to practice Osteopathy, since anyone can give massages.

(i) Takes away from the Osteopathic Physician those rights which he has enjoyed for the past thirty years and which are absolutely essential to render to the public the care and treatment which they are daily called upon to give.

(j) A business scheme to destroy all competition. Just another link in the chain by which the medical doctor seeks to have an absolute monopoly.

#### House File No. 340. Section 2.

(a) No necessity, since Section 2551 of the Code already provides adequate regulation.

(b) The Osteopathic profession has already voluntarily required, in addition to their regular four year course, a post graduate course in surgery of either two years or one year plus a further one year internship in a hospital having at least twenty-five beds and equipped for doing major surgery. Then, too, the present law requires the Osteopathic Surgeon to take a special examination and have a special license.

(c) The medical surgeon can legally do any form of major surgery with four years of professional training and one year of internship. The Osteopathic surgeon has voluntarily fixed a high standard for himself, requiring either six years of professional training or five years with one additional year as a surgical assistant.

(d) If this Bill passes there will be no more Osteopathic Surgeons because of an impossible condition in the bill. Lines 14 and 15 of Section 2 of the bill require as a precedent an internship "in a hospital approved by the State Department of Health." These internes are selected by the medical staff of the hospital, and the medical staff is made up of medical doctors, and no Osteopathic Physician could get into any such hospital. Without this he can not be licensed as an Osteopathic Surgeon.

(e) This required condition is as unreasonable as requiring one to pass through a certain door and then padlocking the door and placing an armed guard so that no one could break through.

House File No. 340. Section 3.

(a) This section of the Bill prohibits an Osteopathic Physician from doing that which the law now requires him to do; as well as that which he has been legally permitted to do for the past decade.

Third. Because such a substitution would defeat the passage of House File No. 174 which has the following merits and should be passed in the interest of the people:

(a) Because an Osteopathic student should be permitted to pursue his school course without chance of arrest. (See Section 1.)

(b) Because Section 2 merely restores a lost provision of the 1921 law (Sec. 8, Chapter 77, Acts of the 34th G. A.).

(c) Section 2 is in the interest of the public since it merely raises the standards of the schools of Osteopathy and requires that more subjects be taught. No one could object to a profession voluntarily raising the standards of its own schools.

(d) Because Section 3 limits the practice to what is being taught in their school, and certainly a member of a profession should be permitted to practice what he is taught.

(e) Because Section 4 places certain duties and obligations upon the Osteopathic profession, which duties and obligations are made a part of the statute in the interest of the public.

L. B. FORSLING.

#### AMENDMENTS FILED

Forsling of Woodbury filed the following amendment to Senate File No. 177:

Amend Senate File No. 177:

By striking from line ten (10) of section one (1), the following: "less than two (2) years nor".

Forsling of Woodbury filed the following amendment to Senate File No. 151:

Amend Senate File No. 151 as follows:

By striking from lines six (6) and seven (7) of section one (1), the following: "and in search of or pursuing criminals or law violators".

Forsling of Woodbury filed the following amendment to Senate File No. 152:

Amend Senate File No. 152 as follows:

By striking the word "or" in line three (3) of section one (1), and by inserting at the end of said line the following: "or other weapon".

By changing the comma (,) following "state" in line four (4) to a period (.) and by striking the remainder of said sentence.

By striking from lines nine (9), ten (10), and eleven (11), of said section the following: "or in the apprehension of criminals for some other state, when, in his judgment, the same is advisable".

Whiting of Johnson filed the following amendment to House File No. 340:

Amend House File No. 340, as follows:

By striking the words "vaccines, serums," from line six (6) of section three (3) of said bill.

Ditto of Osceola filed the following amendment to House File No. 128:

Amend House File No. 128, as amended, by striking out the period at the end of Section 1, inserting a comma therein and adding the following:

"and shall be for the first confinement only."

Also Section 4, by striking out the words "in connection with", in the fifth line, and substituting therefor the word "for".

Also that a fifth sub-section be added to Section 4, reading as follows:

"Nothing herein shall prevent the hospital from waiving any such lien by written agreement."

That Section 6 be stricken out and the following enacted in lieu thereof:

"Nothing in this act shall apply to common carriers or to actions by an employee against his or her employer under the Workmen's Compensation Law or common law liability."

Wamstad of Mitchell filed the following amendment to House File No. 461:

Amend House File No. 461 by striking the word "gasoline" wherever the same appears and substituting in lieu thereof the words "motor vehicle fuel".

Also, amend Section 3 by inserting after the word "leased" in line three (3) the words "or owns" and by inserting after the word "owner" in line seven (7) the words "or lessee".

Amend Section 4 by striking the words "owner or" in line three (3).

Amend Section 5 by striking from line six (6) the words "by the public or" and by striking the words "owner or" wherever they appear in lines seven (7), eight (8), fourteen (14), fifteen (15), twenty-three (23), twenty-four (24), twenty-eight (28) and twenty-nine (29).

Hutcheon of Greene and Forsling of Woodbury filed the following amendment to Senate File No. 93:

MR. SPEAKER: We move to amend Senate File No. 93 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section five thousand seventeen a one (5017-a1) code, 1927, be amended by striking the comma (,) at the end of line six (6) and by inserting at the end of said line "and the law of the road,"

Also by striking out the title to said Senate File No. 93 and inserting in lieu thereof:

"A Bill for an act to amend section five thousand seventeen a one (5017-a1) code, 1927, relating to the enforcement of the motor vehicle law and the law of the road."

Ditto of Osceola filed the following amendment to Senate File No. 93:

Amend Senate File No. 93 as follows:

1. By striking from line one (1) of section one (1) thereof, the words: "State Highway Commission" and substituting therefor the words: "secretary of state".
2. By striking from lines nine (9) and ten (10) of said section one (1) the words: "primary road fund" and substituting therefor the words: "maintenance fund of the motor vehicle department".
3. By striking from line one (1) of the title the words: "State Highway Commission" and substituting therefor the words "secretary of state".

On motion of Ballew of Appanoose 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 24, 1931.

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

Prayer was offered by the Rev. Carrie V. A. Lucas, pastor of the Congregational Church, Colwell, Iowa.

Journal of March 23rd corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Avery of Clay for the day, on request of Kern of Polk; Hesse of O'Brien for the day, on request of Ditto of Osceola.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Davis of Delaware, from citizens of Jasper county, favoring making bovine tuberculin testing optional; and favoring a tax on butter, lard and egg substitutes. Animal industry, and agriculture.

By Kern of Polk, from citizens of Des Moines, favoring House File No. 174 and opposing House File No. 340. Public health.

By Randall of Lucas, from citizens of Lucas county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Reed of Mahaska, from citizens of Mahaska county, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Rutledge of Webster, from citizens of Otho, favoring a

regulation of trucks and motor busses; and from citizens of Webster county, favoring a state driver's license law. Motor vehicles and transportation.

By Torgeson of Worth, from the W. C. T. U. of Northwood, and from citizens of Manly, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance, and agriculture.

By Wearin of Mills, from citizens of Emerson and Hasting, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

#### HOUSE FILES WITHDRAWN

Witt of Butler asked and obtained unanimous consent to have House Files Nos. 186 and 187 withdrawn from further consideration of the House.

Hollis of Black Hawk asked and obtained unanimous consent to have House File No. 434 withdrawn from the committee on cities and towns and from further consideration of the House.

Kern of Polk asked and obtained unanimous consent to have House File No. 243 withdrawn from the committee on roads and highways and from further consideration of the House.

#### HOUSE FILE REREFERRED

Brown of Polk asked and obtained unanimous consent to have House File No. 523 withdrawn from the committee on cities and towns and referred to committee on judiciary.

#### RESOLUTION

Torgeson of Worth, chairman of the steering committee, offered the following resolution:

*Be It Resolved by the House of Representatives: That any recommendation of the Steering Committee shall have the same force and effect as the regular order of business, and that any variation from the order outlined by said Steering Committee shall require the same vote by the House as a suspension of the rules for regular order of business.*

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

Torgeson of Worth asked unanimous consent that further action on the resolution be deferred.



Objection was made.

Van Buren of Jones moved that further action on the resolution be deferred.

Motion prevailed.

#### REPORT OF STEERING COMMITTEE

The following report of the steering committee was taken up and considered:

MR. SPEAKER: The steering committee, from its first meeting on Monday March 23rd, 1931, recommends that the following named bills be considered by the House in the order in which they are named:

File No.	Calendar No.	File No.	Calendar No.
H. F. 114.....	1	H. F. 155.....	22
H. F. 257.....	5	H. F. 307.....	25
S. J. R. 10.....	9	S. F. 133.....	31
H. F. 132.....	14	H. F. 368.....	32
H. F. 337.....	15	H. F. 297.....	33

S. R. TORGESON, *Chairman.*

On motion of Torgeson of Worth the report of the committee was adopted.

#### REPORTS OF COMMITTEES

Hanson of Winnebago, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 487, a bill for an act to repeal Section twenty-nine hundred thirty-one (2931) of the Code of 1927 relating to the limitation on associations entitled to participate in farm 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 indefinitely postponed.

H. N. HANSON, *Chairman.*

Passed on file.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 530, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Mason City, Cerro Gordo county, Iowa, its articles of incorporation, the election of officers and board of

trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of re-incorporation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 525, a bill for an act prohibiting persons traveling the primary highways on foot to solicit rides from drivers of motor vehicles other than common carriers, and providing a penalty for the violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 504, a bill for an act to provide for an adjudication, during an administration of an estate, of the identity, existence, share, or interest of any or all persons having, or claiming to have, an interest in the estate, whether as heirs, devisees, legatees, spouse, or otherwise, and to that end to amend chapter five hundred seven (507) of the code, 1927, relating to the settlement of 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 indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 479, a bill for an act adopting standards for the equipment, construction, installation, maintenance, operation and use of steam boilers, unfired pressure vessels, machinery and other apparatus used in the generation of pressure; providing for the enforcement of its provisions and the inspection of boilers, vessels and other machinery by the commissioner of labor authorizing the adoption of rules and regulations by the commissioner, and providing a penalty for violation of the law or adopted rules, beg leave to report they have had the same under considera-

tion and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 312, a bill for an act to amend section thirty-six hundred twelve (3612) of the code, 1927, relating to probation officers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 361, a bill for an act to amend section fourteen hundred three (1403) of the code, 1927, relating to 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 do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 393, a bill for an act prohibiting lobbyists from the floor of the House of Representatives and Senate except upon invitation of such House of Representatives or Senate; and requiring that all lobbyists register with the secretary of state; and providing for 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 indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 515, a bill for an act to amend sections seventy-one hundred and seventy-four (7174) and seventy-one hundred and seventy-seven (7177), Code, 1927, relating to peddlers' licenses and exceptions thereto, beg leave to report they have had the same under consideration

and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 482, a bill for an act to legalize the payment of funds by Johnson County, Iowa, from the court expense 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 538, a bill for an act to amend section ten thousand nine hundred thirty (10930) code, 1927, and providing additional grounds for the revocation or suspension of licenses to practice law.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Shields of Clarke, from the committee on roads and highways, submitted the following reports:

MR. SPEAKER: Your committee on roads and highways, to whom was referred Senate File No. 122, a bill for an act to amend section fifty hundred twenty-one (5021) of the Code of 1927 relating to vehicles turning to the right when overtaken and to prohibit the drivers of overtaken vehicles from increasing their speed for the purpose of hindering the overtaking vehicle; and to provide for the designation and marking of portions of the primary road by the state highway commission and to make it unlawful for vehicles to pass within such designated portions and to provide for penalties therefor and violations 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.

LEROY SHIELDS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred Senate File No. 202, a bill for an act to amend section seventy-seven hundred ninety-six (7796), code, 1927, relating to the erection of

dams which affect state-owned land, and to provide for the protection of highways which may be affected by the erection of such dams, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 494, a bill for an act to amend section forty-eight hundred thirty-five (4835), code, 1927, relating to the removal of obstructions in highway, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 404, a bill for an act to amend section forty-six hundred twenty-six (4626), code, 1927, pertaining to the duties of the state highway commission, and fixing the salary of the chief engineer of the said state highway commission as seven thousand dollars (\$7,000.00), beg leave to report they have 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.

LEROY SHIELDS, *Chairman*.

Passed on file.

Mathews of Des Moines, from the committee on the suppression of intemperance, submitted the following reports :

MR. SPEAKER: Your committee on the suppression of intemperance, to whom was referred House File No. 522, a bill for an act to require persons convicted of intoxication to disclose the source of the liquor responsible for the intoxication or be punished for contempt of court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

HOWARD A. MATHEWS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on the suppression of intemperance, to which was referred House File No. 398, a bill for an act to amend the

law as it appears in Paragraph 10, section two thousand one hundred thirty-six of the Code of Iowa so as to permit dentists to buy, use, and keep for use whiskey, in addition to alcohol, for use in the course of their profession, beg leave to report they have 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.

HOWARD A. MATHEWS, *Chairman*.

Passed on file.

Brown of Polk, from the committee on cities and towns, submitted the following reports:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 498, a bill for an act to amend section sixty-three hundred ten (6310), code, 1927, relating to pension 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 indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 222, a bill for an act to amend section sixty-one hundred (6100), code, 1927, relating to the levy of taxes to pay the cost of work designed for protection from floods, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 451, a bill for an act to repeal section fifty hundred fifty-eight (5058), code, 1927, and to enact a substitute therefor, relating to parking restrictions, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 505, a bill for an act to amend section fifty-seven hundred forty-three (5743), code, 1927, relating to powers of cities and

towns to regulate and license barber shops, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 491, a bill for an act to amend section fourteen hundred twenty-two (1422) of the code, 1927, relating to compensation to be paid by the state out of the general fund of the state to peace officers so as to extend the provisions thereof to include firemen or volunteer fire departments in any city or town so that they may be paid in case of injury and death while in the line of duty, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 81, a bill for an act to amend chapter two hundred ninety-three (293), code, 1927, relating to Park Commissioners by empowering the Board of Park Commissioners in special charter cities having a population of less than twenty-five thousand (25,000) to certify to the City Council an additional tax anticipating the collection thereof and issuing anticipatory warrants for the purpose of erecting clubhouses in public 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 be amended as follows, and when so amended the bill do pass:

1. Strike out all of section two (2).
2. Strike out section three (3) and substitute in lieu thereof, the following:

“Section 3. Anticipation of taxes; borrowing money; issuing anticipatory warrants. The Board of Park Commissioners of cities and towns acting under special charter having a population of less than twenty-five thousand (25,000) is authorized in its discretion to anticipate the collection of taxes levied for park purposes for a period of not to exceed five (5) years for the purpose of erection or restoring clubhouses in public parks owned by such cities where the same have been destroyed, and said board is authorized to borrow money upon and issue anticipatory warrants pledging such tax for such purpose.

3. Strike out Section four (4).

4. Strike out the words "Wapello Republican" in line four (4) of section five (5) and insert the words "West Liberty Index" in lieu thereof, and strike out the word "Wapello" in line five (5) of section five (5) and insert in lieu thereof the words "West Liberty".

5. Amend the title to read as follows:

"An Act to amend chapter two hundred ninety-three (293), code of 1927, relating to park commissioners by empowering the board of park commissioners in special charter cities having a population of less than twenty-five thousand (25,000) to anticipate the collection of taxes for a period of five (5) years, to borrow money upon the same and issue anticipatory warrants for the purpose of erecting clubhouses in public parks."

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 430, a bill for an act to enable cities and towns, by ordinance, to examine, license and bond persons, firms and corporations installing or altering electrical apparatus, conductors and equipment for the utilization of light, heat and power, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 41, a bill for an act to amend section fifty-eight hundred thirty-five (5835) of the code, 1927, relating to municipal bands to provide for municipal appropriation of 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.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 235, a bill for an act to amend section five thousand three hundred and eleven (5311), paragraph one (1) of the code, 1927, relating to the acquiring of settlement by poor 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 do pass.

ED. R. BROWN, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILL

House File No. 538, by committee on judiciary, a bill for an act to amend section ten thousand nine hundred thirty (10930) code, 1927, and providing additional grounds for the revocation or suspension of licenses to practice law.

Read first and second times and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 237, 98, 175, 208 and 211.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 237, 98, 175, 208 and 211.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 24th day of March, 1931, sent to the governor for his approval:

House Files Nos. 237, 98, 175, 208 and 211.

C. J. ORR, *Chairman*.

Report adopted.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 23rd, approved the following bills:

House Files Nos. 92 and 21.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, request a call of the House for consideration of Senate File No. 148 today.

FRED B. WITT  
F. HOLLINGSWORTH  
MARION R. MCCAULLEY  
W. E. LONG  
ED. R. BROWN

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Elliott of Scott, Hesse of O'Brien, Avery of Clay, Laughlin of Fremont, and O'Donnell of Carroll, who, on motion, were excused.

#### CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 148, a bill for an act to amend section ten thousand four hundred twenty-nine (10,429) of the Code, 1927, relating to marriage licenses, and prescribing regulations for the issuance thereof, was taken up for consideration.

Nelson of Story moved the previous question.

Motion prevailed.

Kern 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, 61.

Allen	Hansen of	Langland	Reed
Augustine	Audubon	Lepley	Rutledge
Beath	Hanson of	Lichty	Rylander
Berry	Winnebago	Long	Simmer
Bonnstetter	Helgason	McCaulley	Snyder
Brown	Hollingsworth	McCreery	Sours
Byers	Hollis	McLain	Stanzel
Craven	Hopkins	Mathews	Strachan
Davis	Hush	Morton	TePaske
Durant	Husted	Nelson of	Thiessen
Fabritz	Hutcheon	Cherokee	Thompson
Felter	Johnson of	Nelson of Story	Van Wert
Finnern	Marion	Orr	Wamstad
Gallagher	Kern	Pattison	Whiting
Gilmore	Koch	Randall	Witt
Gissel	Kohler	Ratliff	Mr. Speaker
	Lamb		

The nays were, 38.

Babcock	Garrett	Mead	Roe
Bair	Greaser	Millhone	Ryder
Ballew	Greene	Miller	Shields
Dayton	Hansen of Scott	Osborn	Short
Ditto	Hayes	Paisley	Stiger
Drake of Keokuk	Hook	Peaco	Tamisiea
Drake of	Hunt	Pendray	Torgeson
Muscatine	McDermott	Randolph	Watts
Ellsworth	Malone	Rawlings	Wearin
Figgins	Mayne	Reimers	

Absent or not voting, 9.

Aiken	Elliott	Hesse	O'Donnell
Avery	Forsling	Laughlin	Van Buren
Donlon			

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

Kern of Polk moved that the vote by which Senate File No. 148 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Simmer of Wapello asked and obtained unanimous consent to have four hundred additional copies of House File No. 151, as amended by the Senate and passed by the House, printed.

#### HOUSE RESOLVED ITSELF INTO A COMMITTEE OF THE WHOLE

Nelson of Story moved that the House resolve itself into a

committee of the whole for the consideration of House Files Nos. 174 and 340.

On the question "Shall the House resolve itself into a committee of the whole?" a roll call was demanded.

The ayes were, 87.

Allen	Forsling	Lamb	Ratliff
Augustine	Gallagher	Langland	Reed
Babcock	Gilmore	Laughlin	Reimers
Bair	Gissel	Lepley	Roe
Ballew	Greaser	Lichty	Rutledge
Beath	Hansen of	McCreery	Rylander
Bonnstetter	Audubon	McDermott	Short
Brown	Hansen of Scott	McLain	Simmer
Byers	Hanson of	Malone	Snyder
Craven	Winnebago	Mathews	Sours
Davis	Helgason	Mayne	Stanzel
Dayton	Hollingsworth	Mead	Stiger
Ditto	Hollis	Millhone	Strachan
Donlon	Hook	Miller	TePaske
Drake of Keokuk	Hopkins	Morton	Thompson
Drake of	Hush	Nelson of	Torgeson
Muscatine	Husted	Cherokee	Van Buren
Durant	Hutcheon	Nelson of Story	Van Wert
Ellsworth	Johnson of	Orr	Wamstad
Fabritz	Marion	Paisley	Watts
Felter	Kern	Pattison	Wearin
Figgins	Koch	Pendray	Witt
Finnern	Kohler	Randolph	Mr. Speaker

The nays were, 11.

Garrett	Peaco	Ryder	Thiessen
Greene	Randall	Shields	Whiting
Osborn	Rawlings	Tamisiea	

Absent or not voting, 10.

Aiken	Elliott	Hesse	McCaulley
Avery	Hayes	Hunt	O'Donnell
Berry		Long	

Motion prevailed and the House resolved itself into a committee of the whole.

On motion of Hayes of Dubuque the committee of the whole arose.

The House reconvened, Speaker Johnson in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE

Nelson of Story, chairman of the committee of the whole, submitted the following report:

MR. SPEAKER: The committee of the whole, to which was referred House Files Nos. 340 and 174, beg 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 recommendation:

That House Files Nos. 340 and 174 and all pending amendments be referred to a committee of six members of the House to work out a bill and report to the House, the committee to be appointed by the chairman in conjunction with proponents of the bills; and that House Files Nos. 340 and 174 retain their place on the calendar.

FRED W. NELSON, *Chairman.*

Report adopted.

### CONSIDERATION OF SENATE AMENDMENTS

On request of Forsling of Woodbury, House File No. 212, a bill for an act to amend sections eighty-two hundred eighty-eight (8288) to eighty-two hundred ninety-four (8294), inclusive, Code, 1927, and to provide the place of imprisonment when convictions are had under said sections, all relating to offenses involving bills of lading, with Senate amendment, was taken up and the amendment read and considered.

### SENATE AMENDMENT TO HOUSE FILE NO. 212

Amend by striking from line three (3) Section one (1) the words "each" and "therefrom" and inserting in lieu of the word "therefrom" the words "from each".

Mr. Forsling moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 75.

Allen	Fabritz	Hunt	Malone
Augustine	Figgins	Johnson of	Mathews
Babcock	Finnern	Marion	Mayne
Bair	Forsling	Koch	Miller
Ballew	Garrett	Kohler	Morton
Beath	Gissel	Lamb	Nelson of
Berry	Greaser	Langland	Cherokee
Craven	Hansen of	Laughlin	Orr
Dayton	Audubon	Lepley	Osborn
Donlon	Hansen of Scott	Lichty	Pattison
Drake of Keokuk	Hanson of	Long	Pendray
Drake of	Winnebago	McCaulley	Randolph
Muscatine	Helgason	McCreery	Ratliff
Durant	Hollis	McDermott	Rawlings
Ellsworth	Hopkins	McLain	Reed

Reimers	Shields	Stanzel	Van Buren
Roe	Short	Strachan	Wamstad
Rutledge	Simmer	TePaske	Wearin
Ryder	Snyder	Thiessen	Witt
Rylander	Sours	Thompson	Mr. Speaker

The nays were, none.

Absent or not voting, 33.

Aiken	Gallagher	Husted	Peaco
Avery	Gilmore	Hutcheon	Randall
Bonnstetter	Greene	Kern	Stiger
Brown	Hayes	Mead	Tamisiea
Byers	Hesse	Millhone	Torgeson
Davis	Hollingsworth	Nelson of Story	Van Wert
Ditto	Hook	O'Donnell	Watts
Elliott	Hush	Paisley	Whiting
Felter			

The House concurred in Senate amendment to House File No. 212.

#### RULE 58 INVOKED

Garrett of Wayne invoked Rule 58 with reference to House File No. 65 and it was placed on the calendar.

#### COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

*Mr. President, Mr. Speaker, Senators and Representatives of the Forty-fourth General Assembly:*

In my first message to the Legislature I called attention to the vital necessity of obtaining in this General Assembly thorough revision of our ancient tax system. In my closing statement on that subject I said:

"In the face of the present exigency, thorough and genuine tax revision is demanded. It is a 'condition and not a theory' confronting us. If I am any judge of the temper of the people nothing less than a thorough revision of the entire tax system will meet with their approval. To fail them now would be plain evasion of our duty. Half-hearted revision is little better than no revision. Let us be sure when we have finished in this session with this great undertaking that wealth and income now escaping are required to make their fair contribution to the cost of government."

There has been no change in conditions or in public sentiment that would justify us if we permit the session to come to a close having failed in our duty in this respect.

Enact legislation here that will lift part of the ever increasing burden of taxation from visible property and you will have accomplished more

for the economic welfare of your constituents than can be accomplished in any other way.

We are aware that certain selfish organized interests are using every means at their disposal to defeat the State Income Tax. Their assault does not alter the fact that this is a fair principle of taxation and the responsibility is now on the Senate to cooperate with the House in the passage of an Income Tax Bill. There is no merit to the argument that an Income Tax will not become a replacement tax. It will reduce the State levy by the amount collected by way of income tax thus reducing the property tax on all property in the State of Iowa.

All the arguments made against the Income Tax resolve into mere obstructive tactics. They come largely from individuals and organizations who are not carrying their share of the tax burden and who seem to conclude that the people will acquiesce in a situation where one-half of the wealth of the State, represented by visible property, pays more than ninety-six per cent of all the taxes. The people have spoken as plainly on this matter of tax revision as they have ever spoken on any question of needed legislation in our State.

Iowa is one of the few states that has no business tax. Therefore, we should have a corporation income tax, justly applied to reach the profits of corporations, gained within the borders of our State. The argument that it will discourage manufacturing industry is without merit. Certain lines of business may attempt to escape but business generally does not fear an income tax, for the reason that an income tax is based on the principle that no tax is paid unless and until the business is a success and then not in a measure to hurt the business, but only in sufficient amount to permit the corporation to contribute fairly to the cost of government. It is a significant fact, that States having a corporation Income Tax, have more than held their own in the development of manufacturing industries. In the number of men employed in factories and in factory production, the corporation income tax States show a percentage of increase, greater than that enjoyed by surrounding States.

I believe the State Income Tax should be applied only to those individuals who are subject to the Federal Income Tax. In this connection if we accept the Federal basis and Federal check, it will greatly reduce the cost of administering the law.

I am in favor of exempting the smaller incomes and raising the rate on the higher incomes and provide an Income Tax on corporations. By so doing you will have taken a long step toward fulfilling the expectation of the people in providing a method of reaching wealth that heretofore has escaped taxation.

In formulating the individual Income Tax it has always been my opinion that the exemptions should be substantially higher than those granted in the bill that is under consideration. We must agree that there should be exempted from the Income Tax, wages and earnings needed to maintain the family in necessities and to educate the children. I am opposed

to any provision whereby a person not subject to a tax shall be required to make a return.

If we address ourselves earnestly to this problem we can bring about legislation that will be fair to every individual and every interest; that will spread out the tax burden equitably among our people; that will revive hope and bring a measure of justice to the farmers, laborers, home owners, to business and in fact, to the overwhelming majority of the people of our State.

Respectfully submitted,

DAN W. TURNER, *Governor*.

March 24, 1931.

### 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. 50, a bill for an act relating to connections under water works trustees.

Also, that the State herewith transmits to you an engrossed copy, as requested, of Senate File No. 90, relating to improvement, maintenance, relocation or establishment of primary roads.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 232, a bill for an act relating to collection of motor vehicle license fees.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 143, a bill for an act relating to the contents of an original notice of suit.

Also, 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 membership of boards of supervisors.

WALTER H. BEAM, *Secretary*.

### SENATE MESSAGES CONSIDERED

Senate File No. 51, a bill for an act to fix and prescribe the membership of boards of supervisors in counties having a population less than ninety thousand (90,000), to terminate the term



of office of members of said boards in said counties having more than three members, to provide for the election of their successors at large or by districts, and to provide for such districts and for changes therein.

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

Senate File No. 143, a bill for an act to amend section eleven thousand fifty-five (11055), Code, 1927, relating to the contents of an original notice of suit.

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

Senate File No. 232, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), of the Code, 1927, relating to the collection of motor vehicle license fees.

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

#### AMENDMENTS FILED

Brown of Polk filed the following amendment to Senate Joint Resolution No. 10:

Amend Senate Joint Resolution No. 10 as follows:

1. By inserting after the word "conservation" in line one (1), section one (1), the words, "and fish and game department".
2. By inserting after the word "conservation" in line two (2), section two (2), the words, "and fish and game department".

Whiting of Johnson filed the following amendment to House File No. 68:

Amend House File No. 68 as follows:

1. By adding thereto as section seventeen (17):

"Sec. 17. Provided that the provisions of this bill shall apply only to

independent rural districts now operating a school above eighth (8th) grade."

Rylander of Marshall filed the following amendment to House File No. 11:

Amend House File No. 11 as follows:

By striking from line twenty-five (25) section one (1) the word "Johnson" and inserting the word "Marshall".

By striking from line twenty-nine (29) section one (1) the word "Marshall" and inserting the word "Benton".

By striking from line sixty-nine (69) section one (1) the word "Benton" and inserting the word "Johnson".

Rutledge of Webster filed the following amendment to House File No. 285:

Amend House File No. 285 by striking from line four (4) of section one (1) the word "retail" and insert in lieu thereof the words, "current list price".

Watts of Van Buren filed the following amendment to House File No. 174:

Amend House File No. 174 by striking therefrom all after the enacting clause and by substituting for the matter so stricken the following:

"Section 1. That the law as it appears in Section twenty-five hundred fifty-three (2553) of the Code, 1927, be amended by inserting between lines 55 and 56 thereof the following sentence:

This curriculum shall also embody necessary instruction in anesthetics, antiseptics, germicides, parasitocides, narcotics and antidotes.

Section 2. That the law as it appears in Section twenty-five hundred fifty-four (2554) of the Code, 1927, be amended by adding thereto, at the end thereof, the following sentence:

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."

Watts of Van Buren filed the following amendment to House File No. 340:

Amend House File No. 340 by striking therefrom all after the enacting clause and by substituting for the matter so stricken the following:

"Section 1. That the law as it appears in Section twenty-five hundred fifty-three (2553) of the Code, 1927, be amended by inserting between lines 55 and 56 thereof the following sentence:

This curriculum shall also embody necessary instruction in anesthetics, antiseptics, germicides, parasiticides, narcotics and antidotes.

Section 2. That the law as it appears in Section twenty-five hundred fifty-four (2554) of the Code, 1927, be amended by adding thereto, at the end thereof, the following sentence:

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."

On motion of Hutcheon of Greene 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 25, 1931.

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

Prayer was offered by Rabbi Lewis B. Grossman of the Tifereth Israel Community Synagogue, Des Moines.

Journal of March 24th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Simmer of Wapello for the balance of the week, on request of Fabritz of Wapello.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Augustine of Ringgold, from citizens of Ringgold county, opposing the county assessor bill, compulsory military training, the "Salary Grab Act", establishment of a state police system, teachers' minimum wage act, and tax free securities, and supporting a cut in appropriations for Iowa State College and the University of Iowa, an investigation of Lieut. Gov. Arch McFarlane's coal brokerage business, an income tax on corporations, an election of the county superintendent of schools by popular vote, cessation of road building until what has been constructed is paid for, against making mandatory the county appropriation for the farm bureau, taxation and regulation of public utilities, and making the testing of cattle optional. Tax revision.

By Allen of Pocahontas, from citizens of Plover, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Ellsworth of Hardin, from citizens of Union, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Patterson of Jefferson, from citizens of Lockridge, supporting House Files Nos. 483 and 519. Tax revision.

By Reed of Mahaska, from citizens of Mahaska county, favoring House Files Nos. 522 and 388 and opposing House File No. 398. Suppression of intemperance.

By Rutledge of Webster, from citizens of Badger and Fort Dodge, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Snyder of Hamilton, from the town council of Jewell Junction, favoring a diversion of the primary road funds. Roads and highways.

By TePaske of Sioux, from 93 citizens of Lacona, and from 41 citizens of Manilla, favoring House Files Nos. 522 and 388 and opposing House File No. 398. Suppression of intemperance.

By Ratliff of Henry, from citizens of Winfield, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Nelson of Story, from citizens of McCallsburg, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Laughlin of Fremont, from citizens of Hamburg, favoring House Files Nos. 388 and 522, and opposing House File No. 398. Suppression of intemperance.

By Witt of Butler, from citizens of New Hartford, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

#### REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee recommends that the following bills be considered by the House in the order in which the same are listed:

House File No. 337.....	Calendar No. 15
House File No. 307.....	Calendar No. 25
Senate File No. 133.....	Calendar No. 31
House File No. 368.....	Calendar No. 32
House File No. 297.....	Calendar No. 33

House File No. 112.....	Calendar No. 26
House File No. 395.....	Calendar No. 36
Senate File No. 177.....	Calendar No. 56
House File No. 309.....	Calendar No. 100
House File No. 11.....	Calendar No. 92
Senate File No. 25.....	Calendar No. 118
House File No. 352.....	Calendar No. 121
House File No. 399.....	Calendar No. 167
House File No. 294.....	Calendar No. 86

S. R. TORGESON, *Chairman.*

Report adopted.

### REPORTS OF COMMITTEES

Van Wert of Franklin, from the committee on animal industry, submitted the following reports:

MR. SPEAKER: Your committee on animal industry, to whom was referred House File No. 336, a bill for an act to repeal the law as it appears in sections one (1), two (2), four (4), five (5), seven (7), nine (9), and ten (10), of Chapter seventy-five (75), of the laws of the Forty-third General Assembly of Iowa, and to enact substitutes therefore, relating to the eradication of bovine tuberculosis; and to establish the county area plan for the eradication of bovine tuberculosis as it existed under the provisions of Chapter one hundred twenty-nine (129) of the Code of Iowa, 1927, and to repeal the state-wide area plan as established and enacted by Chapter seventy-five (75), of the laws of the Forty-third 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 be indefinitely postponed.

G. E. VAN WERT, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on animal industry, to whom was referred House File No. 492, a bill for an act to amend section fifty-four hundred forty-eight (5448), Code, 1927, so as to provide for the impounding and disposal of dogs running at large, between sunset and sunrise, and not under the immediate control of some person, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. E. VAN WERT, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on animal industry, to whom was referred House File No. 436, a bill for an act to amend Chapter one hun-

dred forty-two (142), code, 1927, changing the date for notification of intentions of holding local poultry shows, and providing that counties which do not hold a local show may hold a district show and may consolidate their state aid in holding such district shows, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. E. VAN WERT, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on animal industry, to whom was referred House File No. 417, a bill for an act relating to dogs and the licensing thereof, and to repeal section fifty-four hundred twenty-five (5425), Code of 1927, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. E. VAN WERT, *Chairman*.

Passed on file.

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 531, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held in the city of Chicago, Illinois, in the year, 1933, and to make an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations has introduced to the House, House File No. 539, a bill for an act to make an appropriation for the purpose of enforcing the provisions of a certain act known and designated in the legislative proceedings of the Forty-fourth (44th) General Assembly as House File No. 106 and entitled "An Act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture."

The committee on appropriations recommends to the House that the bill do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Byers of Linn, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 510, a bill for an act to amend section six hundred forty-three (643), code of 1927, relating to the printing of names on primary ballots, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

FRANK C. BYERS, *Chairman*.

Report adopted.

Thompson of Fayette, from the committee on labor, submitted the following reports:

MR. SPEAKER: Your committee on labor, to whom was referred House File No. 463, a bill for an act to regulate the number of hours that drivers of Commercial motor vehicles for hire shall be on duty in each twenty-four (24) hours and to prescribe penalties for violation thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

THORE THOMPSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on labor has introduced to the House, House File No. 548, a bill for an act to repeal section fifteen hundred forty-six-a one (1546-a1) of the code, 1927, as amended, and to enact a substitute therefore, relating to employment agencies, and the fee to be charged for services rendered thereby.

The committee on labor recommends to the House that the bill do pass.

THORE THOMPSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on labor has introduced to the House, House File No. 549, a bill for an act to amend sections fifteen hundred twenty-six (1526) and fifteen hundred thirty (1530) of the code, 1927, relating to child labor and the regulation thereof.



The committee on labor recommends to the House that the bill do pass.

THORE THOMPSON, *Chairman*.

Report adopted.

Hopkins of Guthrie, from the committee on schools and textbooks, submitted the following reports:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 325, a bill for an act to repeal chapter one hundred two (102), acts of the forty-third (43rd) general assembly, relating to attaching and detaching territory; to amend section four thousand one hundred fifty-two (4152), code, 1927, relating to the subdivision of independent districts, and to enact a law fixing a minimum limitation upon the size of independent school districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 273, a bill for an act to amend section forty-one hundred fifty-two (4152) of the code, 1927, and provide a means of subdivision of independent districts having two centers of population separated by an uninhabited zone two thousand (2000) feet or more in width, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 383, a bill for an act to amend section one hundred thirteen (113), code, 1927, relating to the examination of the financial condition and transactions of certain public offices, so as to provide for a like examination of all public school corporations except school townships and rural independent districts and for a uniform system of cost accounting in all school corporations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 447, a bill for an act to amend the law as it appears in section forty hundred ninety-seven (4097), code, 1927, relating to the qualifications of the county superintendent, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 394, a bill for an act to repeal section forty-three hundred seventeen (4317), code, 1927, and to enact a substitute therefor, and to amend section forty-four hundred three (4403), code, 1927, relating to school 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.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 527, a bill for an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 526, a bill for an act to repeal the law as it appears in sections forty hundred ninety-six (4096) to forty-one hundred five (4105), inclusive, of the code, 1927, relating to the election of county superintendent, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. M. HOPKINS, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 509, a bill for an act to amend section four thousand one hundred fifty-five (4155), code, 1927, to provide for a petition of one-third ( $\frac{1}{3}$ ) of the land owners in the territory proposed as a consolidated 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.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks has introduced to the House, House File No. 546, a bill for an act to amend section forty-two hundred sixty-one (4261) of the code, 1927, relating to the teaching of elementary agriculture, domestic science and manual training.

Your committee on schools and textbooks recommends to the House that the bill do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred House File No. 345, a bill for an act to amend section forty-three hundred fifty-six (4356), code, 1927, relating to publication of notice of school election, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. M. HOPKINS, *Chairman*.

Report adopted.

Bair of Buena Vista, from the committee on motor vehicles and transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicles and transportation has introduced to the House, House File No. 547, a bill for an act relating to motor trucks, except such motor trucks as operate between fixed termini and are subject to the provisions of chapter two hundred fifty-two-A two (252-A2) of the code, 1927, providing for the levy and collection of a tax to be paid for the use of the highways, to aid in the construction, maintenance and repair of the highways and for the administration of this act; empowering the secretary of state to make rules and regulations for the operation of such trucks and to carry out the provisions of the act and enforcement thereof, fixing penalties for the violation of the act and rules and regulations made thereunder.

The motor vehicles and transportation committee recommends to the House that the bill do pass.

J. PARK BAIR, *Chairman.*

Report adopted.

Hush of Montgomery, from the committee on ways and means, submitted the following reports:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 37, a bill for an act to amend section six thousand thirty-three (6033), code, 1927, as amended by chapter one hundred eighty-one (181) of the laws of the forty-third general assembly relating to interest and penalty on special assessments for stock improvements, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

HOMER HUSH, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 534, a bill for an act relating to the taxation of corporations and corporation shares of stock; providing for a franchise tax upon corporations organized or doing business in this state and amending the law as it appears in sections sixty-nine hundred forty-four (6944), sixty-nine hundred eighty-five (6985), seventy hundred eight (7008), seven thousand forty-two (7042), seven thousand eighty-nine (7089), eighty-four hundred forty-two (8442) and eighty-four hundred forty-three (8443) of the code, 1927, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

HOMER HUSH, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on ways and means, to whom was referred House File No. 353, a bill for an act to impose a license fee upon all natural gas, or gas a part of which is natural gas, carried in pipe lines, and which is used or otherwise disposed of in this state for any purpose whatsoever, and providing for the payment, collection, distribution and expenditure of said fee, and providing for penalties for violation of this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

HOMER HUSH, *Chairman.*

Passed on file.

Hush of Montgomery, chairman of the committee on ways and means, moved that the report of the committee recommending that House File No. 353 be indefinitely postponed be adopted.

Rutledge of Webster moved the previous question.

Motion prevailed.

On the question "Shall the report of the committee be adopted?" a roll call was demanded.

The ayes were, 33.

Avery	Ellsworth	Hopkins	Millhone
Bair	Fabritz	Husted	Rutledge
Brown	Forsling	Hutcheon	Ryder
Byers	Gilmore	Johnson of	Snyder
Dayton	Greene	Marion	Stiger
Ditto	Hansen of	Kern	Tamisiea
Drake of Keokuk	Audubon	McCaulley	Wearin
Drake of	Hesse	McCreery	Whiting
Muscatine	Hollingsworth	Mayne	Witt

The nays were, 64.

Allen	Greaser	Malone	Roe
Augustine	Hanson of	Mathews	Rylander
Babcock	Winnebago	Mead	Shields
Ballew	Helgason	Nelson of	Short
Beath	Hollis	Cherokee	Sours
Berry	Hook	Nelson of Story	Stanzel
Bonnstetter	Hunt	O'Donnell	Strachan
Craven	Hush	Paisley	TePaske
Davis	Kohler	Pattison	Thiessen
Donlon	Lamb	Peaco	Thompson
Durant	Langland	Pendray	Torgeson
Felter	Laughlin	Randall	Van Buren
Figgins	Lepley	Randolph	Van Wert
Finnern	Lichty	Ratliff	Wamstad
Gallagher	Long	Rawlings	Watts
Garrett	McLain	Reed	Mr. Speaker
Gissel		Reimers	

Absent or not voting, 11.

Aiken	Hayes	Miller	Osborn
Elliott	Koch	Morton	Simmer
Hansen of Scott	McDermott	Orr	

Committee report rejected.

Nelson of Story, chairman of the committee on judicial and political districts, submitted the following report:

MR. SPEAKER: We, your committee on judicial and political districts, to whom was referred House File No. 442, a bill for an act to repeal section five hundred twenty-six a one (526-a1) of the code, 1927, and to enact a substitute therefor, redistricting the state into nine (9) congres-

sional districts, beg leave to report that we have had the same under consideration and return the same with the recommendation that the House resolve itself into a committee of the whole for further consideration, and with the recommendation that the bill do pass.

FRED W. NELSON, *Chairman.*

Report adopted.

### SPECIAL ORDER MADE

Nelson of Story moved that House File No. 442 be made a special order for Friday, March 27th, at 10:00 a. m.

Torgeson of Worth moved to amend the motion by making it a special order for Wednesday, April 1st, at 10:00 a. m.

Hush of Montgomery moved the previous question on the amendment and the main motion.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 60.

Augustine	Gissel	McDermott	Short
Babcock	Greaser	Malone	Snyder
Ballew	Hansen of Scott	Mead	Sours
Beath	Hanson of	Morton	Stiger
Berry	Winnebago	O'Donnell	Thiessen
Bonnstetter	Hayes	Osborn	Thompson
Byers	Helgason	Paisley	Torgeson
Craven	Hollis	Peaco	Van Buren
Davis	Hook	Pendray	Wamstad
Donlon	Hush	Randolph	Watts
Drake of Keokuk	Koch	Rawlings	Wearin
Fabritz	Kohler	Reed	Whiting
Figgins	Langland	Reimers	Witt
Finnern	Laughlin	Roe	
Gallagher	Long	Ryder	
Garrett	McCreery	Shields	

The nays were, 41.

Allen	Hansen of	Lepley	Randall
Avery	Audubon	Lichty	Ratliff
Bair	Hesse	McCaulley	Rutledge
Brown	Hollingsworth	McLain	Rylander
Drake of	Hopkins	Mathews	Stanzel
Muscatine	Hunt	Mayne	Strachan
Durant	Husted	Millhone	Tamisiea
Ellsworth	Hutcheon	Nelson of	TePaske
Felter	Johnson of	Cherokee	Van Wert
Forsling	Marion	Nelson of Story	Mr. Speaker
Greene	Kern	Orr	
	Lamb	Pattison	

Absent or not voting, 7.

Aiken  
Dayton

Ditto  
Elliott

Gilmore  
Miller

Simmer

Amendment adopted.

Motion, as amended, prevailed and House File No. 442 was made a special order for Wednesday, April 1, at 10:00 a. m.

### INTRODUCTION OF BILLS

House File No. 539, by committee on appropriations, a bill for an act to make an appropriation for the purpose of enforcing the provisions of a certain act known and designated in the legislative proceedings of the Forty-fourth (44th) General Assembly as House File No. 106 and entitled "An Act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture."

Read first and second times and passed on file.

House File No. 540, by committee on claims, a bill for an act to make an appropriation to Van. L. Woodruff, for Iowa soldier's bonus.

Read first and second times and referred to committee on appropriations.

House File No. 541, by committee on claims, a bill for an act to make an appropriation to H. D. Coe.

Read first and second times and referred to committee on appropriations.

House File No. 542, by committee on claims, a bill for an act to make an appropriation to Earl E. Hunt.

Read first and second times and referred to committee on appropriations.

House File No. 543, by committee on claims, a bill for an act to make an appropriation to George Brown.

Read first and second times and referred to committee on appropriations.

House File No. 544, by committee on claims, a bill for an act to make an appropriation to H. A. Stearns.

Read first and second times and referred to committee on appropriations.

House File No. 545, by committee on claims, a bill for an act to make appropriations to Tama County, Iowa, Greene County, Iowa, and Story County, Iowa, for payment of taxes.

Read first and second times and referred to committee on appropriations.

House File No. 546, by committee on schools and textbooks, a bill for an act to amend section forty-two hundred sixty-one (4261) of the code, 1927, relating to the teaching of elementary agriculture, domestic science and manual training.

Read first and second times and passed on file.

House File No. 547, by committee on motor vehicles and transportation, a bill for an act relating to motor trucks, except such motor trucks as operate between fixed termini and are subject to the provisions of chapter two hundred fifty-two-A two (252-A2) of the code, 1927, providing for the levy and collection of a tax to be paid for the use of the highways, to aid in the construction, maintenance and repair of the highways and for the administration of this act; empowering the secretary of state to make rules and regulations for the operation of such trucks and to carry out the provisions of the act and enforcement thereof, fixing penalties for the violation of the act and rules and regulations made thereunder.

Read first and second times and passed on file.

House File No. 548, by committee on labor, a bill for an act to repeal section fifteen hundred forty-six-a one (1546-a1) of the code, 1927, as amended, and to enact a substitute therefor, relating to employment agencies, and the fee to be charged for services rendered thereby.

Read first and second times and passed on file.

House File No. 549, by committee on labor, a bill for an act to amend sections fifteen hundred twenty-six (1526) and fifteen



hundred thirty (1530) of the code, 1927, relating to child labor and the regulation thereof.

Read first and second times and passed on file.

#### HOUSE CONCURRENT RESOLUTION NO. 13

Bair of Buena Vista offered the following concurrent resolution:

*Resolved by the House, the Senate Concurring:* That when adjournment is had on Wednesday afternoon, April 15, 1931, it be to reconvene on Tuesday afternoon, August 18, 1931, at 2:00 p. m.

Laid over under Rule 34.

#### CONSIDERATION OF BILLS

House File No. 114, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164) of the code, 1927, so as to provide for the distribution of the tax realized on money and credits to district school funds, with report of committee recommending passage; was taken up for consideration.

Hush of Montgomery asked and obtained unanimous consent to withdraw the amendment filed by him and found in the Journal of March 16th.

Hush of Montgomery called up the amendment filed by him, found in the Journal of March 17th and moved its adoption.

Koch of Bremer moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 16.

Babcock	Felter	Hush	Short
Beath	Hanson of	Husted	Snyder
Bonnstetter	Winnebago	Mead	Sours
Craven	Hopkins	Shields	Wamstad
Durant			

The nays were, 75.

Aiken	Avery	Berry	Ditto
Allen	Bair	Brown	Donlon
Augustine	Ballew	Byers	Drake of Keokuk

Drake of	Hunt	Millhone	Roe
Muscatine	Hutcheon	Morton	Rutledge
Ellsworth	Johnson of	Nelson of Story	Ryder
Fabritz	Marion	O'Donnell	Rylander
Figgins	Kern	Orr	Stanzel
Finnern	Koch	Osborn	Stiger
Gallagher	Kohler	Paisley	Strachan
Garrett	Langland	Pattison	Thiessen
Gilmore	Laughlin	Peaco	Thompson
Gissel	Lepley	Pendray	Torgeson
Greaser	Lichty	Randall	Van Buren
Hansen of	Long	Randolph	Van Wert
Audubon	McCaulley	Ratliff	Wearin
Hesse	McDermott	Rawlings	Whiting
Hollingsworth	McLain	Reed	Witt
Hollis	Malone	Reimers	Mr. Speaker
Hook	Mathews		

Absent or not voting, 17.

Davis	Hansen of Scott	McCreery	Simmer
Dayton	Hayes	Mayne	Tamisiea
Elliott	Helgason	Miller	TePaske
Forsling	Lamb	Nelson of	Watts
Greene		Cherokee	

Amendment lost.

Koch of Bremer moved the previous question on the main bill.

Motion prevailed.

Drake of Keokuk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 77.

Aiken	Garrett	Lepley	Rawlings
Allen	Gilmore	Lichty	Reed
Augustine	Gissel	Long	Reimers
Bair	Greaser	McCaulley	Roe
Ballew	Hansen of	McCreery	Rutledge
Beath	Audubon	McDermott	Ryder
Berry	Hayes	McLain	Shields
Bonnstetter	Hesse	Malone	Stiger
Brown	Hollingsworth	Mathews	Strachan
Byers	Hollis	Mayne	Tamisiea
Craven	Hook	Millhone	TePaske
Davis	Hopkins	Morton	Thiessen
Drake of Keokuk	Hunt	Nelson of Story	Torgeson
Drake of	Hutcheon	Orr	Van Buren
Muscatine	Johnson of	Osborn	Van Wert
Ellsworth	Marion	Paisley	Wamstad
Fabritz	Kern	Pattison	Wearin
Felter	Koch	Peaco	Whiting
Finnern	Langland	Pendray	Witt
Gallagher	Laughlin	Randolph	Mr. Speaker

The nays were, 15.

Avery	Hush	Mead	Short
Babcock	Husted	O'Donnell	Sours
Durant	Kohler	Randall	Thompson
Hanson of Winnebago	Lamb	Rylander	

Absent or not voting, 16.

Dayton	Forsling	Miller	Simmer
Ditto	Greene	Nelson of	Snyder
Donlon	Hansen of Scott	Cherokee	Stanzel
Elliott	Helgason	Ratliff	Watts
Figgins			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Drake of Keokuk moved that the vote by which House File No. 114 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 257, a bill for an act to authorize the attorney general to enter into a contract for the use of a special police radio broadcasting system and to authorize the procurement of special radio receiving sets to be used in connection with said system by the state, counties and municipalities thereof for police purposes only, and to provide for the payment of the cost thereof, with report of committee recommending passage, was taken up for consideration.

Johnson of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 88.

Aiken	Donlon	Hansen of	Hush
Augustine	Drake of Keokuk	Audubon	Husted
Avery	Drake of	Hansen of Scott	Hutcheon
Babcock	Muscatine	Hanson of	Johnson of
Bair	Durant	Winnebago	Marion
Ballew	Ellsworth	Hayes	Kern
Beath	Fabritz	Helgason	Koch
Berry	Felter	Hesse	Kohler
Bonnstetter	Finnern	Hollingsworth	Lamb
Brown	Gallagher	Hollis	Langland
Craven	Gilmore	Hook	Laughlin
Davis	Gissel	Hopkins	Lepley
Ditto	Greaser	Hunt	Long

McCreery	Orr	Ryder	TePaske
McLain	Paisley	Rylander	Thiessen
Malone	Pattison	Shields	Torgeson
Mathews	Peaco	Short	Van Buren
Mayne	Pendray	Snyder	Van Wert
Mead	Randolph	Sours	Wamstad
Millhone	Ratliff	Stanzel	Wearin
Morton	Reed	Stiger	Whiting
Nelson of	Reimers	Strachan	Witt
Cherokee	Rutledge	Tamisiea	Mr. Speaker
Nelson of Story			

The nays were, 4.

Garrett	Osborn	Randall	Thompson
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Absent or not voting, 16.

Allen	Figgins	McCaulley	Rawlings
Byers	Forsling	McDermott	Roe
Dayton	Greene	Miller	Simmer
Elliott	Lichty	O'Donnell	Watts

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Johnson of Marion moved that the vote by which House File No. 257 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate Joint Resolution No. 10, a joint resolution providing for the employment by the State Board of Conservation of a park and regional planning engineer to make a comprehensive, statewide, twenty-five year program for the acquisition, conservation, maintenance, and construction of a system of parks, recreational grounds, beauty and scenic spots, scenic highways, fish, game, and bird refuges and sanctuaries with plans, specifications, and estimated cost which shall serve as a guide for the conservation activities of the state, and specifying the funds out of which to pay the cost of such plans and program, having been substituted for House Joint Resolution No. 7, was taken up for consideration.

Torgeson of Worth called up the amendment filed by him and found in the Journal of March 20th and moved its adoption.

Amendment adopted.

Brown of Polk called up the amendment filed by him and found in the Journal of March 24th and moved its adoption.

Amendment adopted.

Rutledge of Webster moved the previous question.

Motion prevailed.

Helgason of Emmet moved that further action on Senate Joint Resolution No. 10 be deferred until Forsling of Woodbury could prepare an amendment to the resolution.

Motion lost.

Hollis of Black Hawk 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, 62.

Aiken	Hanson of	McCaulley	Reimers
Augustine	Winnebago	McCreery	Rutledge
Bair	Hayes	McDermott	Ryder
Brown	Hollingsworth	McLain	Rylander
Byers	Hollis	Mathews	Sours
Craven	Hopkins	Mayne	Stiger
Ditto	Hunt	Millhone	Strachan
Donlon	Hush	Morton	Tamisiea
Durant	Husted	Nelson of	TePaske
Felter	Hutcheon	Cherokee	Torgeson
Finnern	Johnson of	Nelson of Story	Van Buren
Gallagher	Marion	Orr	Wamstad
Garrett	Langland	Osborn	Wearin
Greaser	Laughlin	Paisley	Whiting
Hansen of	Lepley	Pendray	Witt
Audubon	Lichty	Ratliff	Mr. Speaker
Hansen of Scott	Long		

The nays were, 36.

Avery	Fabritz	Lamb	Roe
Babcock	Figgins	Malone	Shields
Ballew	Forsling	Mead	Short
Beath	Gilmore	Pattison	Snyder
Berry	Gissel	Peaco	Stanzel
Bonnstetter	Helgason	Randall	Thiessen
Davis	Hesse	Randolph	Thompson
Drake of Keokuk	Hook	Rawlings	Van Wert
Ellsworth	Kohler	Reed	Watts

Absent or not voting, 10.

Allen	Drake of	Greene	Miller
Dayton	Muscatine	Kern	O'Donnell
	Elliott	Koch	Simmer

So the joint resolution having received a constitutional ma-

majority was declared to have passed the House and the title was agreed to.

Hollis of Black Hawk moved that the vote by which Senate Joint Resolution No. 10 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 132, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29) of the code, 1927, relating to the maintenance of extensions of primary roads through cities and towns and the payment of the cost thereof, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Rutledge of Webster, the amendments proposed by the committee, found in the Journal of February 24th, were adopted.

Mr. Rutledge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Augustine	Gilmore	Lichty	Roe
Avery	Gissel	Long	Rutledge
Babcock	Greaser	McCaulley	Ryder
Bair	Hansen of Scott	McCreery	Rylander
Beath	Hanson of	McDermott	Shields
Berry	Winnebago	McLain	Short
Bonnstetter	Hayes	Malone	Snyder
Brown	Helgason	Mathews	Sours
Byers	Hesse	Mayne	Stanzel
Craven	Hollingsworth	Mead	Stiger
Davis	Hollis	Morton	Strachan
Ditto	Hopkins	Nelson of	Tamisiea
Donlon	Hunt	Cherokee	TePaske
Drake of Keokuk	Hush	Nelson of Story	Thiessen
Drake of	Husted	O'Donnell	Thompson
Muscatine	Hutcheon	Orr	Torgeson
Durant	Johnson of	Pattison	Van Wert
Ellsworth	Marion	Peaco	Wamstad
Fabritz	Kern	Pendray	Watts
Felter	Kohler	Randolph	Wearin
Figgins	Lamb	Ratliff	Whiting
Finnern	Langland	Rawlings	Witt
Gallagher	Laughlin	Reed	Mr. Speaker
Garrett	Lepley	Reimers	

The nays were, 3.

Hook

Osborn

Paisley

Absent or not voting, 14.

Aiken

Elliott

Hansen of

Miller

Allen

Forsling

Audubon

Randall

Ballew

Greene

Koch

Simmer

Dayton

Millhone

Van Buren

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rutledge of Webster moved that the vote by which House File No. 132 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 337, a bill for an act to amend section twelve thousand sixty-four (12064) Code, 1927, relating to taxation of attorney's fees as part of the costs, with report of committee recommending passage, was taken up for consideration.

Johnson of Marion called up the amendment filed by him, found in the Journal of March 12th and moved its adoption.

McCaulley of Calhoun moved that further action on House File No. 337 be deferred.

Motion prevailed.

House File No. 155, a bill for an act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions, with report of committee recommending amendment and passage, was taken up for consideration.

TePaske of Sioux moved that the amendments proposed by the committee, found in the Journal of February 25th, be adopted.

Morton of Wright offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendment to House File No. 155 by adding to paragraph fifteen (15) of said amendment the following:

"By waiving his right to exemption under either paragraph five (5) of paragraph seven (7) a farmer shall be entitled to an additional exemption of two (2) horses or two (2) mules."

Amendment to the committee amendment adopted.

Wearin of Mills offered the following amendment to the committee amendments and moved its adoption:

Amend committee amendment No. 7 by striking the word "forty" and inserting in lieu thereof the word "twenty-five".

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 23.

Augustine	Fabritz	Hopkins	Stanzel
Babcock	Felter	Hush	Tamisiea
Bonnstetter	Greene	Kohler	Thiessen
Craven	Hansen of Scott	Laughlin	Wearin
Drake of Keokuk	Hollingsworth	Ryder	Whiting
Durant	Hook	Sours	

The nays were, 59.

Allen	Gissel	Lepley	Randolph
Avery	Greaser	Lichty	Ratliff
Bair	Hansen of	McCauley	Reed
Ballew	Audubon	McCreery	Reimers
Beath	Hanson of	McDermott	Roe
Davis	Winnebago	McLain	Rutledge
Dayton	Hesse	Malone	Rylander
Ditto	Hollis	Mayne	Shields
Donlon	Hunt	Mead	Strachan
Drake of	Husted	Morton	TePaske
Muscatine	Hutcheon	Nelson of	Thompson
Figgins	Johnson of	Cherokee	Van Buren
Forsling	Marion	Nelson of Story	Van Wert
Gallagher	Kern	Orr	Wamstad
Garrett	Lamb	Osborn	Witt
Gilmore	Langland	Pendray	Mr. Speaker

Absent or not voting, 26.

Aiken	Hayes	O'Donnell	Short
Berry	Helgason	Paisley	Simmer
Brown	Koch	Pattison	Snyder
Byers	Long	Peaco	Stiger
Elliott	Mathews	Randall	Torgeson
Ellsworth	Millhone	Rawlings	Watts
Finnern	Miller		

Amendment lost.

Wearin of Mills offered the following amendment to the committee amendments and moved its adoption:

Amend committee amendment No. 5, by striking the word "fifty" and inserting in lieu thereof the word "twenty-five".

Amendment to committee amendment lost.

Morton of Wright asked and obtained unanimous consent to



withdraw the amendment filed by him and found in the Journal of February 26th.

Augustine of Ringgold called up the amendment to the committee amendment filed by him and found in the Journal of March 12th and moved its adoption.

Amendment adopted.

Durant of Hancock offered the following amendment to the committee amendments and moved its adoption:

Amend committee amendment No. 17, by striking the word "fifty" and inserting in lieu thereof the words "one hundred".

Also, amend committee amendment No. 19, by striking the word "fifty" and inserting in lieu thereof the words "one hundred".

Amendments to the committee amendments adopted.

Committee amendments, as amended, were adopted.

McCaulley 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, 74.

Allen	Hansen of	Langland	Reed
Augustine	Audubon	Lepley	Reimers
Avery	Hansen of Scott	Lichty	Roe
Beath	Hanson of	Long	Ryder
Berry	Winnebago	McCaulley	Rylander
Craven	Hayes	McCreery	Shields
Davis	Hesse	McDermott	Short
Dayton	Hollingsworth	McLain	Stanzel
Ditto	Hollis	Malone	Stiger
Donlon	Hopkins	Mayne	Strachan
Durant	Hunt	Mead	TePaske
Fabritz	Hush	Morton	Thompson
Felter	Husted	Nelson of	Torgeson
Forsling	Hutcheon	Cherokee	Van Buren
Gallagher	Johnson of	Nelson of Story	Van Wert
Garrett	Marion	Orr	Wamstad
Gissel	Kern	Peaco	Whiting
Greaser	Koch	Pendray	Witt
Greene	Kohler	Randall	Mr. Speaker
	Lamb	Ratliff	

The nays were, 13.

Babcock	Drake of	Laughlin	Tamisiea
Bonnstetter	Muscatine	Osborn	Thiessen
Brown	Finnern	Paisley	Wearin
Byers	Hook		

Absent or not voting, 21.

Aiken	Figgins	Miller	Rutledge
Bair	Gilmore	O'Donnell	Simmer
Ballew	Helgason	Pattison	Snyder
Drake of Keokuk	Mathews	Randolph	Sours
Elliott	Millhone	Rawlings	Watts
Ellsworth			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Johnson of Marion moved that the vote by which House File No. 155 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 20, 106, 211 and 284.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 20, 106, 211 and 284.

#### BILL APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 23rd, approved the following bill:

House File No. 106.

## AMENDMENTS FILED

Forsling of Woodbury filed the following amendment to House File No. 536:

Amend House File No. 536 as follows:

Insert after the comma following the word "purposes" in Line 7, Section 14, the following:

"And shall pay to the owner or owners of such lands all damages caused after the completion of construction of said pipe line on account of wash or erosion of the soil at or along the location of said pipe line by reason of the construction thereof upon said lands and on account of the settling of the soil along and above said pipe line."

Van Wert of Franklin filed the following amendment to House File No. 353:

Amend House File No. 353, by striking from line 1, of Section 1, the figures \$.15 and inserting in lieu thereof the figures \$.05.

Rutledge of Webster filed the following amendment to Senate File No. 155:

Amend Senate File No. 155 by inserting after the word "corporation" in line five (5), the following: "; except law enforcement officers,".

Millhone of Page filed the following amendment to House File No. 477:

Amend House File No. 477 as follows:

1. By striking all after the enacting clause and substituting therefor the following:

"Section 1. That section five thousand twenty-six-b one (5026-b1), code, 1927, be amended:

a. By inserting after the word 'liquor' in line eight (8) thereof, a comma (,):

b. By striking out the period (.) after the word 'vehicle' in line nine (9) thereof, and adding thereto the following: 'with intent to injure such passenger or guest.'

2. By striking from lines one (1) and two (2) of the title the following: "amending the law as it appears in section five thousand twenty-six-b one (5026-b1) of the code, 1927," and substituting therefor the following: "to amend section five thousand twenty-six-b one (5026-b1), code, 1927."

On motion of Ditto 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, MARCH 26, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Herman C. Rice, pastor of the First Baptist Church, Boone, Iowa.

Journal of March 25th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Bonnstetter of Kossuth, from citizens of Kossuth county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Davis of Delaware, from the W. C. T. U. of Manchester, and from citizens of Manchester, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Durant of Hancock, from citizens of Hancock county, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Ellsworth of Hardin, from citizens of Hardin county, favoring House File No. 174 and opposing House File No. 340. Public health.

By Hook of Taylor, from citizens of Sharpsburg, and from the W. C. T. U. of Sharpsburg, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Mayne of Pottawattamie, from citizens of Council Bluffs,

favoring a regulation of trucks and motor busses; and from citizens of Pottawattamie county, favoring a regulation of trucks and motor busses and imposing occupational tax on pipe lines and a tax on all natural gas and gasoline delivered into the State. Motor vehicles and transportation.

By Paisley of Lee, from employes of Irwin-Phillips Company of Keokuk, opposing the income tax bill. Tax revision.

By Rutledge of Webster, from citizens of Fort Dodge, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Peaco of Clinton, from citizens of Clinton, favoring a diversion of the primary road fund. Roads and highways.

By Roe of Allamakee, from citizens of Allamakee county, opposing the county assessor plan. Tax revision.

By Gissel of Buchanan, from 40 citizens of Hazelton Township, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Figgins of Union, from citizens of Union county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Hunt of Louisa, from citizens of Louisa county, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

#### REPORTS OF COMMITTEES

Shields of Clarke, from the committee on roads and highways, submitted the following reports:

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 406, a bill for an act relating to indebtedness for township road purposes and to provide for and authorize the levy, imposition, and collection of a tax annually to pay said indebtedness, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on roads and highways, to whom was referred Senate File No. 90, a bill for an act to amend the provisions of Chapter twenty-one (21), Acts of the forty-third (43d) General Assembly relating to the improvement, maintenance, relocation or establishment of primary roads and the purchase or condemnation of right of way therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEROY SHIELDS, *Chairman*.

Report adopted.

Berry of Monroe, from the committee on county and township organization, submitted the following reports:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 197, a bill for an act to amend chapter two hundred sixty-four (264) of the code, 1927, relating to general duties of county officers, deputies and clerks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 381, a bill for an act to repeal section fifty-two hundred sixty (5260) of the code, 1927, and to enact a substitute therefor relating to county expenditures, beg leave to report they have 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.

H. S. BERRY, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 176, a bill for an act to authorize the issuance of bonds for the purpose of replacing county public hospital buildings destroyed by fire, tornado, or other act of God, to provide the procedure for such authorization, and to authorize a levy of taxes for the retirement of said bonds and the interest thereon, and to this end to amend sections fifty-three hundred forty-eight (5348), and fifty-three hundred fifty-three (5353), Code, 1927, relating to such hospitals, beg leave to report they have had the same under consideration and have in-

structed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

H. S. BERRY, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 355, a bill for an act to amend chapter one hundred forty-six (146), acts of the forty-third (43rd) general assembly, providing that all counties adopt a budget conforming to this chapter, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 382, a bill for an act to amend the law as it appears in section thirty-six hundred forty-one (3641) of the code, 1927, relating to the citizenship of mothers entitled to widow's 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 do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 358, a bill for an act to repeal section fifty-four hundred eighty-three (5483), fifty-four hundred eighty-six (5486), fifty-four hundred eighty-nine (5489); to amend sections forty-six hundred six (4606), fifty-one hundred thirty-three (5133), sixty-two hundred eighty-eight (6288), seventy hundred forty-five (7045), seventy hundred sixty-four (7064); and to repeal sections fifty-four hundred eighty-two (5482), fifty-four hundred eighty-four (5484), fifty-four hundred eighty-five (5485), fifty-four hundred eighty-seven (5487), fifty-four hundred eighty-eight (5488), fifty-four hundred ninety (5490), fifty-four hundred ninety-six (5496), sixty-three hundred two (6302), ten thousand two hundred twenty-five (10225) and to enact substitutes for said repealed sections; all of said sections relating to land surveys and to perpetuating the records thereof, and all of said sections being of the code, 1927, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Lamb of Dallas, from the committee on private corporations, submitted the following reports:

MR. SPEAKER: Your committee on private corporations, to whom was referred Senate File No. 99, a bill for an act providing for the issuance of new certificates to corporations by the Secretary of State in all cases wherein a certificate has been issued to a corporation or purported corporation renewing its corporate existence from an erroneous date and/or for a period of time in excess of that provided 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 do pass.

C. W. LAMB, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on private corporations, to whom was referred House File No. 449, a bill for an act to amend section eighty-three hundred sixty-five (8365) of the code, 1927, relating to the conditions for the renewal of corporations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. LAMB, *Chairman*.

Passed on file.

Ballew 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 House File No. 367, a bill for an act to amend section thirteen hundred twenty (1320) of the code, 1927, relating to checkweighmen at mines, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

HOWARD BALLEW, *Chairman*.

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 140, a bill for an act to provide for the swearing or affirmation of jurors in civil 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.

L. B. FORSLING, *Chairman*.

Report adopted.



Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 141, a bill for an act to amend section eleven thousand two hundred ninety-one (11291), Code, 1927, relating to the use as evidence of certain records or certified copies 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 142, a bill for an act to amend section thirty-five (35), chapter one hundred (100), acts of the forty-third (43rd) general assembly, relating to schools and school districts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 144, a bill for an act to repeal section five hundred fourteen (514), Code, 1927, and to enact a substitute therefor, relating to the election and term of office of judges 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 do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 138, a bill for an act to amend section ten (10), chapter sixty-six (66), acts of the forty-third (43rd) general assembly, relating to the investigations, findings, and orders of the state board of eugenics, beg leave to report they have had 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 judiciary, to whom was referred Senate File No. 139, a bill for an act to repeal sections forty-six hundred

eighty-six (4686) and forty-eight hundred forty-three (4843), Code, 1927, and to amend sections forty-five hundred sixty (4560), forty-six hundred seven (4607), forty-six hundred eight (4608), as amended by the forty-third (43rd) general assembly, chapter twenty (20), section sixty-seven (67), forty-six hundred fifty-seven (4657), forty-seven hundred fifty-five-b twenty-seven (4755-b27), forty-eight hundred thirty-one-b one (4831-b1), forty-eight hundred forty-two (4842), forty-eight hundred forty-seven (4847), forty-eight hundred sixty-two (4862), fifty-one hundred fifty-one (5151), fifty-five hundred fifty-six (5556), fifty-five hundred eighty-five (5585), Code, 1927, and chapter twenty-two (22), acts of the forty-third (43rd) general assembly, and to repeal sections forty-six hundred twenty-seven (4627), forty-six hundred twenty-eight (4628), forty-six hundred twenty-nine (4629), forty-eight hundred thirty-four (4834), forty-eight hundred thirty-seven (4837), forty-eight hundred thirty-eight (4838), forty-eight hundred forty-five (4845), forty-eight hundred fifty-six (4856), forty-eight hundred fifty-seven (4857), forty-eight hundred fifty-eight (4858), Code, 1927, and to enact substitutes therefor, relating to the establishment, vacation, alteration, change, construction, use, and maintenance of highways and to the funds and donations set apart and expended for highway purposes, to the duties of the state highway commission and other public officers and public employees with reference to highways, to obstructions in and along highways and the removal of such obstructions, and to coordinate and harmonize the law of this state on the subject of 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.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 136, a bill for an act to amend section one hundred fifty-seven (157), Code, 1927, relative to the legislative recommendations of the code editor, beg leave to report they have had 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 FILE WITHDRAWN

Helgason of Emmet asked and obtained unanimous consent to have House File No. 438 withdrawn from the committee on judicial and political districts and from further consideration of the House.

## SPECIAL ORDER MADE

Hollingsworth of Boone asked and obtained unanimous consent to have House File No. 537 made a special order for Monday, March 30th, at 10:00 a. m.

## HOUSE CONCURRENT RESOLUTION NO. 13 CONSIDERED

Bair of Buena Vista called up House Concurrent Resolution No. 13, providing for recess from April 15 to August 18, found in the Journal of March 25th, and moved its adoption:

Malone of Cass moved the previous question.

Motion prevailed.

On the question "Shall the concurrent resolution be adopted?" a roll call was demanded.

The ayes were, 42.

Augustine	Greene	Koch	Morton
Avery	Hansen of Scott	Laughlin	Nelson of
Babcock	Helgason	Lepley	Cherokee
Bair	Hollingsworth	Lichty	Randolph
Ballew	Hollis	McCauley	Rutledge
Byers	Hunt	McCreery	Snyder
Donlon	Hush	McLain	Tamisiea
Drake of Keokuk	Husted	Mathews	TePaske
Drake of	Johnson of	Mayne	Van Buren
Muscatine	Marion	Mead	Wamstad
Fabritz	Kern	Millhone	Witt
Greaser			

The nays were, 56.

Aiken	Gallagher	Langland	Shields
Beath	Garrett	Malone	Short
Berry	Gilmore	O'Donnell	Sours
Bonnstetter	Gissel	Osborn	Stanzel
Brown	Hansen of	Paisley	Stiger
Craven	Audubon	Pattison	Strachan
Davis	Hanson of	Peaco	Thiessen
Dayton	Winnebago	Pendray	Thompson
Ditto	Hesse	Randall	Torgeson
Durant	Hook	Rawlings	Van Wert
Ellsworth	Hopkins	Reed	Watts
Felter	Hutcheon	Reimers	Wearin
Figgins	Kohler	Roe	Whiting
Finnern	Lamb	Ryder	Mr. Speaker
Forsling		Rylander	

Absent or not voting, 10.

Allen	Long	Miller	Ratliff
Elliott	McDermott	Nelson of Story	Simmer
Hayes		Orr	

Concurrent resolution No. 13 lost.

## MOTION TO RECONSIDER CALLED UP

Berry of Monroe called up the motion to reconsider the vote by which Senate File No. 1 failed to pass the House, found in the Journal of March 20th.

Hush of Montgomery raised the point of order that Senate File No. 1 was in the hands of the steering committee and as such was not pending before the House at this time.

The Speaker held the point of order well taken.

Forsling of Woodbury moved that Senate File No. 1 be removed from the steering committee and be immediately considered.

Torgeson of Worth raised the point of order that it would require a two-thirds vote, for the reason that the steering committee has been established under the rules of the House.

The Speaker held that the point of order was not well taken for the reason that the motion by Forsling of Woodbury was equivalent to making it a special order and as such would require a constitutional majority.

Forsling of Woodbury moved to amend his original motion to read that the motion to reconsider Senate File No. 1 be removed from the steering committee.

On the question "Shall the amendment to the motion by Forsling of Woodbury be adopted?" a roll call was demanded.

The ayes were, 61.

Aiken	Fabritz	Laughlin	Rawlings
Augustine	Felter	Lepley	Reed
Bair	Figgins	Long	Roe
Ballew	Finnern	McDermott	Ryder
Beath	Forsling	Malone	Shields
Berry	Garrett	Mathews	Short
Craven	Gilmore	Mayne	Stanzel
Davis	Greene	Mead	Stiger
Dayton	Hansen of Scott	Nelson of	Tamisiea
Ditto	Hayes	Cherokee	Thiessen
Donlon	Hook	O'Donnell	Van Buren
Drake of Keokuk	Hunt	Osborn	Van Wert
Drake of	Hutcheon	Paisley	Watts
Muscatine	Kern	Peaco	Wearin
Durant	Koch	Pendray	Whiting
Ellsworth	Lamb	Randolph	

The nays were, 35.

Avery	Helgason	McCaulley	Snyder
Babcock	Hesse	McCreery	Sours
Bonnstetter	Hollingsworth	McLain	Strachan
Gallagher	Hopkins	Millhone	TePaske
Gissel	Hush	Morton	Thompson
Greaser	Husted	Nelson of Story	Torgeson
Hansen of	Johnson of	Pattison	Wamstad
Audubon	Marion	Reimers	Witt
Hanson of	Langland	Rutledge	Mr. Speaker
Winnebago		Rylander	

Absent or not voting, 12.

Allen	Elliott	Lichty	Randall
Brown	Hollis	Miller	Ratliff
Byers	Kohler	Orr	Simmer

Amendment adopted.

Motion, as amended, prevailed.

Forsling of Woodbury moved that the House proceed to the immediate consideration of the motion to reconsider Senate File No. 1.

Greene of Pottawattamie moved the previous question. Motion prevailed.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, request a call of the House on the motion to reconsider the vote by which Senate File No. 1 failed to pass the House; also on the Forsling motion.

S. R. TORGESON  
E. O. HELGASON  
HOMER HUSH  
A. H. BONNSTETTER  
H. N. HANSON

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Elliott of Scott and Simmer of Wapello who, on motion, were excused.

Allen of Pocahontas moved as a substitute for the motion by Mr. Forsling that the motion to reconsider be made a special order for Friday, April 3rd.

The Speaker ruled that Mr. Allen's motion was out of order for the reason that the previous question had been ordered.

Torgeson of Worth moved to reconsider the vote by which the previous question was ordered.

Allen of Pocahontas moved to make the motion by Mr. Torgeson a special order for Friday, April 3rd.

Forsling of Woodbury raised the point of order that both motions were out of order, for the reason that the previous question had been ordered.

Allen of Pocahontas asked and obtained unanimous consent to withdraw his motion providing for a special order.

The Speaker ruled the motion by Mr. Torgeson was in order.

On the question "Shall the House reconsider the vote by which the previous question was ordered?" a roll call was demanded.

The ayes were, 34.

Allen	Helgason	McCaulley	Snyder
Bonnstetter	Hollingsworth	McCreery	Sours
Byers	Hollis	McLain	Strachan
Dayton	Hopkins	Millhone	Tamisiea
Gallagher	Hush	Morton	TePaske
Greaser	Husted	Nelson of	Thompson
Hansen of	Johnson of	Cherokee	Torgeson
Audubon	Marion	Nelson of Story	Wamstad
Hanson of	Lichty	Randall	Witt
Winnebago		Rylander	

The nays were, 70.

Aiken	Felter	Langland	Rawlings
Augustine	Figgins	Laughlin	Reed
Avery	Finnern	Lepley	Reimers
Babcock	Forsling	Long	Roe
Bair	Garrett	McDermott	Rutledge
Ballew	Gilmore	Malone	Ryder
Beath	Gissel	Mathews	Shields
Berry	Greene	Mayne	Short
Craven	Hansen of Scott	Mead	Stanzel
Davis	Hayes	O'Donnell	Stiger
Ditto	Hesse	Orr	Thiessen
Donlon	Hook	Osborn	Van Buren
Drake of Keokuk	Hunt	Paisley	Van Wert
Drake of	Hutcheon	Pattison	Watts
Muscatine	Kern	Peaco	Wearin
Durant	Koch	Pendray	Whiting
Ellsworth	Kohler	Randolph	Mr. Speaker
Fabritz	Lamb	Ratliff	

Absent or not voting, 4.

Brown	Elliott	Miller	Simmer
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Motion to reconsider previous question lost.

On the question "Shall the House proceed to the immediate consideration of Senate File No. 1?" a roll call was demanded.

The ayes were, 74.

Aiken	Figgins	Lamb	Pendray
Augustine	Finnern	Laughlin	Randolph
Babcock	Forsling	Lepley	Ratliff
Bair	Garrett	Lichty	Rawlings
Ballew	Gilmore	Long	Reed
Beath	Gissel	McDermott	Roe
Berry	Greene	McLain	Ryder
Byers	Hansen of	Malone	Shields
Craven	Audubon	Mathews	Short
Davis	Hansen of Scott	Mayne	Stanzel
Dayton	Hayes	Mead	Stiger
Ditto	Hesse	Nelson of	Tamisiea
Donlon	Hollis	Cherokee	Thiessen
Drake of Keokuk	Hook	O'Donnell	Van Buren
Drake of	Hunt	Orr	Van Wert
Muscatine	Hutcheon	Osborn	Watts
Durant	Kern	Paisley	Wearin
Ellsworth	Koch	Pattison	Whiting
Fabritz	Kohler	Peaco	Witt
Felter			

The nays were, 29.

Allen	Hollingsworth	McCreery	Sours
Avery	Hopkins	Miller	Strachan
Brown	Hush	Morton	TePaske
Gallagher	Husted	Nelson of Story	Thompson
Greaser	Johnson of	Randall	Torgeson
Hanson of	Marion	Rutledge	Wamstad
Winnebago	Langland	Rylander	Mr. Speaker
Helgason	McCaulley	Snyder	

Absent or not voting, 5.

Bonnstetter	Millhone	Reimers	Simmer
Elliott			

Motion prevailed.

Forsling of Woodbury moved that the motion to reconsider the vote by which Senate File No. 1 failed to pass the House be laid on the table.

Johnson of Marion raised the point of order that the motion to lay on the table was out of order, for the reason that the motion to lay on the table the motion to reconsider the vote by which Senate File No. 1 failed to pass the House had been previously made and failed to carry, and that the motion to lay on the table could not again be renewed until further action had been taken on the bill.

The Speaker held the point of order not well taken, for the reason that the motion to lay on the table the motion to reconsider Senate File No. 1 could be renewed on a subsequent day.

Helgason of Emmet moved as a substitute for all pending motions that further action on the motion to lay the motion to reconsider on the table be deferred.

Motion lost.

Allen of Pocahontas moved that the House do now adjourn until 9:00 a. m. Friday.

On the question "Shall the House adjourn until 9:00 a. m. Friday?" a roll call was demanded.

The ayes were, 8.

Allen	Hopkins	Johnson of	McCreery
Byers	Husted	Marion	McLain
Gallagher			

The nays were, 87.

Aiken	Forsling	Lepley	Rawlings
Augustine	Garrett	Lichty	Reed
Avery	Gilmore	Long	Reimers
Babcock	Greene	McDermott	Roe
Bair	Hansen of	Malone	Ryder
Ballew	Audubon	Mathews	Rylander
Beath	Hansen of Scott	Mayne	Shields
Berry	Hanson of	Mead	Short
Bonnstetter	Winnebago	Millhone	Sours
Brown	Hayes	Miller	Stanzel
Craven	Helgason	Nelson of	Stiger
Davis	Hesse	Cherokee	Thiessen
Ditto	Hollingsworth	Nelson of Story	Thompson
Donlon	Hollis	O'Donnell	Torgeson
Drake of Keokuk	Hook	Orr	Van Buren
Drake of	Hunt	Osborn	Van Wert
Muscatine	Hush	Paisley	Wamstad
Durant	Hutcheon	Pattison	Watts
Ellsworth	Kern	Peaco	Wearin
Fabritz	Koch	Pendray	Whiting
Felter	Lamb	Randall	Witt
Figgins	Langland	Randolph	Mr. Speaker
Finnern	Laughlin	Ratliff	

Absent or not voting, 13.

Dayton	Kohler	Rutledge	Strachan
Elliott	McCaulley	Simmer	Tamisia
Gissel	Morton	Snyder	TePaske
Greaser			

Motion to adjourn lost.



On the question "Shall the motion to reconsider Senate File No. 1 be laid on the table?" a roll call was demanded.

The ayes were, 59.

Aiken	Figgins	McDermott	Ratliff
Augustine	Finnern	Malone	Rawlings
Bair	Forsling	Mathews	Reed
Ballew	Garrett	Mayne	Roe
Beath	Gilmore	Mead	Ryder
Berry	Hansen of Scott	Nelson of Cherokee	Shields
Craven	Hayes	O'Donnell	Short
Davis	Hollingsworth	Orr	Stanzel
Ditto	Hook	Osborn	Stiger
Donlon	Hunt	Paisley	Thiessen
Drake of Keokuk	Hutcheon	Pattison	Van Buren
Drake of Muscatine	Koch	Peaco	Van Wert
Durant	Kohler	Pendray	Watts
Ellsworth	Laughlin	Randolph	Wearin
Fabritz	Lepley		Whiting

The nays were, 47.

Allen	Hansen of	Lamb	Reimers
Avery	Audubon	Langland	Rutledge
Babcock	Hanson of	Lichty	Rylander
Bonnstetter	Winnebago	Long	Snyder
Brown	Helgason	McCaulley	Sours
Byers	Hesse	McCreery	Strachan
Dayton	Hollis	McLain	Tamisiea
Felter	Hopkins	Millhone	TePaske
Gallagher	Hush	Miller	Thompson
Gissel	Husted	Morton	Torgeson
Greaser	Johnson of	Nelson of Story	Wamstad
Greene	Marion	Randall	Witt
	Kern		Mr. Speaker

Absent or not voting, 2.

Elliott                      Simmer

Motion prevailed and motion to reconsider was laid on the table.

Greene of Pottawattamie moved that the call of the House be now raised.

Motion prevailed.

#### CONSIDERATION OF BILLS

House File No. 337, a bill for an act to amend section twelve thousand sixty-four (12064) Code, 1927, relating to taxation of attorney's fees as part of the costs, with report of committee recommending passage, was taken up for consideration.

McCaulley of Calhoun called up the amendment filed by Johnson of Marion, found in the Journal of March 12th and moved its adoption.

Amendment adopted.

Mr. McCaulley moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Avery	Hansen of Scott	McCaulley	Reimers
Babcock	Hanson of	McCreery	Ryder
Bair	Winnebago	McDermott	Rylander
Ballew	Helgason	McLain	Shields
Beath	Hesse	Malone	Sours
Bonnstetter	Hollingsworth	Mathews	Stanzel
Brown	Hollis	Millhone	Stiger
Byers	Hopkins	Morton	Strachan
Craven	Hush	Nelson of	Tamisiea
Dayton	Husted	Cherokee	TePaske
Ditto	Hutcheon	Orr	Thompson
Donlon	Johnson of	Osborn	Torgeson
Drake of Keokuk	Marion	Paisley	Van Wert
Durant	Kern	Pattison	Wamstad
Figgins	Koch	Randolph	Wearin
Garrett	Kohler	Ratliff	Whiting
Gilmore	Langland	Rawlings	Witt
Gissel	Laughlin	Reed	Mr. Speaker
Greene	Lichty		

The nays were, 8.

Augustine	Finnern	Hook	Pendray
Ellsworth	Greaser	Peaco	Roe

Absent or not voting, 29.

Aiken	Felter	Lepley	Rutledge
Allen	Forsling	Long	Short
Berry	Gallagher	Mayne	Simmer
Davis	Hansen of	Mead	Snyder
Drake of	Audubon	Miller	Thiessen
Muscatine	Hayes	Nelson of Story	Van Buren
Elliott	Hunt	O'Donnell	Watts
Fabritz	Lamb	Randall	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

McCaulley of Calhoun moved that the vote by which House File No. 337 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

The House resumed consideration of House File No. 307, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public improvements, was taken up for consideration.

Wamstad of Mitchell offered the following amendment and moved its adoption:

Amend House File No. 307 by striking in line six (6) of section one (1) the words "The term material, however" and inserting in lieu thereof the word "But".

Amendment adopted.

Tamisiea of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Avery	Hansen of	McCaulley	Roe
Babcock	Audubon	McCreery	Ryder
Ballew	Hansen of Scott.	McDermott	Rylander
Beath	Hanson of	McLain	Shields
Berry	Winnebago	Malone	Snyder
Brown	Helgason	Mathews	Sours
Byers	Hesse	Mayne	Stanzel
Craven	Hollis	Millhone	Stiger
Davis	Hook	Morton	Strachan
Dayton	Hopkins	Nelson of	Tamisiea
Ditto	Hush	Cherokee	TePaske
Donlon	Husted	Nelson of Story	Thiessen
Drake of	Hutcheon	Osborn	Thompson
Muscatine	Johnson of	Paisley	Torgeson
Durant	Marion	Pattison	Van Buren
Ellsworth	Kern	Peaco	Van Wert
Fabritz	Kohler	Pendray	Wamstad
Gallagher	Lamb	Randall	Watts
Garrett	Langland	Randolph	Wearin
Gilmore	Laughlin	Ratliff	Whiting
Gissel	Lepley	Rawlings	Witt
Greaser	Lichty	Reed	Mr. Speaker
Greene	Long	Reimers	

The nays were, 2.

Augustine

Figgins

Absent or not voting, 20.

Aiken	Elliott	Hollingsworth	O'Donnell
Allen	Felter	Hunt	Orr
Bair	Finnern	Koch	Rutledge
Bonnstetter	Forsling	Mead	Short
Drake of Keokuk	Hayes	Miller	Simmer

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. 133, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand sixty-five (5065) of the Code, 1927, relating to the total maximum weight of motor vehicles and loads thereon, having been substituted for House File No. 162, was taken up for consideration.

Greaser of Benton called up the amendments filed by him, found in the Journal of March 10th, and moved the adoption of amendment Nos. 1 and 2.

Van Buren of Jones moved the previous question on the amendment.

Motion lost.

Craven of Jasper moved the previous question on the amendment.

Motion prevailed.

On the question "Shall amendments Nos. 1 and 2 be adopted?" a roll call was demanded.

The ayes were, 63.

Aiken	Drake of	Hanson of	Lepley
Avery	Muscatine	Winnebago	Long
Ballew	Durant	Helgason	McCaulley
Berry	Fabritz	Hollingsworth	McDermott
Brown	Felter	Hopkins	McLain
Craven	Figgins	Husted	Malone
Davis	Garrett	Johnson of	Mathews
Dayton	Gilmore	Marion	Mayne
Donlon	Gissel	Koch	Mead
Drake of Keokuk	Greaser	Langland	Millhone

Morton	Randall	Rylander	Thompson
Nelson of Story	Randolph	Shields	Torgeson
O'Donnell	Ratliff	Stanzel	Watts
Orr	Reed	Stiger	Whiting
Paisley	Roe	Strachan	Witt
Peaco	Rutledge	Thiessen	Mr. Speaker
Pendray	Ryder		

The nays were, 41.

Allen	Gallagher	Hutcheon	Rawlings
Augustine	Greene	Kern	Reimers
Babcock	Hansen of	Kohler	Short
Bair	Audubon	Lamb	Snyder
Beath	Hansen of Scott	Laughlin	Sours
Bonnstetter	Hayes	Lichty	TePaske
Byers	Hesse	McCreery	Van Buren
Ditto	Hollis	Nelson of	Van Wert
Ellsworth	Hook	Cherokee	Wamstad
Finnern	Hunt	Osborn	Wearin
Forsling	Hush	Pattison	

Absent or not voting, 4.

Elliott	Miller	Simmer	Tamisiea
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Amendments adopted.

Greaser of Benton called up the amendment filed by him, found in the Journal of March 21, and moved its adoption.

Mr. Greaser asked and obtained unanimous consent to re-number section nine (9) to read as section ten (10).

Allen of Pocahontas offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Greaser of Benton, by inserting after the words "highway commission" in line seven (7) the words "or their district engineer".

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Fabritz of Wapello asked and obtained unanimous consent to withdraw the amendment filed by Peaco of Clinton, Nelson of Story and himself, and found in the Journal of March 12th.

Fabritz of Wapello, Peaco of Clinton and Nelson of Story offered the following amendment and moved its adoption:

We move to amend Senate File No. 133 as follows:

By striking out Section Four (4) and inserting in lieu thereof the following:

"Sec. 4. No motor vehicle, trailer, semi-trailer, or vehicle which exceeds twenty-eight (28) feet in length over all, nor any combination of such vehicles coupled together which exceeds forty (40) feet in length over all, shall be operated on the highways of this State."

By striking the words and figures "thirty-three (33)" out of lines one (1) and two (2) of Section Five (5) and inserting in lieu thereof "twenty-eight (28)".

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 212 and 50.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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. 212 and 50.

#### BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 26th day of March, 1931, sent to the governor for his approval:

House Files Nos. 212 and 50.

G. H. HESSE, *Acting Chairman.*

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE ON  
HOUSE FILES NOS. 174 AND 340

MR. SPEAKER: Pursuant to the report of the Committee of the whole found on pages 1125 and 1126 of the Journal, I appoint the following committee to which are referred House Files No. 340 and No. 174:

Ditto of Osceola.  
Hush of Montgomery.  
Gallagher of Iowa.  
Watts of Van Buren.  
Berry of Monroe.  
Short of Woodbury.

FRED W. NELSON,  
*Chairman of the Committee of the Whole.*

Report adopted.

## AMENDMENTS FILED

Wanistad of Mitchell filed the following amendment to House File No. 368:

Amend House File No. 368 by changing the period (.) at the end of line nine (9) of section one to a comma (,) and by adding the following words: "except in taxing districts where applied during the year of 1931, and then only to the same extent".

Reed of Mahaska filed the following amendment to Senate File No. 133:

Amend Senate File No. 133 by striking from Section Nine (9) of the amendment by Chas. D. Booth, Chairman, the first two lines and the first eight words of the third line thereof and by inserting after the words "any motor vehicle" in the third line thereof the following: "which on February 16, 1931, was licensed in this state for";

Also amend by inserting after the word "such" in line eleven thereof the word "motor" and by striking after the word "vehicle" in lines eleven and twelve thereof the words "or combination of vehicles".

Hopkins of Guthrie filed the following amendment to House File No. 353:

Amend House File No. 353 relating to the imposition of a license fee upon natural gas carried in pipe lines, as follows:

1. Strike all of section nine (9) of said bill and substitute in lieu thereof the following:

"The license fee collected under the provisions of this act shall be paid forthwith to the treasurer of state for the use and benefit of the school districts through which such pipe line shall pass. And the treasurer of

state shall remit to the county treasurers each six (6) months the proportionate share of the license fee which shall accrue to the benefit of the school districts of the respective counties. The license fee realized under the provisions of this act shall be divided equally to the different school districts of this state through which such natural gas pipe lines shall operate, subject to the provisions for expenses as outlined in section ten (10) of this act."

Berry of Monroe moved that the House do now adjourn until 1:30 p. m. today.

McCreery of Linn moved to amend the motion by changing the hour until 9:00 a. m. Friday.

Amendment adopted.

Motion, as amended, prevailed and 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, MARCH 27, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Edward Dewey, pastor of the Lutheran Church, Dows, Iowa.

Journal of March 26th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Van Wert of Franklin for today and tomorrow, on request of Lepley of Grundy.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Byers of Linn, from citizens of Cedar Rapids owning vending machines, opposing Senate File No. 371. Tax revision.

By Hansen of Scott, from citizens of Davenport, favoring House File No. 174, and opposing House File No. 340. Public health.

By Drake of Muscatine, from women of the First M. E. Church of Muscatine, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Hush of Montgomery, from citizens of Montgomery county, favoring a regulation of trucks and motor busses; and favoring imposing occupational tax on pipe lines and a tax on all natural gas and gasoline delivered into the State through such lines. Ways and means.

By Langland of Winneshiek, from 586 citizens of Winneshiek, favoring making bovine tuberculin testing optional. Animal industry.

By Mathews of Des Moines, from citizens of Burlington, favoring House File No. 174, and opposing House File No. 340. Public health.

By McCaulley of Calhoun, from the Texas Cotton Ginners' Association, opposing a tax on cotton oil. Tax revision.

By O'Donnell of Carroll, from friends and members of the Christian church, Coon Rapids, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Ratliff of Henry, from the board of supervisors of Henry county, favoring House File No. 85. Roads and highways.

By Wearin of Mills, from the Hillsdale Bible class of Greenwood, favoring House Files Nos. 522 and 388, and opposing House File No. 398; and from citizens of Mills county, favoring a regulation of trucks and motor busses, and favoring an occupational tax on pipe lines and a tax on all natural gas and gasoline delivered into the State through such lines. Suppression of intemperance, and ways and means.

#### REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your steering committee recommends the following bills for consideration by the House on Saturday, March 28, 1931, in the order in which they are listed:

House File No. 397.....	Calendar No. 28
Senate File No. 151.....	Calendar No. 52
Senate File No. 152.....	Calendar No. 49
Senate File No. 155.....	Calendar No. 51
Senate File No. 37.....	Calendar No. 12
House File No. 292.....	Calendar No. 41
House File No. 344.....	Calendar No. 105
Senate File No. 21.....	Calendar No. 93
House File No. 197.....	Calendar No. 163
House File No. 215.....	Calendar No. 205
House File No. 530.....	Calendar No. 129
Senate File No. 107.....	Calendar No. 34
House File No. 527.....	Calendar No. 154
Senate File No. 105.....	Calendar No. 62
House File No. 414.....	Calendar No. 113
House File No. 502.....	Calendar No. 102
Senate File No. 74.....	Calendar No. 48
House File No. 482.....	Calendar No. 133

House File No. 477.....	Calendar No. 95
House File No. 419.....	Calendar No. 127
House File No. 420.....	Calendar No. 126
Senate File No. 99.....	Calendar No. 165

S. R. TORGESON, *Chairman.*

Report adopted.

#### REPORTS OF COMMITTEES

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 542, a bill for an act to make an appropriation to Earl E. Hunt, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 544, a bill for an act to make an appropriation to H. A. Stearns, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 545, a bill for an act to make appropriations to Tama county, Iowa, Greene county, Iowa, and Story county, Iowa, for payment of taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 543, a bill for an act to make an appropriation to George Brown, beg leave to report they have had the same 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 in line seven (7) after the word "month" the following: "to George Brown of Indianola, Iowa,".

2. Amend the title of the bill by changing the period at the end thereof to a comma (,) and adding the following: "Indianola, Iowa.".

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 540, a bill for an act to make an appropriation to Van L. Woodruff for Iowa soldier's bonus, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Ellsworth of Hardin, from the committee on public health, submitted the following reports:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 413, a bill for an act to amend section twenty-one hundred ninety-one (2191) of the code, 1927, relating to powers of the state department of health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 490, a bill for an act to define suggestive therapeutics; prescribe requirements for obtaining and granting license for the practice thereof, and to amend sections twenty-four hundred thirty-eight (2438), twenty-four hundred thirty-nine (2439), twenty-four hundred fifty (2450), twenty-four hundred fifty-two (2452), twenty-five hundred sixteen (2516), and twenty-five hundred thirty-nine (2539) of the code, 1927, so as to include suggestive therapeutics in the practice acts of 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 be indefinitely postponed.

E. O. ELLSWORTH, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 362, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the code, 1927, relating to appointment of board of examiners to examine applicants for license to work as master, or employing or journeyman plumber, beg leave to report they have had 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. O. ELLSWORTH, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on public health, to whom was referred House File No. 485, a bill for an act to provide for the sexual sterilization of inmates of state institutions in certain 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.

E. O. ELLSWORTH, *Chairman.*

Report adopted.

Hush of Montgomery, 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. 511, a bill for an act to amend section sixty-nine hundred forty-six (6946) of the code, relating to exemptions from taxation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

HOMER HUSH, *Chairman.*

Passed on file.

Rylander of Marshall, from the committee on board of control, submitted the following report :

MR. SPEAKER: Your committee on board of control, to whom was referred Senate File No. 285, a bill for an act to amend section thirty-seven hundred sixty-two (3762), code, 1927, relating to the purchase by public officers and departments of articles manufactured at state institutions, and providing a penalty for the violation of said section, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN F. RYLANDER, *Chairman.*

Passed on file.

Hollis of Black Hawk, from the committee on conservation of resources, submitted the following reports:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred House File No. 503, a bill for an act granting to the city of Sioux City, Iowa, abandoned Missouri river bed lying between the present high water line of said river, within the corporate limits of said city, and the harbor line established by the war department of the United States government, and authorizing the deeding of the same to said city by the Governor 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 be indefinitely postponed.

C. A. HOLLIS, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred House File No. 506, a bill for an act granting to riparian owners of shore lands on the Missouri river within the corporate limits of the city of Sioux City, Woodbury County, Iowa, all right, title and interest possessed by the state of Iowa in and to the portion of the bed of said Missouri River lying between the river boundary line of said riparian owners' properties and the thread of the stream of said Missouri River as now or hereafter located, and reserving to the state of Iowa that portion of said river bed so conveyed lying between the said thread of said stream and such harbor line as may hereafter be established by the government of the United States, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. HOLLIS, *Chairman.*

Passed on file.

Gilmore of Cedar, 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. 9, proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, as amended, 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 be indefinitely postponed.

WM. T. GILMORE, *Chairman.*

Passed on file.

Greene of Pottawattamie, from the committee on military, submitted the following report:

**MR. SPEAKER:** Your committee on military has introduced to the House, House File No. 550, a bill for an act to amend section eleven hundred fifty-nine (1159), code 1927, relating to soldier preference, beg leave to report they have had the same under consideration and have instructed me to report the same to the House with the recommendation that the same do pass.

HARRY M. GREENE, *Chairman.*

Report adopted.

### RESOLUTION

Hush of Montgomery offered the following resolution:

*Whereas*, The Honorable C. E. DeWitt, former member of the House of Representatives from Montgomery county in the thirty-third general assembly died on February 20, 1930; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this State and Nation.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Hush moved its adoption.

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Hush of Montgomery, Wearin of Mills, and Beath of Adams.

### HOUSE FILES WITHDRAWN

Strachan of Humboldt asked and obtained unanimous consent to have House File No. 431 withdrawn from the committee on drainage and from further consideration of the House.

Wamstad of Mitchell asked and obtained unanimous consent to have House File No. 196 withdrawn from the committee on roads and highways and from further consideration of the House.

### ADDITIONAL COPIES OF MAP ORDERED PRINTED

Tamisiea of Harrison asked and obtained unanimous consent to have five hundred additional copies of the map in connection with House File No. 442 printed.

## INTRODUCTION OF BILLS

House File No. 550, by committee on military, a bill for an act to amend section eleven hundred fifty-nine (1159), code, 1927, relating to soldiers' preference.

Read first and second times and passed on file.

House File No. 551, by committee on claims, a bill for an act to make an appropriation to Gilbert Merritt.

Read first and second times and referred to committee on appropriations.

## CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 133, a bill for an act to define certain terms relating to motor vehicles and traffic on highways, to limit the height of motor vehicles and loads thereon, to limit the minimum spacing of axles on vehicles, to limit the total maximum length of motor vehicles and combinations of vehicles, to prescribe the minimum spacing of combination of motor vehicles on the highways, to limit the distance a load on a passenger motor vehicle may project, to require lights on the sides of certain vehicles or combinations thereof, and to amend section five thousand sixty-five (5065) of the Code, 1927, relating to the total maximum weight of motor vehicles and loads thereon, was taken up for consideration.

Fabritz of Wapello asked and obtained unanimous consent to have the amendment offered by Peaco of Clinton, Nelson of Story and himself, found in the Journal of March 26th withdrawn.

Fabritz of Wapello, Peaco of Clinton and Nelson of Story offered the following amendment and moved the adoption of paragraphs two (2) and three (3):

We move to amend Senate File No. 133 as follows:

1. By striking out of lines three (3) and four (4) of Section Four (4) thereof the words and figures "fifty (50)" and inserting in lieu thereof the words and figures "forty (40)".

2. By striking out of line two (2) of Section Four (4) thereof the words and figures "thirty-three (33)" and inserting in lieu thereof the word and figures "thirty (30)".

3. By striking out of lines one (1) and two (2) of Section Five (5)



thereof the words and figures "thirty-three (33)" and inserting in lieu thereof the word and figures "thirty (30)".

Forsling of Woodbury and Byers of Linn offered the following amendment to the amendment and moved its adoption:

Amend Senate File No. 133, by adding to section four (4) thereof as amended, the following:

Provided, however, that motor vehicles engaged exclusively in carrying passengers and mail or light express, under a Certificate of Convenience and Necessity issued by the Board of Railroad Commissioners of the State of Iowa, under the provisions of Chapter 252 A1, Code of Iowa, 1927, shall be permitted to operate on the paved primary highways of this state only if the maximum length over all does not exceed thirty-three (33) feet.

Mr. Forsling asked and obtained unanimous consent to have his amendment to the amendment withdrawn.

Bair of Buena Vista offered the following amendment to the amendment and moved its adoption:

Amend Senate File No. 133 by adding to Section Four (4) thereof as amended, the following:

Provided, however, that motor vehicles engaged exclusively in carrying passengers and mail or light express, under a Certificate of Convenience and Necessity issued by the Board of Railroad Commissioners of the State of Iowa, under the provisions of Chapter 252 A1, Code of Iowa, 1927, shall be permitted to operate on the primary highways of this state only if the maximum length over all does not exceed thirty-three (33) feet.

Amendment to the amendment adopted.

Mayne of Pottawattamie moved the previous question.

Motion prevailed.

On the question "Shall paragraphs two (2), three (3), and four (4) of the amendment, as amended, be adopted?" a roll call was demanded.

The ayes were, 61.

Ballew  
Beath  
Berry  
Craven  
Ditto  
Donlon

Drake of Keokuk  
Drake of  
Muscatine  
Durant  
Ellsworth  
Fabritz

Felter  
Figgins  
Forsling  
Garrett  
Gilmore  
Greene

Hansen of  
Audubon  
Hansen of Scott  
Hayes  
Helgason  
Hollingsworth

Hunt	McCaulley	Paisley	Simmer
Husted	McDermott	Peaco	Stanzel
Hutcheon	Mathews	Randall	Stiger
Johnson of Marion	Mayne	Randolph	TePaske
Kern	Mead	Rawlings	Thiessen
Koch	Millhone	Roe	Thompson
Lamb	Morton	Rutledge	Torgeson
Lepley	O'Donnell	Ryder	Watts
Lichty	Orr	Rylander	Whiting
	Osborn	Shields	Witt

The nays were, 36.

Aiken	Hanson of	McCreery	Reimers
Augustine	Winnebago	McLain	Short
Avery	Hesse	Nelson of	Snyder
Bair	Hook	Cherokee	Sours
Bonnstetter	Hopkins	Nelson of Story	Strachan
Brown	Hush	Pattison	Tamisiea
Finnern	Kohler	Pendray	Van Buren
Gallagher	Langland	Ratliff	Wamstad
Gissel	Laughlin	Reed	Wearin
Greaser			Mr. Speaker

Absent or not voting, 11.

Allen	Davis	Hollis	Miller
Babcock	Dayton	Long	Van Wert
Byers	Elliott	Malone	

Paragraphs two (2), three (3) and four (4) of the amendment, as amended, were adopted.

On the question "Shall paragraph one (1) of the amendment as amended, be adopted?" a roll call was demanded.

The ayes were, 45.

Allen	Garrett	Lepley	Peaco
Ballew	Gilmore	Long	Randall
Bonnstetter	Greene	McCaulley	Randolph
Craven	Hanson of	McDermott	Roe
Donlon	Winnebago	Mathews	Rylander
Drake of	Helgason	Mayne	Shields
Keokuk	Hollingsworth	Millhone	Simmer
Drake of	Hopkins	Morton	Stiger
Muscatine	Husted	Nelson of Story	Thiessen
Durant	Johnson of	O'Donnell	Torgeson
Fabritz	Marion	Osborn	Whiting
Felter	Koch	Paisley	Witt
Figgins			

The nays were, 43.

Aiken	Brown	Hansen of	Scott	Lamb
Augustine	Davis	Hesse		Langland
Avery	Finnern	Hollis		Lichty
Babcock	Forsling	Hook		McCreery
Bair	Gallagher	Hush		Malone
Beath	Gissel	Hutcheon		Nelson of
Berry	Greaser	Kohler		Cherokee

Pattison	Reimers	Strachan	Van Buren
Pendray	Short	Tamisiea	Wamstad
Ratliff	Snyder	TePaske	Wearin
Reed	Sours	Thompson	Mr. Speaker

Absent or not voting, 20.

Byers	Hansen of	McLain	Rutledge
Dayton	Audubon	Mead	Ryder
Ditto	Hayes	Miller	Stanzel
Elliott	Hunt	Orr	Van Wert
Ellsworth	Kern	Rawlings	Watts
	Laughlin		

Paragraph one (1) of the amendment, as amended, adopted.

Bair of Buena Vista offered the following amendment and moved its adoption:

Amend Senate File No. 133 by adding to paragraph 2 of section eight (8) as amended, the following:

"except that any vehicle or combination of vehicles while traveling upon the Primary highways of this state, shall be allowed a weight not to exceed that determined by the formula:

$$W = 600 (L \text{ plus } 40)$$

in which W. represents the total weight in pounds of the vehicle or combination of vehicles including the load, and L. represents the over-all distance in feet between the front and rear axles of the motor vehicle, or the first and last axles of the combination of vehicles.

A wheel which carries two or more tires, or dual wheels, or two or more wheels on the same end of a given axle, shall be considered as one wheel."

Greaser of Benton raised the point of order that the amendment was out of order for the reason that the same subject matter was previously disposed of by the House.

The Speaker held the point of order not well taken.

Strachan of Humboldt moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 45.

Allen	Byers	Ellsworth	Hansen of Scott
Augustine	Craven	Felter	Hollingsworth
Babcock	Ditto	Finnern	Hollis
Bair	Donlon	Forsling	Hopkins
Ballew	Drake of	Gallagher	Hush
Bonnstetter	Muscatine	Gissel	Husted

Hutcheon	Nelson of	Reimers	Strachan
Kohler	Cherokee	Ryder	Tamisiea
Langland	O'Donnell	Rylander	TePaske
Long	Pendray	Short	Thompson
McCreery	Randolph	Snyder	Van Buren
	Rawlings	Stanzel	Whiting

The nays were, 53.

Aiken	Hansen of	McCaulley	Reed
Avery	Audubon	McDermott	Roe
Beath	Hanson of	McLain	Rutledge
Berry	Winnebago	Malone	Shields
Brown	Hayes	Mathews	Simmer
Davis	Helgason	Morton	Sours
Drake of Keokuk	Hook	Nelson of Story	Stiger
Durant	Hunt	Orr	Thiessen
Fabritz	Johnson of	Osborn	Torgeson
Figgins	Marion	Paisley	Wamstad
Garrett	Kern	Pattison	Watts
Gilmore	Lamb	Peaco	Wearin
Greasier	Laughlin	Randall	Witt
Greene	Lepley	Ratliff	Mr. Speaker

Absent or not voting, 10.

Dayton	Koch	Mead	Miller
Elliott	Lichty	Millhone	Van Wert
Hesse	Mayne		

Amendment lost.

Hollis of Black Hawk offered the following amendment and moved its adoption:

Amend Senate File No. 133, by adding as section eleven (11), the following:

"Sec. 11. By striking from line twelve (12) of section two (2), chapter one hundred twenty-eight (128), acts of the forty-third (43rd) general assembly, the following word and figure:

"twenty-five (25)",

and inserting in lieu thereof the following word and figure:

"thirty-five (35)".

Also: amend the title to Senate File No. 133:

1. By inserting at the end of line ten (10) thereof, the following: "as amended by section two (2) of chapter twenty-five (25) acts of the forty-third (43rd) general assembly,".

2. By changing the period at the end of line twelve (12) thereof to a semi-colon (;) and adding thereto the following:

"to provide for the operation, until December 31, 1934, of motor vehicles licensed on or before February 16, 1931; to provide for the issuance of permits for certain exceptions; and to amend chapter one hundred twenty-eight (128), acts of the forty-third (43rd) general assembly, relating to speed of freight carrying motor vehicles upon the highways."

Amendment adopted.

Reimers of Lyon called up the amendment filed by him and found in the Journal of March 18th, and moved its adoption.

Amendment adopted.

Forsling of Woodbury and Byers of Linn offered the following amendment and moved its adoption:

Amend Senate File No. 133 by adding to section eight (8) thereof as amended, the following:

Provided, however, that motor vehicles engaged exclusively in carrying passengers and mail or light express, under a Certificate of Convenience and Necessity from the Board of Railroad Commissioners of the State of Iowa, under the provisions of Chapter 252 A1, Code of Iowa, 1927, shall be permitted to operate on the paved primary roads of this state only, provided the maximum load on any one wheel including the weight of the vehicle and the load does not exceed four (4) tons, and the maximum weight of the vehicle and load does not exceed twenty-eight thousand (28,000) pounds, and provided the vehicle is equipped with pneumatic tires.

Bair of Buena Vista offered the following amendment to the amendment and moved its adoption:

Amend by striking in line seven (7) thereof the word "paved".

Amendment to the amendment adopted.

On the question "Shall the amendment, as amended, be adopted?" a roll call was demanded.

The ayes were, 58.

Aiken	Fabritz	Hutcheon	Reed
Allen	Finnern	Kern	Reimers
Augustine	Forsling	Lamb	Rutledge
Babcock	Gissel	Lichty	Ryder
Bair	Greene	McCreery	Rylander
Ballew	Hansen of	McLain	Short
Berry	Audubon	Mayne	Simmer
Bonnstetter	Hansen of Scott	Mead	Snyder
Brown	Hayes	Nelson of	Sours
Byers	Hesse	Cherokee	Strachan
Davis	Hollingsworth	Nelson of Story	TePaske
Ditto	Hollis	Orr	Thiessen
Donlon	Hook	Pendray	Van Buren
Drake of	Hunt	Randolph	Wamstad
Keokuk	Ilusted	Rawlings	Whiting
Ellsworth			

The nays were, 40.

Avery	Greaser	McDermott	Roe
Beath	Helgason	Malone	Shields
Craven	Hush	Mathews	Stanzel
Drake of	Johnson of	Morton	Stiger
Muscatine	Marion	Osborn	Thompson
Durant	Kohler	Paisley	Torgeson
Felter	Langland	Pattison	Watts
Figgins	Laughlin	Peaco	Wearin
Gallagher	Lepley	Randall	Witt
Garrett	Long	Ratliff	Mr. Speaker
Gilmore	McCauley		

Absent or not voting, 10.

Dayton	Hanson of	Koch	O'Donnell
Elliott	Winnebago	Millhone	Tamisiea
	Hopkins	Miller	Van Wert

Amendment as amended adopted.

Fabritz of Wapello moved the previous question on all pending amendments and the main bill.

Motion prevailed.

Reed of Mahaska offered the following amendments and moved their adoption:

Amend Senate File No. 133 by striking from section nine (9) of the amendment the first three lines and by inserting after the words "any motor vehicle" in the fourth (4th) line thereof the following: "which on February 16, 1931, was licensed in this state for";

Amend, also by inserting after the word "such" in line twelve (12) thereof the word "motor" and by striking after the word "vehicle" in lines twelve (12) and thirteen (13) thereof the words "or combination of vehicles".

Amendments lost.

Bair 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, 93.

Allen	Felter	Husted	Millhone
Avery	Figgins	Hutcheon	Morton
Babcock	Forsling	Johnson of	Nelson of
Bair	Gallagher	Marion	Cherokee
Ballew	Garrett	Kern	Nelson of Story
Beath	Gilmore	Koch	O'Donnell
Berry	Gissel	Kohler	Orr
Bonnstetter	Greaser	Lamb	Paisley
Brown	Greene	Langland	Pattison
Byers	Hansen of Scott	Lepley	Peaco
Craven	Hanson of	Lichty	Pendray
Davis	Winnebago	Long	Randall
Ditto	Hayes	McCauley	Randolph
Donlon	Helgason	McCreery	Ratliff
Drake of Keokuk	Hesse	McDermott	Rawlings
Drake of	Hollingsworth	McLain	Reed
Muscatine	Hollis	Malone	Roe
Durant	Hopkins	Mathews	Rutledge
Ellsworth	Hunt	Mayne	Ryder
Fabritz	Hush	Mead	Rylander

Shields  
Simmer  
Snyder  
Sours  
Stanzel

Strachan  
TePaske  
Thiessen  
Thompson

Torgeson  
Van Buren  
Wamstad  
Watts

Wearin  
Whiting  
Witt  
Mr. Speaker

The nays were, 4.

Augustine

Finnern

Osborn

Reimers

Absent or not voting, 11.

Aiken  
Dayton  
Elliott

Hansen of  
Audubon  
Hook

Laughlin  
Miller  
Short

Stiger  
Tamisiea  
Van Wert

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Bair of Buena Vista moved that the vote by which Senate File No. 133 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 40, a bill for an act relating to the salary of the sheriff.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 41, a bill for an act fixing the salary of the County Attorney.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 307, a bill for an act relating to labor and material on public improvements.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 341, a bill for an act relating to heating plants, water or gas works and electric plants.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 105, a bill for an act to further provide for the giving of preference to domestic or Iowa labor in all public works or improvements.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate Joint Resolution No. 10, a bill for an act relating to conservation.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 116, a bill for an act relating to provisions of the Iowa securities act.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 148, a bill for an act relating to obtaining of marriage licenses in Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 257, a bill for an act to authorize the attorney general to enter into a contract for the use of a special police radio broadcasting system.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 210, a bill for an act to provide for the disposal in vacation of motions for a new trial or for arrest of judgment in criminal causes and for the rendition of final judgment.

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 relating to the perfecting of an appeal to the Supreme Court.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 266, a bill for an act relating to school of instruction for certain peace officers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 233, a bill for an act relating to compensation of county officers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:



Senate File No. 297, a bill for an act relating to mileage and expenses of public officers or employees.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 105

1. Amend by striking Section 1 thereof and renumbering the remaining sections.

2. Further amend by adding immediately after Section 2 as it now appears in the bill, the following:

"Provided, however, that the provisions of this act shall not apply to the purchase of materials and supplies to be used in the construction of any road or highway."

3. Amend the title by striking from lines 1 and 2 the words "to repeal section eleven hundred seventy-one-b-three (1171-b3) of the code, 1927, and".

#### SENATE AMENDMENT TO HOUSE FILE NO. 41

Amend Section 1 by striking lines six (6) and seven (7) thereof; also by striking from line ten (10) the words and figures "sixty-five thousand (65,000)" and inserting in lieu thereof the words and figures "sixty thousand (60,000)".

#### SENATE AMENDMENT TO HOUSE FILE NO. 307

1. Amend by striking out lines 15 and 16 of Section one (1) the words "at the end of each thirty days" and substituting in lieu thereof "within thirty days after the materials are furnished".

#### SENATE AMENDMENT TO HOUSE FILE NO. 341

1. Amend Section one (1) by inserting after the figures "40,000" in line five (5) the following:

"and less than fifty thousand (50,000)".

2. Amend the title by striking from lines 6 and 7 the words and figures "forty thousand (40,000) or over" and inserting in lieu thereof "more than forty thousand (40,000) and less than fifty thousand (50,000)".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 40

1. Amend by inserting the word "for" after the word "wash" in line 2 of section 1.

2. Amend by striking the word "said" from line 2 of section 2 and inserting in lieu thereof the word "such".

3. Amend by inserting in line 1 of section 4 immediately after the word "may" the words "with the approval of the Board of Supervisors."

4. Amend by striking out the last four lines of Section 14 thereof and inserting in lieu thereof:

"9. Sixty-five thousand (65,000) and less than eighty thousand (80,000), twenty-eight hundred dollars (\$2800.00).

10. Eighty thousand (80,000) and less than one hundred twenty-five thousand (125,000), thirty-five hundred dollars (\$3500.00), and in counties over one hundred twenty-five thousand (125,000), five thousand dollars (\$5000.00).

Section fifty-two hundred twenty-six (5226) of the code, 1927, is further amended by renumbering sub-sections 10 and 11 as 11 and 12."

5. Amend by striking out of line four (4) of Section one (1) thereof the words "one hundred twenty-five thousand (125,000)", and inserting in lieu thereof the words and figures "eighty thousand (80,000)".

6. Amend by striking all of sections five (5) and fifteen (15) and renumbering the other sections accordingly.

7. Amend by inserting as Section 14 the following:

"Sec. 14. This act shall not become effective until January 1, 1933."

#### SENATE MESSAGES CONSIDERED

Senate File No. 135, a bill for an act to amend sections twelve thousand eight hundred thirty-seven (12837) and twelve thousand eight hundred forty (12840), thirteen thousand nine hundred ninety-seven (13997), Code, 1927, relating to the perfecting of an appeal to the Supreme Court.

Read first and second times and referred to committee on judiciary.

Senate File No. 266, a bill for an act authorizing the sheriff of each county, with the cooperation of the Bureau of Investigation, to hold an annual conference and school of instruction for certain peace officers, and authorizing the payment of expenses of all officers attending.

Read first and second times and referred to committee on police regulations and suppression of crime.

Senate File No. 233, a bill for an act to amend the law as it appears in section fifty-two hundred twenty-five (5225) Code, 1927, relating to compensation of county officers.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 297, a bill for an act to amend sections fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10637) of the code, 1927, and chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to the mileage and expenses of boards of supervisors, sheriffs, county superintendents, coroners, constables, county engineers, and of any other public officer or employee.

Read first and second times and substituted for House File No. 250.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Brown of Polk, unanimous consent having been given, House File No. 40, a bill for an act to provide for the boarding, lodging, waiting on, washing for and care of, prisoners in the county jail in certain counties to fix the duties of public officers and employees with reference to such work, to provide and pay assistants in carrying on such work, to punish the wrongful use of supplies purchased in connection with such work, and to amend section fifty-two hundred twenty-six (5226), Code, 1927, relating to the salary of the sheriff, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 40

1. Amend by inserting the word "for" after the word "wash" in line 2 of section 1.
2. Amend by striking the word "said" from line 2 of section 2 and inserting in lieu thereof the word "such".
3. Amend by inserting in line 1 of section 4 immediately after the word "may" the words "with the approval of the Board of Supervisors."
4. Amend by striking out the last four lines of Section 14 thereof and inserting in lieu thereof:

"9. Sixty-five thousand (65,000) and less than eighty thousand (80,000), twenty-eight hundred dollars (\$2800.00).

10. Eighty thousand (80,000) and less than one hundred twenty-five thousand (125,000), thirty-five hundred dollars (\$3500.00), and in counties over one hundred twenty-five thousand (125,000), five thousand dollars (\$5,000.00).

Section fifty-two hundred twenty-six (5226) of the code, 1927, is further amended by renumbering sub-sections 10 and 11 as 11 and 12."

5. Amend by striking out of line four (4) of Section one (1) thereof the words "one hundred twenty-five thousand (125,000), and inserting in lieu thereof the words and figures "eighty thousand (80,000)".

6. Amend by striking all of sections five (5) and fifteen (15) and renumbering the other sections accordingly.

7. Amend by inserting as Section 14 the following:

"Sec. 14. This act shall not become effective until January 1, 1933."

Mr. Brown moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 65.

Avery	Hansen of	Lichty	Roe
Babcock	Audubon	McCaulley	Ryder
Bair	Hanson of	McCreery	Rylander
Beath	Winnebago	McDermott	Shields
Brown	Hayes	McLain	Simmer
Dayton	Helgason	Malone	Snyder
Donlon	Hollingsworth	Mead	Stanzel
Drake of	Hollis	Millhone	Strachan
Keokuk	Hook	Nelson of	Tamisiea
Fabritz	Hopkins	Cherokee	TePaske
Felter	Husted	Nelson of Story	Thiessen
Figgins	Hutcheon	O'Donnell	Thompson
Finnern	Johnson of	Orr	Torgeson
Gallagher	Marion	Osborn	Wamstad
Garrett	Kern	Peaco	Watts
Gilmore	Langland	Pendray	Wearin
Gissel	Lepley	Randolph	Mr. Speaker
Greaser		Reed	

The nays were, none.

Absent or not voting, 43.

Aiken	Byers	Durant	Hesse
Allen	Craven	Elliott	Hunt
Augustine	Davis	Ellsworth	Hush
Ballew	Ditto	Forsling	Koch
Berry	Drake of	Greene	Kohler
Bonnstetter	Muscatine	Hansen of Scott	Lamb

Laughlin	Morton	Rawlings	Stiger
Long	Paisley	Reimers	Van Buren
Mathews	Pattison	Rutledge	Van Wert
Mayne	Randall	Short	Whiting
Miller	Ratliff	Sours	Witt

House concurred in Senate amendments to House File No. 40.

On request of Brown of Polk, unanimous consent having been given, House File No. 41, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the Code of 1927, fixing the salary of the County Attorney in counties having a population of more than one hundred twenty-five thousand (125,000), and making such salary the full and only compensation, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 41

Amend Section 1 by striking lines six (6) and seven (7) thereof; also by striking from line ten (10) the words and figures "sixty-five thousand (65,000)" and inserting in lieu thereof the words and figures "sixty thousand (60,000)".

Mr. Brown moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 56.

Avery	Greaser	Lepley	Shields
Bair	Greene	Lichty	Simmer
Beath	Hansen of	McCaulley	Snyder
Brown	Audubon	McCreery	Stanzel
Dayton	Hanson of	McLain	Strachan
Donlon	Winnebago	Mead	TePaske
Drake of Keokuk	Helgason	Millhone	Thiessen
Fabritz	Hesse	Nelson of	Thompson
Felter	Hollingsworth	Cherokee	Torgeson
Figgins	Hook	Nelson of Story	Wamstad
Finnern	Husted	Osborn	Watts
Gallagher	Hutcheon	Peaco	Wearin
Garrett	Kern	Reed	Whiting
Gilmore	Koch	Ryder	Mr. Speaker
Gissel	Langland	Rylander	

The nays were, none.

Absent or not voting, 52.

Aiken	Babcock	Bonnstetter	Davis
Allen	Ballew	Byers	Ditto
Augustine	Berry	Craven	

Drake of	Hush	Mayne	Rawlings
Muscatine	Johnson of	Miller	Reimers
Durant	Marion	Morton	Roe
Elliott	Kohler	O'Donnell	Rutledge
Ellsworth	Lamb	Orr	Short
Forsling	Laughlin	Paisley	Sours
Hansen of Scott	Long	Pattison	Stiger
Hayes	McDermott	Pendray	Tamisiea
Hollis	Malone	Randall	Van Buren
Hopkins	Mathews	Randolph	Van Wert
Hunt		Ratliff	Witt

House concurred in Senate amendment to House File No. 41.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 148.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 148.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had on March 26th, approved the following bills:

House Files Nos. 175, 211, and 237.

#### MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: We move to reconsider the vote by which House Concurrent Resolution No. 13 failed to pass the House.

G. H. HESSE

O. J. DITTO

J. P. GALLAGHER

#### AMENDMENTS FILED

Hayes of Dubuque filed the following amendment to House File No. 442:

Amend House File No. 442 by striking out lines ten (10) and eleven (11) of section one (1) and inserting in lieu thereof the following: "Second District shall consist of the counties of Scott, Clinton, Jackson, Dubuque, Jones and Linn."

Strike out Lines twelve (12), thirteen (13) and fourteen (14) from section one (1) and insert the following: "Third district shall consist of the counties of Worth, Mitchell, Cerro Gordo, Floyd, Wright, Franklin, Butler, Hardin, Grundy, Marshall and Tama."

Strike out lines fifteen (15), sixteen (16) and seventeen (17) and insert the following: "Fourth district shall consist of the counties of Howard, Chickasaw, Winneshiek, Allamakee, Fayette, Clayton, Bremer, Black Hawk, Buchanan, Delaware and Benton."

Ditto of Osceola filed the following amendment to House File No. 342:

Amend House File No. 342 by striking all of section two (2).

Forsling of Woodbury filed the following amendment to House File No. 360:

Amend House File No. 360 as follows:

1. By inserting in line three (3) of section two (2), following the word "from" the following words: "line fifty (50) and";

2. By inserting the words "the New York," before the word "Boston" in line five (5) of section two (2) of said bill;

3. By inserting after the word "Chicago" in line five (5) of section two (2) the following words: "stock exchange or on";

4. By striking from section four (4) paragraph (f), the word "other" following the word "any" in line fifty-one (51); so that as amended the law shall read:

"Securities appearing in any list of securities dealt in on any recognized and responsible stock exchange.....";

5. By adding the following provision to paragraph (f) section four (4) chapter ten (10) of the acts of the forty-third (43rd) general assembly, line sixty-two (62), the following sentence:

"The secretary of state may at any time for cause, withdraw its approval of any security so listed on any approved stock exchange, and thereafter such security shall not be entitled to the benefit of this exemption, except on further order of the secretary of state."

Johnson of Marion filed the following amendment to House File No. 5:

Amend House File No. 5 by striking out the period at the end of section two (2) and adding the following:

"and provided further that such portion of the assets of a mutual building and loan or savings and loan association, organized under Chapter four hundred seventeen (417) of the code, 1927, as is invested in mortgages on which the registration fee has been paid shall not be otherwise taxable, either against the association or against the shares of stock of such association."

Brown of Polk filed the following amendment to Senate File No. 297:

Amend Senate File No. 297 as follows:

1. "Sec. 2. That section fifty-one hundred ninety-one (5191), code, 1927, be amended by striking from line two (2) of subsection ten (10) thereof, the word, "ten" and by substituting therefor, the word, "seven".

2. By renumbering the sections thereof, in accordance with the above amendment."

On motion of Finnern of Crawford the House adjourned until 9:00 a. m. Saturday.



# JOURNAL OF THE HOUSE .

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HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, MARCH 28, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. J. Hamilton Dawson, pastor of the Unity Lutheran Church, Des Moines.

Journal of March 27th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Rylander of Marshall for the day, on request of Greaser of Benton; Drake of Keokuk for the day, on request of Hutcheon of Greene; Koch of Bremer for the day, on request of Hutcheon of Greene; Fabritz of Wapello for the day, on request of Simmer of Wapello; Augustine of Ringgold for the day, on request of Lepley of Grundy; Millhone of Page for the day, on request of Morton of Wright; Mead of Howard for the day, on request of Babcock of Chickasaw; Davis of Delaware for the day, on request of Snyder of Hamilton; Witt of Butler for the day, on request of Hollis of Black Hawk; Johnson of Marion for the day, on request of Hollis of Black Hawk; Mayne of Pottawattamie for the day, on request of Bair of Buena Vista.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Randall of Lucas, from the church of the Nazarene, Chariton, favoring House Files Nos. 522 and 388, and opposing House File No. 398. Suppression of intemperance.

By Simmer of Wapello, from citizens of Ottumwa and Wapello county, favoring a regulation of trucks and motor busses; opposing House File No. 398; and favoring House File No. 174 and opposing House File No. 340. Motor vehicles and transportation, suppression of intemperance, and public health.

## REPORTS OF COMMITTEES

Brown of Polk, from the committee on cities and towns, submitted the following reports:

MR. SPEAKER: Your committee on cities and towns, to whom was referred Senate File No. 234, a bill for an act to amend section three thousand six hundred forty-one b-one (3641-b1) of the code, 1927, as amended by chapter ninety-two (92) of the acts of the forty-third General Assembly, relating to the levying of a tax to pay pensions to widowed mothers, beg leave to report they have 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.

ED. R. BROWN, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on cities and towns, to whom was referred House File No. 533, a bill for an act to amend paragraph fifteen (15) of section fifty-six hundred sixty-three (5663) of the code, 1927, relating to the purchase of supplies by 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 do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on cities and towns has introduced to the House, House File No. 552, a bill for an act to amend sections sixty-one hundred fifty-one-b one (6151-b1) and sixty-one hundred fifty-one-b two (6151-b2) code, 1927, as amended by chapter one hundred eighty-three (183), acts of the forty-third (43rd) general assembly, relating to transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns, including cities and towns under special charter, so as to authorize the use of surplus funds for municipal improvements.

The committee on cities and towns recommends to the House that the bill do pass.

ED. R. BROWN, *Chairman*.

Report adopted.

Hollingsworth of Boone, from the committee on public utilities, submitted the following report:

MR. SPEAKER: Your committee on public utilities, to whom was referred House File No. 508, a bill for an act to amend section seventy-

seven hundred seventy-one (7771) of the code, 1927, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the submission of cost records for promotion, construction, repairs and/or additions to projects constructed and operated under the provision of this said section and to provide for the recapture of such projects by the state and/or political thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. HOLLINGSWORTH, *Chairman.*

Report adopted.

Helgason of Emmet, 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. 467, a bill for an act to provide for the establishment of game preserves on private property on the request of the land owner, and to provide punishment for hunting thereon, beg leave to report they have had 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. O. HELGASON, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILL

House File No. 552, by committee on cities and towns, a bill for an act to amend sections sixty-one hundred fifty-one-b one (6151-b1) and sixty-one hundred fifty-one-b two (6151-b2) code, 1927, as amended by chapter one hundred eighty-three (183), acts of the forty-third (43rd) general assembly, relating to transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns, including cities and towns under special charter, so as to authorize the use of surplus funds for municipal improvements.

Read first and second times and passed on file.

#### HOUSE FILES WITHDRAWN

Figgins of Union asked and obtained unanimous consent to have House File No. 116 withdrawn from the committee on appropriations and from further consideration of the House.

Lamb of Dallas asked and obtained unanimous consent to

have House File No. 93 withdrawn from the committee on private corporations and from further consideration of the House.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate 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 taxation; providing for an income tax, and creating the office of county assessor.

WALTER H. BEAM, *Secretary*.

### SENATE AMENDMENT TO HOUSE FILE NO. 2.

Amend House File No. 2 by striking all after the enacting clause and substituting in lieu thereof the following:

"Sec. 1. Short Title. This act shall be known and cited as the "property tax relief act of 1931".

Sec. 2. Definitions. For the purpose of this act and unless otherwise required by the context:

1. The word "board" or "state board" means the state board of assessment and review.

2. The word "taxpayer" includes any individual, corporation or fiduciary whose income is in whole or in part subject to the tax imposed by this act.

3. "Taxable income" means, so far as a person or corporation is concerned, all net income.

4. The word "person" includes individuals, fiduciaries and partnerships.

5. The word "corporation" includes joint stock companies, limited partnerships, and associations organized for pecuniary profit.

6. The words "domestic corporation" mean any corporation organized under the laws of this state.

7. The words "foreign corporation" mean any corporation other than a domestic corporation.

8. The words "income year" mean the calendar year or the fiscal year upon the basis of which the net income is computed under this act; if no fiscal year has been established they mean the calendar year.

9. The words "tax year" mean the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this act.

10. The words "fiscal year" mean an accounting period of twelve months, ending on the last day of any month other than December.

11. The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual, or corporate, acting in any fiduciary capacity for any person, trust or estate.

12. The word "paid", for the purposes of the deductions under this act, means "paid or accrued" or "paid or incurred", and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act. The term "received", for the purpose of the computation of net income under this act, means "received or accrued", and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

13. The word "resident" applies only to individuals and includes for the purpose of determining liability to the tax imposed by this act upon or with reference to the income of any tax year, any individual domiciled in the state of Iowa, and any other individual who maintains a permanent place of abode within the state, and spends in the aggregate more than six months of the tax year within the state.

14. The words "foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States", when used in a geographical sense, include the states, the territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

15. The word "individual" means a natural person.

16. The word "dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property or in stock of the corporation.

#### IMPOSITION OF TAX

Sec. 3. Individuals. 1. A tax is hereby imposed upon every resident of the state, which tax shall be levied, collected and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

(a) On the first two thousand dollars of taxable income, or any part thereof, one per cent (1%).

(b) On the third and fourth thousand dollars of taxable income, or any part thereof, two per cent (2%).

(c) On the fifth and sixth thousand dollars of taxable income or any part thereof, three per cent (3%).

(d) On the seventh and eighth thousand dollars of taxable income, or any part thereof, four per cent (4%).

(e) On all taxable income in excess of eight thousand dollars, five per cent (5%). Such tax shall first be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931; provided, however, that every single person, a resident of the state, having a net income of more than fifteen hundred dollars a year plus five hundred dollars for each dependent, and every married person, a resident of the state having a net income of more than thirty-five hundred dollars a year, plus four hundred dollars for each dependent, shall pay a tax of not less than three dollars.

2. Corporations. A tax is hereby imposed upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount equivalent to one

per cent of the net income as herein defined, received by such corporation during the income year; but no corporation having a net income of less than one thousand dollars (\$1000.00) during the income year shall be required to file a return or to pay a tax.

(a) Allocation and Apportionment of Net Income. If the trade or business of the corporation is carried on entirely within the state, the tax shall be imposed on the entire net income, but if such trade or business is carried on partly within and partly without the state, the tax shall be imposed only on the portion of the net income reasonably attributable to the trade or business within the state, said net income attributable to the State of Iowa to be determined as follows:

(1) Interest, dividends, rents and royalties (less related expenses) received in connection with business in the state, shall be allocated to the state and where received in connection with business outside the state, shall be allocated outside of the state.

(2) Gains from the sale of capital assets or property held, owned or used in connection with the trade or business of the taxpayer, but not for sale in the regular course of business, shall be allocated to the state, if the property sold is real or tangible personal property situated in the state; otherwise, such gains shall be allocated outside of the state. Gains from the sale of intangible property shall be allocated upon the basis hereinafter provided for the allocation of net income.

(3) Net income of the above classes having been separately allocated and deducted as above provided, the remainder of the net income of the taxpayer shall be allocated and apportioned as follows:

Where income is derived from business other than the manufacture and sale of tangible personal property, such income shall be specifically allocated or equitably apportioned within and without the state under rules and regulations of the board.

Where income is derived from the manufacture or sale of tangible personal property, the portion thereof attributable to business within the state shall be taken to be such percentage of the total of such income as gross sales within the state bears to the total gross sales of the corporation.

The gross sales of the corporation within the state shall be taken to be the gross sales from goods sold and delivered within the state, excluding deliveries for transportation out of the state.

For the purpose of this section, the word "sale" shall include exchange and the word "manufacture" shall include the extraction and recovery of natural resources and all processes of fabricating and curing.

(b) Allocation in Special Cases. If any taxpayer believes that the method of allocation and apportionment hereinbefore prescribed as administered by the board and applied to his business has operated or will so operate as to subject him to taxation on a greater portion of his net income than is reasonably attributable to business or sources within the state, he shall be entitled to file with the board a statement of his objections and of such alternative method of allocation and apportionment as he believes to be proper under the circumstances with such detail and proof and within such time as the board may reasonably prescribe; and if the board shall conclude that the method of allocation and

apportionment theretofore employed is in fact inapplicable and inequitable, it shall redetermine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to business and sources within the state, not exceeding, however, the amount which would be arrived at by application of the statutory rules for apportionment.

(c) The words "tangible personal property" shall be taken to mean corporeal personal property, such as machinery, tools, implements, goods, wares and merchandise, and shall not be taken to mean money deposits in banks, shares of stock, bonds, notes, credits, or evidence of an interest in property and evidences of debt.

3. Taxable year. The tax imposed by this act shall be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931 and annually thereafter.

4. Exemptions. The following organizations and corporations shall be exempt from taxation under this act:

(a) All state, national, cooperative and savings banks, title insurance and trust companies, building and loan associations, insurance companies and/or insurance associations, railway companies, equipment car companies and pullman car companies, now or hereafter organized and incorporated by or under the laws of this state or lawfully operating in the state of Iowa.

(b) Fraternal beneficiary associations.

(b1) Insurance companies organized under the laws of the state of Iowa and existing by reason of the law as it appears in sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719) of the code, 1927.

(c) All domestic companies described in sections 6994-6995 of the code, 1927, engaged in the business of loaning money to deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans.

(d) Cemetery corporations and corporations organized for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(e) Business leagues, chambers of commerce, or boards of trade not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(f) Civic leagues or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

(g) Clubs organized and operated exclusively for pleasure, recreation, and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

(h) Farmers' associations and fruit growers' associations, or like organizations organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them.

5. That tax imposed by this act shall apply to and become a charge against estates or trusts, which tax shall be levied, collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust, including:

(a) Income received by estates of deceased persons during the period of administration or settlement of the estate.

(b) Income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interest.

(c) Income held for future distribution under the terms of the will or trust.

(d) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed, as the court may direct.

(e) Income of an estate during the period of administration or settlement permitted by subdivision seven (7), to be deducted from the net income upon which the tax is to be paid by the fiduciary.

(f) The net income received during the year by deceased individuals who have died on or after the date a return was due to be filed without having made a return.

6. The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts, whether such income be taxable to the estate or trust or to the beneficiaries thereof. The net income of an estate or trust shall be computed in the same manner and on the same basis as provided in this act for individual taxpayers, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is, during the taxable year, paid to or permanently set aside for the United States, any state, territory, or any political subdivision thereof, of the District of Columbia, or any corporation or association organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and, in cases under paragraphs (d) and (e) of subdivision five (5) of this section, the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made.

7. In cases under paragraphs (a), (b) and (c) of subdivision five (5) of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary, except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee, heir or other beneficiary. In cases under (a), (b) and (c) the estate or trust shall be allowed the same exemptions as are allowed to single persons under section twelve (12), and in cases under paragraph (f) the same exemption as would be allowed the deceased, if living.

8. In cases under paragraphs (d) and (e) of subdivision five (5) of this section, if the distribution of income is in the discretion of the fidu-



ciary, either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled, the tax shall be imposed upon the estate or trust in the manner provided in subdivision seven (7) of this section, but without the deduction of any amounts of income paid or credited to any such beneficiary. In all other cases under paragraphs (d) and (e) of subdivision five (5) of this section, the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not, of the net income of the estate or trust for the taxable year, or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his distributive share of the income of the estate or trust for any accounting period of such estate or trust ending within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed.

9. A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under this section, but the amount contributed to such fund by the employer and all earnings of such fund shall be taxed to the distributee in the year in which distributed or made available to him.

#### COMPUTATION OF TAX.

Sec. 4. Net income defined. The term "net income" means the gross income of the taxpayer less the deductions allowed by this act.

Sec. 5. Gross income defined. 1. The term "gross income" includes gains, profits and incomes derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, business, commerce of sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit; or gains or profits, and income derived from any source whatever and in whatever form paid. The amount of all such items shall be included in the gross income of the tax year in which received by the taxpayer, unless, under the methods of accounting permitted under this act, any such amounts are to be properly accounted for as of a different period.

2. The term "gross income" does not include the following items, which shall be exempted from taxation under this act:

(a) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income);

(b) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under a life in-

surance, endowment, or annuity contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (a) of this paragraph;

(c) The value of property acquired by gift, bequest, devise, or descent (but the income from such property shall be included in gross income).

(d) Interest upon the obligations of the United States or its possessions, agencies, or instrumentalities, which is or shall be exempt from state taxation by federal law.

(e) Salaries, wages and other compensation received from the United States by officials or employees thereof which are or shall be exempt from state taxation by federal law.

(f) Any amounts received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness, plus the amount of damages received, whether by suit or agreement, on account of such injuries or sickness.

(g) Stock dividends of a corporation distributed to its own stockholders,

Sec. 6. Basis of return of net income. 1. Taxpayers, who customarily determine their income on a basis other than that of actual cash receipts and disbursements, may, with the approval of the board return their net income under this act upon a similar basis. Taxpayers who customarily determine their income on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the board, and subject to such rules and regulations as it may establish, return their net income under this act on the basis of such fiscal year, in lieu of that of the calendar year.

2. A taxpayer may, with the approval of the state board, and under such regulations as it may prescribe, change his income year from the fiscal year to the calendar year or otherwise, in which case his net income shall be computed upon the basis of such new tax year.

3. An individual carrying on business in partnership shall be liable for income tax only in his individual capacity and shall include in his gross income his share of the net income of the partnership during the income year, but when the partner's net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his share of the net income of the partnership for any accounting period of such partnership ending within the fiscal or calendar year upon the basis of which such partner's net income is computed.

4. Every individual, taxable under this act, who is a beneficiary of an estate or trust, shall include in his gross income the distributive share of the net income of the estate or trust, received by him or distributable to him during the income year. Unless otherwise provided in the law, the will, the deed or other instrument creating the estate, trust or fidu-

ciary relation, the net income shall be deemed to be distributed or distributable to the beneficiaries (including the fiduciary as a beneficiary, in the case of income accumulated for future distribution) ratably, in proportion to their respective interests.

Sec. 7. Determination of gain or loss. 1. For the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal or mixed, the basis shall be, in case of property acquired on or after January 1, 1931, the cost thereof, or the inventory value, if the inventory is made in accordance with this act.

2. In case of property acquired prior to January 1, 1931, and disposed of thereafter:

(a) No profit shall be deemed to have been derived if either the cost or the fair market price or value on January 1, 1931, exceeds the value realized.

(b) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January 1, 1931, is less than the value realized.

(c) Where both the cost and the fair market price or value on January 1, 1931, are less than the value realized, the basis for computing profit shall be the cost or the fair market price or value on January 1, 1931, whichever is higher.

(d) Where both the cost and the fair market price or value on January 1, 1931, are in excess of the value realized, the basis for computing loss shall be the cost or the fair market price or value on January 1, 1931, whichever is lower.

(e) Any distribution to the taxpayer of the assets of a corporation in partial or complete liquidation thereof shall be treated as a sale of the stock or securities of the corporation owned by him and the gain or loss shall be computed accordingly.

Sec. 8. Exchange of property. 1. When property is exchanged for other property having a readily ascertainable market value, the property received in exchange shall, for the purpose of determining gain or loss, be treated as the equivalent of cash to the amount of its fair market value, if any, but even if property received in exchange has a readily ascertainable market value, no gain or loss shall be recognized (1) when in the reorganization, recapitalization, or other change in identity, form, or place of organization, however affected, consolidation or merger of one or more corporations a taxpayer receives in place of any stock, or securities owned by him, stock or securities in a corporation a party to or resulting from such reorganization, consolidation or merger, or (2) when a taxpayer or taxpayers transfer any property, real, personal or mixed, to a corporation for stock and securities in the corporation and immediately after the transfer is or are in control of such corporation by stock ownership.

2. When property is exchanged for other property and no gain or loss is recognized, the property received shall be treated as taking the place of the property exchanged therefor.

3. Installment Basis.

a. Dealers in personal property. Under regulations prescribed by

the board, any person or corporation who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

b. Sales of realty and casual sales of personalty. In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the selling price, the income may, under regulations prescribed by the board, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

c. Change from accrual to installment basis. If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded; provided, however, no tax shall be imposed on any income accrued from sales made prior to January 1, 1931.

d. Gain or loss upon disposition of installment obligations. If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

Sec. 9. Inventory. Whenever, in the opinion of the board, the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the board may prescribe, conforming as nearly as may be to the best accounting practice in the trade or business and most clearly reflecting the income.

Sec. 10. Deductions. In computing net income there shall be allowed as deductions:

1. All the ordinary and necessary expenses, paid or incurred during the tax year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal service actually rendered, traveling expenses while away from home in pursuit of

trade or business, and including rentals or other payments required to be made as a condition to the continued use or possession, for the purpose of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

2. All interest paid or accrued during the tax year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities, the interest on which is exempt from taxation under this act.

3. Taxes paid or accrued within the income year, imposed by the authority of the United States or of any of its possessions or of any state, territory or the District of Columbia or of any foreign country; except inheritance taxes, Federal estate taxes or estate taxes of this or any other state, and except income taxes imposed by this act and taxes assessed for local benefits, of a kind tending to increase the value of the property assessed.

4. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in trade or business.

5. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business.

6. Losses sustained during the tax year of property not connected with the trade or business, if arising from fires, storm, shipwreck or other casualty, or from theft and not compensated for by insurance or otherwise.

7. Losses deduced under the foregoing paragraphs four, five, and six shall be ascertained and computed upon the same basis as provided in section seven of this act.

8. Debts ascertained to be worthless and charged off within the tax year; provided, however, that such deductions shall not exceed the value of such debt on January 1, 1931.

9. A reasonable allowance for the depreciation, exhaustion, wear and tear and obsolescence of property used in the trade or business, and in the case of mines or other natural deposits and timber, a reasonable allowance for depletion; provided, that in computing the deductions allowed under this paragraph the basis shall be the cost (including in the case of mines and other natural deposits, the cost of development, not otherwise deducted), and in the case of property acquired prior to January 1, 1931, the fair market value of the property on that date shall be taken in lieu of cost up to that date. The reasonable allowance under this paragraph shall be made under rules and regulations to be prescribed by the board. In the case of leases the deductions allowed may be equitably apportioned between the lessor and the lessee.

10. Contributions made within the taxable year to or for the use of:

(a) The United States, any state, territory or political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(b) Any corporation or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals;

(c) The special fund for vocational rehabilitation authorized by section seven of the vocational rehabilitation act;

(d) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations;

(e) Fraternal societies operating under the lodge system, if such contributions are to be used exclusively for religious, charitable or educational purposes. This deduction is limited to an amount which, in all of the above cases combined, does not exceed fifteen per cent (15%) of the taxpayer's net income, computed without the benefit of such deductions.

11. If for any taxable year beginning after December 31, 1930, it appears on the production of evidence satisfactory to the board that any taxpayer has sustained a net loss, the amount thereof shall be deducted from the net income of the taxpayer for the succeeding year; and if such net loss is in excess of the net income for such succeeding tax year, the amount of such excess shall be used as a reduction in computing the net income for the next two succeeding tax years, the deduction in all cases to be made under regulations prescribed by the board.

12. Dividends received within the year from stock in any corporation, the income of which shall have been assessed, and the tax on such income paid by the corporation under the provisions of this act; provided, however, that the taxpayer shall not be allowed a credit upon his income tax in excess of the amount of the tax paid by the corporation upon the earnings from which the dividend was paid; and provided further that such corporation has reported the name and address of each person owning stock and the amount of dividends paid each such person during the year.

Sec. 11. Items not deductible. In computing net income no deductions shall in any case be allowed in respect to the following:

1. Personal, living or family expenses.

2. Any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate.

3. Any amount expended in restoring property or in making good the exhaustion thereof, for which an allowance is or has been made.

4. Premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

Sec. 12. Exemptions. 1. There shall be deducted from the tax after the same shall have been computed as set forth in this act a personal exemption for individuals as follows:

(a) For an individual, fifteen dollars.

(b) For husband and wife or head of a family, fifty dollars.

For the purposes of this chapter, the term "head of a family" means an individual who maintained a household and supported therein himself and one or more persons who were dependent upon him for support.

(c) For each child under the age of eighteen years who is actually supported by and dependent upon the taxpayer for his support, an additional four dollars.

(d) The personal exemptions provided by this section shall be determined by the personal status of a taxpayer on the last day of the tax year.

## RETURNS

Sec. 13. Individual returns. 1. Every individual having a net income for the tax year from sources taxable under this act of fifteen hundred dollars or over if single, or if married and not living with husband or wife; or having a net income for the tax year of thirty-five hundred dollars or over if married and living with husband or wife; and every partnership doing business in this state shall make a return under oath, stating specifically the items of gross income and the deductions and exemptions allowed by this act.

2. If husband and wife living together have an aggregate net income of thirty-five hundred dollars or over, each shall make such a return, unless the income of each is included in a single joint return.

3. If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

4. Provided, also, that every individual having a gross income of five thousand dollars a year or over, shall file a return.

Sec. 14. Fiduciary returns. 1. Every fiduciary subject to taxation under the provisions of this act, as provided in section three (3) hereof, shall make a return under oath for the individual, estate or trust for whom or for which he acts, if the net amount thereof amounts to one thousand dollars or more or the gross amount thereof amounts to two thousand dollars or more.

2. The return made by a fiduciary shall state specifically the items of gross income, and the deductions and exemptions allowed by this act and such other facts as the board may prescribe. Under such regulations as the board may prescribe, a return may be made by one of two or more joint fiduciaries.

3. Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

Sec. 15. Corporation returns. 1. The return by a corporation shall be sworn to by the president, vice-president, or other principal officer and by the treasurer or assistant treasurer. Before a corporation shall be dissolved and its assets distributed it shall make a return for a settlement of the tax for any income earned in the income year up to its final date of dissolution.

2. When any corporation, liable to taxation under this act, conducts its business in such a manner as either directly or indirectly to benefit the members or stockholders thereof or any person interested in such business by selling its products or the goods or commodities in which it deals at less than the fair price which might be obtained therefor, or where a corporation, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, acquires and disposes of the products, goods or commodities of the corporation so owning a substantial portion of its stock in such a manner as to create a loss or improper net income for either of said corporations, or where a

corporation, owning directly or indirectly a substantial portion of the stock of another corporation, acquires and disposes of the products, goods or commodities, of the corporation of which it so owns a substantial portion of the stock, in such a manner as to create a loss or improper net income for either of said corporations, the board may determine the amount of taxable income of either or any of such corporations for the calendar or fiscal year, having due regard to the reasonable profits which, but for such arrangement or understanding, might or could have been obtained, by the corporation or corporations liable to taxation under this act, from dealing in such products, goods or commodities.

3. Where the state board has reason to believe that any person or corporation so conducts his trade or business as either directly or indirectly to distort his true net income and the net income properly attributable to the state, whether by the arbitrary shifting of income, through price fixing, charges for services, or otherwise, whereby the net income is arbitrarily assigned to one or another unit in a group of taxpayers carrying on business under a substantially common control, it may require such facts as it deems necessary for the proper computation of the entire net income and the net income properly attributable to the state, and in determining the same the board shall have regard to the fair profits which would normally arise from the conduct of the trade or business.

Sec. 16. Consolidated Returns. 1. Any corporation capable of exercising directly or indirectly substantially the entire control of the business of another corporation doing business in the United States either by ownership or control of substantially the entire capital stock of such other corporation or otherwise may, under regulations to be prescribed by the board, be permitted, and upon demand of the board shall be required, to make a consolidated return, showing the consolidated net income of all of such corporations, and such other information as the board may require in order to compute the net income properly attributable to the state and to impose the tax upon the taxpayers concerned.

2. The board may permit or require the filing of a consolidated return where substantially the entire control of two or more such corporations liable to taxation under this act is exercised by the same interests. Any corporation liable to report under this act and owned or controlled, either directly or indirectly, by another corporation, may be required to make a consolidated report showing the combined net income, such assets of the corporation as are required for the purposes of this act, and such other information as the board may require.

3. In case it shall appear to the board that any arrangement exists in such a manner as to improperly reflect the business done, the segregable assets or the entire net income earned from business done in the state, the board is authorized and empowered, in such manner and under such rules and regulations as it may determine, to equitably adjust the tax.

Sec. 17. Information at source. 1. Every person or corporation being a resident of or having a place of business in this state, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the state or



of any political subdivision of the state, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath, to the state board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

2. Every partnership, having a place of business in the state, shall make a return, stating specifically the items of its gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed, and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

3. Every fiduciary shall make, under oath, a return for the individual, estate, or trust for whom or for which he acts, and shall set forth in such return the items of the gross income, the deductions allowed by this act, the net income, the names and addresses of the beneficiaries, the amounts distributed or distributable to each and the amount, if any, lawfully retained by him for future distribution. Such return may be made by one of two or more joint fiduciaries.

Sec. 18. Time and place of filing returns. Returns shall be in such form as the board may, from time to time, prescribe, and shall be filed with the board within ninety days after the expiration of the tax year. In case of sickness, absence or other disability, or whenever, in its judgment, good cause exists, the board may allow further time for filing returns. There shall be annexed to the return the affidavit or affirmation of the taxpayer making the return to the effect that the statements contained therein are true. The board shall cause to be prepared blank forms for said returns and shall cause them to be distributed throughout the state and to be furnished upon application, but failure to receive or secure the form shall not relieve the taxpayer from the obligation of making any return herein required.

Sec. 19. Failure to file returns; supplemental returns. If the board shall be of the opinion that any person or corporation required under this act to file a return has failed to file such a return, or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxpayer a return or supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, **whether** or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the board finds that any items of income, taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of this act whether or not the board required a return or a supplementary return under this section.

Sec. 20. Return by administrator or executor. 1. The return by an individual, who, while living, was subject to income tax in the state during the tax year, and who has died before making the return, shall be made in his name and behalf by the administrator or executor of the estate and the tax shall be levied upon and collected from his estate.

Sec. 21. Change of tax year. If a taxpayer, with the approval of the board, changes the tax year on the basis of which his net income is computed, he shall, at such time and in such manner as the board may prescribe, make a separate return of his net income received during the period intervening between the end of his former income year and the beginning of his new income year.

### COLLECTION AND ENFORCEMENT OF TAXES.

Sec. 22. Time and place of payment. 1. The tax may be paid in two installments, each consisting of one-half of the total amount of the tax. The first installment shall be remitted with the return and the second installment shall be paid on or before six months after the date fixed for filing the return; provided, however, that in case the total amount of the tax shall be ten dollars or less, then, and in that case, the whole amount of the tax shall be paid at the time of filing the return.

2. When, at the request of the taxpayer, the time for filing the return is extended, interest at the rate of six per cent (6%) per annum on one-half of the total tax, from the time when the return was originally required to be filed to the time of payment shall be added and paid.

Sec. 23. Examination of returns. 1. As soon as practicable after the return is filed the board shall examine it and determine the correct amount of the tax, and the amount so determined by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid within ten days after notice of the amount shall be mailed by the board.

2. If the return is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty added because of the understatement, but interest shall be added to the amount of the deficiency at the rate of one half of one per cent ( $\frac{1}{2}\%$ ) for each month or fraction of a month.

3. If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent (5%) thereof, and in addition, interest at the rate of one half of one per cent ( $\frac{1}{2}\%$ ) per month or fraction of a month.

4. If the understatement is found by the board to be false or fraudulent, with intent to evade the tax, the tax on the additional income discovered to be taxable shall be doubled and an additional one per cent (1%) per month or fraction of a month shall be added.

5. The interest provided for in this section shall in all cases be computed from the date the return was originally required to be filed to the date of payment.

6. If the amount of tax as determined by the board shall be less than the amount theretofore paid, the excess shall be refunded with interest

from date of payment at six per cent per annum under the provisions of such regulations as may be prescribed by the state board.

7. All payments received must be credited, first, to penalty and interest accrued, and then to tax due.

Sec. 24. Additional taxes. 1. If the board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within two years after the time when the return was due, compute the tax and give notice to the taxpayer of the proposed assessment, and the taxpayer shall thereupon have an opportunity, within thirty days, to file an appeal with the board and a hearing shall be granted and a final decision thereon shall be made by the board as soon as possible. The limitation of two years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from such notification, if no appeal has been filed or after such hearing if such appeal has been filed, the board shall assess the income of such taxpayer or any portion thereof which it determines has not theretofore been assessed and shall give notice to the taxpayer so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than five dollars shall be assessed.

Sec. 25. Warrant for the collection of taxes. If any tax imposed by this act or any portion of such tax be not paid within sixty days after the same becomes due, the board shall issue a warrant under its official seal directed to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property of the taxpayer found within his county, for the payment of the amount thereof, with the added penalties, interest, and the cost of executing the warrant, and to return such warrant to the board and pay to it the money collected by virtue thereof by a time to be therein specified, not less than sixty days from the date of the warrant. The sheriff shall, within five days after the receipt of the warrant, file with the clerk of the district court of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The said sheriff shall thereupon proceed upon the same in all respects, with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgment of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be collected in the same manner.

Sec. 26. Tax a debt. Every tax imposed by this act, and all increases, interest and penalties thereon shall become, from the time it is due and payable, a personal debt from the person or persons liable to pay the same

to the state of Iowa, and all property of the taxpayer, whether exempt from execution or not, shall be liable for satisfaction of the debt.

Sec. 27. Action for recovery of taxes. Action may be brought at any time by the attorney general of the state, and shall be brought by him upon the request of the state board, in the name of the state, to recover the amount of any taxes, penalties, and interest due under this act.

Sec. 28. Tax upon settlement of fiduciary's account.

1. No final account of a fiduciary shall be allowed by any court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax to the extent of said certificate.

2. For the purpose of facilitating the settlement and distribution of **estates held by** fiduciaries, the board may, on behalf of the state, agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

### PENALTIES.

Sec. 29. Penalties. 1. If any taxpayer, without intent to evade any tax imposed by this act, shall fail to file a return of income or pay a tax, if one is due at the time required by or under the provisions of this act, but shall voluntarily file a corrected return of income and pay the tax due, within sixty days thereafter, there shall be added to and made a part of the tax an additional amount equal to five per cent (5%) thereof, plus one dollar, and an additional one per cent (1%) for each month or fraction of a month during which the tax remains unpaid.

2. If any taxpayer fails voluntarily to file a return of income or to pay a tax, if one is due, within sixty days of the time required by or under the provisions of this act, the tax rates shall be increased by twenty per cent (20%), and such increased tax shall be further increased by one per cent (1%) for each month or fraction of a month from the time the tax was originally due to the date of payment.

3. The board shall have power, upon making a record of its reason therefor, to waive or reduce any of the additional taxes or interest provided in subdivisions one (1) and two (2) of this section or in subdivisions two (2), three (3) and four (4) of section twenty-three (23), and to credit all payments received first to penalty and interest, then to tax due.

4. If any taxpayer fails to file a return within sixty days of the time prescribed by this act, any judge of the district court, upon petition of the state board or county assessor of any county, shall issue a writ of mandamus requiring such person to file a return. The order of notice upon the petition shall be returnable not later than ten days after the filing of the petition. The petition shall be heard and determined on the return day or on such day thereafter as the court shall fix, having regard

to the speediest possible determination of the case, consistent with the rights of the parties.

5. Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction.

6. If a corporation required by the provisions of this act to file any report or return or to pay any tax or fee, either as a corporation organized under the laws of this state, or as a foreign corporation doing business in this state for profit, or owning and using a part or all of its capital or plant in this state, fails or neglects to make any such report or return or to pay any such tax or fee for ninety days after the time prescribed in this act for making such report or return, or for paying such tax or fee, the board may in its discretion certify such fact to the secretary of state. The secretary of state shall thereupon cancel the articles of incorporation of any such corporation which is organized under the laws of this state by appropriate entry upon the margin of the record thereof, or cancel the certificate of authority of any such foreign corporation to do business in this state by proper entry. Thereupon all the powers, privileges, and franchises conferred upon such corporation by such articles of incorporation or by such certificate of authority shall cease and determine. The secretary of state shall immediately notify by registered mail such domestic or foreign corporation of the action taken by him.

7. Any person or persons who shall exercise or attempt to exercise any powers, privileges, or franchises under articles of incorporation or certificate of authority after the same are cancelled, as provided in any section of this act, shall pay a penalty of not less than one hundred dollars nor more than one thousand dollars, to be recovered in an action to be brought by the board in the district court of Polk County.

8. Any corporation whose articles of incorporation or certificate of authority to do business in this state have been cancelled by the secretary of state, as provided in sub-section six (6), or similar provisions of prior revenue acts, upon the filing, within ten years after such cancellation, with the secretary of state, of a certificate from the board that it has complied with all the requirements of this act and paid all state taxes, fees, or penalties due from it, and upon the payment to the secretary of state of an additional penalty of fifty dollars, shall be entitled to again exercise its rights, privileges, and franchises in this state; and the secretary of state shall cancel the entry made by him under the provisions of subsection six (6) or similar provision of prior revenue acts, and shall issue his certificate entitling such corporation to exercise its rights, privileges, and franchises.

9. Any person, or any officer or employee of any corporation, or member or employee of any partnership, who, with intent to evade any requirement of this act or any lawful requirement of the board thereunder, shall fail to pay any tax or to make, sign, or verify any return or to

supply any information required by or under the provisions of this act, shall be guilty of a misdemeanor and punished accordingly. Any person, corporation, or any officer or employee of a corporation, or member or employee of any partnership, who with intent to evade any of the requirements of this act, or any lawful requirement of the board thereunder, shall make, render, sign or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, or who shall aid, abet, direct cause or who shall procure anyone so to do, shall be liable to a penalty of not more than five thousand dollars, to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction, and shall also upon conviction be punished by imprisonment in the penitentiary for a term of from one to three years and by a fine of not less than one thousand dollars nor more than five thousand dollars.

10. The board shall have the power to compromise any penalty under subsections five (5) and nine (9) of this section. The penalties provided by such subsections shall be additional to all other penalties in this act provided.

11. The failure to do any act required by or under the provisions of this act shall be deemed an act committed in part at the office of the board in Iowa. The certificate of the board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

12. If any taxpayer who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the board of his delinquency refuses or neglects, within twenty days after such notice, to file a proper return, or files a fraudulent return, the board shall determine the income of such taxpayer, according to its best information and belief, and assess the same at not more than double the amount so determined. The board may, in its discretion, allow further time for filing a return in such case.

#### REVISION AND APPEAL.

Sec. 30. Revision by board. A taxpayer may appeal to the board for revision of the tax assessed against him at any time within one year from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The board shall grant a hearing thereon and if, upon such hearings, it shall determine that the tax is excessive or incorrect, it shall re-settle the same according to the law and the facts and adjust the computation of the tax accordingly. The board shall notify the taxpayer of its findings and shall refund to the taxpayer the amount, if any, paid in excess of the tax found by it to be due with interest at six per cent per annum. If the taxpayer has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return, or, having filed an incorrect

return, has failed, after notice, to file a proper return, the board shall not reduce the tax below the amount for which the taxpayer is found to be properly assessed.

Sec. 31. Appeal. The determination of the board upon application made by a taxpayer for revision of any tax may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the board in the county in which the taxpayer resides or has his principal place of business within sixty days after notice by the board of its determination, given as provided in section twenty-three (23) and/or section twenty-nine (29) of this act. Thereupon appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any such taxes, interest or penalties paid, found by the court to be in excess of those legally assessed, shall be ordered refunded to the taxpayer, with interest at six per cent per annum from time of payment. An appeal may be taken by the taxpayer or the board to the supreme court in the manner that appeals are taken in suits in equity, irrespective of the amounts involved.

### ADMINISTRATION

Sec. 32. The State Board shall administer, enforce, collect, and receipt for the taxes herein imposed. Each member of said board shall give a bond in an amount to be fixed by the Governor. Said bond shall be signed as surety by an association or an incorporation authorized to do a fidelity insurance business in the State of Iowa, and the reasonable cost of said bond shall be paid by the State. The board may for administrative purposes divide the state into districts, provided, that in no case shall a county be divided in forming a district.

The board is hereby authorized to make such rules and regulations as it may deem necessary to the proper administration and enforcement of this act. Such rules and regulations shall be in full force and effect from and after their publication in two newspapers of general circulation in the state of Iowa.

Sec. 33. Board may examine books and records. The board, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power: to examine or cause to be examined by any agent or representative designated by it books, papers, records or memoranda; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oaths and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination books, papers, records and documents relating to any matter which it shall have the authority to investigate or determine.

In all cases where it finds that the taxpayer has not properly reported his or its income, as provided by law, and all hearings where it decides a matter against the taxpayer, the board shall tax the costs to the taxpayer, otherwise they shall be taxed to the state.

The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases. Where the costs are taxed to the taxpayer they

shall be added to the taxes assessed against said taxpayer and shall be collected in the same manner.

In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and production of records, books, papers and documents, and such court may issue an order requiring the person to appear before the board and give evidence or produce records, books, papers and documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof.

Testimony on hearings before the board may be taken by a deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

Sec. 34. Officers, agents and employees. 1. The board may appoint and remove such agents, auditors, clerks and employees as it may deem necessary, such persons to have such duties and powers as the board may, from time to time prescribe.

2. The salaries of all agents and employees shall be fixed by the board subject to the approval of the executive council.

3. All such agents and employees shall be allowed such reasonable and necessary traveling and other expenses as may be incurred in the performance of their duties.

4. The board may require such of the officers, agents, and employees as it may designate to give bond for the faithful performance of the duties in such sum and with such sureties as it may determine and the state shall pay the premiums on such bonds.

Sec. 35. Oaths and acknowledgments. All officers empowered by law to administer oaths, and all agents, auditors, and such other employees as the board may designate, shall have the power to administer an oath to any person or take the acknowledgment of any person in respect of any return or report required by this act or the rules and regulations of the board.

Sec. 36. Publication of statistics. The board shall prepare and publish annually statistics reasonably available, with respect to the operation of this act, including amounts collected, classification of taxpayers, and such other facts as are deemed pertinent and valuable.

Sec. 37. Secrecy required; penalty for violation.

1. Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the board, any deputy, agent, auditor or other officer or employee, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act. Nothing herein shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act. Reports and returns shall be preserved for four years and thereafter until the board orders them to be destroyed. Nothing



herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax.

2. Any person violating subdivision one (1) of this section shall be deemed guilty of a misdemeanor, and if the offender be an officer or employee of the state he shall be dismissed from office and shall be incapable of holding any public office in this state for a period of five years thereafter.

3. Every taxpayer shall, upon request of the board, furnish a copy of the return for the corresponding year which he has filed or may file with the federal government of the United States, showing his net income and how obtained and the several sources from which derived.

4. Notwithstanding the provisions of this section, the auditor may permit the commissioner of internal revenue of the United States, or the proper officer of any state imposing an income tax upon the income of individuals, or the authorized representatives of either such officer, to inspect the income tax returns of any individuals, or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper office of this state charged with the administration of the income tax law thereof.

Sec. 38. Accounting by board. All revenue arising under the operation of this act and collected by the board shall be remitted daily by it to the treasurer of state and the same shall become a part of and be credited to the general fund of the state.

Sec. 39. Refunds. 1. The board is hereby authorized to grant a refund of any taxes erroneously or illegally assessed or collected, and all penalties and/or interest assessed or collected thereon, and all taxes that appear to it to be unjustly assessed or excessive in amount, or in any manner wrongfully collected under this act, with interest thereon at six per cent per annum.

2. Such refunds shall be ordered only after claims therefor have been filed by the taxpayer and after hearing, investigation, or such other proofs under oath, as the said board may require.

3. No claim for refund shall be allowed by the board unless a claim therefor has been filed, under oath, with the board within one year after the payment of said tax, penalty or interest thereon.

4. Upon final determination by the board that such refund shall be allowed, the said board shall certify the amount thereof and the name of the claimant to the auditor of state, who, shall, upon the receipt of such certificate, draw his warrant upon the treasurer of state therefor; and the treasurer of state shall pay the same out of any funds in the state treasury not otherwise appropriated.

Sec. 40. Tax a replacement. It is hereby expressly provided that the revenue derived from the tax hereby imposed shall reduce by at least four

(4) mills the state millage tax which the board would otherwise levy for state purposes.

Sec. 41. For the purpose of administering, enforcing and collecting the tax provided for in this act there is hereby created the office of County Assessor. Wherever the word "assessor" appears in the law it shall be construed to mean the County Assessor.

Sec. 42. Appointing board. The board of supervisors and the county auditor and the county treasurer of each county shall constitute an appointing board, of which the chairman of the board of supervisors shall be the regular chairman and of which the county auditor shall be the regular secretary. Two-thirds of the members of said board shall constitute a quorum. The secretary shall keep a record of the proceedings of the board and perform such other duties as the board may direct.

Sec. 43. First Assessor. Said appointive board shall prior to January 1, 1932, appoint an assessor for the county, who upon qualifying shall serve until the second secular day in January, 1936, and upon his qualifying the terms of office of all township, city, and town assessors shall terminate, but such persons may be retained thereafter by said county assessor as field men but only insofar as he may deem such retention necessary and advisable.

Sec. 44. Appointment. Prior to January 1, 1936, and prior to the first day of January of each fourth year thereafter the said appointing board shall appoint a county assessor who shall serve for a term of four years.

Sec. 45. Vacancies. In case of vacancy in the office of county assessor the county auditor shall call together the appointing board at a time to be fixed by him, at which time an assessor shall be appointed for the un-expired term.

Sec. 46. Deputy assessor. When the county assessor is unable himself to perform all the duties required of him by law he is authorized to appoint such number of full or part time deputies and field men as the board of supervisors may approve. Deputies and field men shall hold office only during the pleasure of the county assessor, and shall be under the supervision and control of the county assessor who shall be responsible for their malfeasance, misfeasance and nonfeasance.

Sec. 47. Notification. Upon the appointment of a county assessor, or a deputy county assessor, the county auditor shall immediately notify the state board of assessment and review of such appointment and of the post-office address of each appointee.

Sec. 48. Salary. The county assessor shall receive an annual salary equal to the salary of the county auditor of said county and shall also receive his actual and necessary traveling expenses incurred in the discharge of his official duties. Deputy assessors and field men shall receive such compensation as may be fixed by the board of supervisors for the time actually employed, together with such actual necessary expenses as have been previously authorized by said board. All such salaries, compensation, and expenses shall be paid from the general fund of the county.

Sec. 49. Assessment records. When the county assessor has duly

qualified the county auditor shall deliver to the assessor all books, including transfer books, index books, and plat books, plats, maps, forms, or copies thereof and other data relative to the assessment and classification of property which may be in the office of said auditor and necessary to the performance of the duties of the county assessor.

Sec. 50. Duties of assessor. The county assessor shall:

1. Devote his entire time to the duties of his office and shall not engage in any occupation or business interfering or inconsistent with his duties.

2. Shall cause to be assessed, in accordance with section seventy-one hundred nine (7109), of the code of Iowa, 1927, all the property, personal and real, in his county except such as is exempt from taxation, or the assessment of which is otherwise provided for.

3. Have access to all public records of the county, and, as far as practicable, make or cause to be made a careful examination of all such records and files in order to obtain all available information which may contribute to the accurate listing at its actual value, and to the proper persons, of all property subject to taxation in his county.

4. Cooperate with the state board of assessment and review in the discharge of his duties, and in the administration and enforcement of the income tax provided for in this act; he shall assist the residents of his county in making income tax returns.

5. Obey and execute all orders, directions, and instructions of the state board of assessment and review.

6. Have power to examine the books and records of any person, firm, association or corporation within the county at any place designated by him, whenever he has reason to believe that such person, firm, association or corporation has not listed its property as provided by law; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oaths and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination records, books, papers and documents relating to any matter which he shall have the authority to investigate or determine.

Provided, however, that no bank or loan and trust company or its officers or employees shall be required to divulge knowledge concerning the property of any person when such knowledge was obtained through information imparted as a part of a business transaction with or for such person and in the usual and ordinary course of business of said bank or loan and trust company, and was necessary and proper to the discharge of the duty of said bank or loan and trust company in relation to such business transaction. Provided, however, that this provision shall be additional to other provisions of the law relating to confidential and privileged communications.

In all cases where he finds that the taxpayer has not listed its or his property as provided by law, and all hearings where he decides a matter against the taxpayer, the assessor shall tax the costs to the taxpayer, otherwise they shall be taxed to the county. The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases. Where the costs are taxed to the taxpayer they shall be added to

the taxes assessed against said taxpayer and shall be collected in the same manner as are other taxes.

In case of disobedience to a subpoena the assessor may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of records, books, papers and documents and such court may issue an order requiring the persons to appear before the assessor and give evidence or to produce records, books, papers or documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof. Testimony on hearings before the assessor may be taken by a deposition as in civil cases and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

7. Make up all assessment records as prescribed by the state board of assessment and review.

8. Submit on or before the first Monday in June to the county board of review the completed assessment rolls.

9. Lay before the county board of review, at the time of submitting the completed assessment rolls such information as he may possess which will aid said board in performing its duties in adjusting the assessments to the valuations required by law.

10. Furnish to the state board of assessment and review any information which he may have relative to the ownership of any property that may be assessable within this state but not assessable or subject to being listed for taxation by him in his county.

11. Keep the transfer books, index books, and plat books as provided by law.

12. In any county in which there is a city acting under special charter, having a population of over 50,000, he shall submit to the City Council of such city, a recapitulation of the then actual values of all property subject to assessment and taxation in said city not later than the first day of July in each year. Upon certification to said assessor by such City Council of the tax levy and the percentage of taxable value for the current year he shall not later than the first day of September of such year deliver to the City Treasurer of said City a tax list, covering all property assessable within and subject to taxation by said city, with the taxes so levied and certified extended thereon upon such taxable value as shall have been determined by the City Council, which list shall embody all corrections in assessment made prior to the second Monday in July of such year. He shall also certify from time to time to the City Treasurer of such City any assessments of omitted property or corrections in assessments in the same manner as to the County Treasurer.

Sec. 51. In any county in which there is a city acting under special charter and having a population of over fifty thousand (50,000), the City Council shall not later than the second Monday in July of each year certify to the County Assessor the tax levy and the percentage of taxable and actual value for the current year for extension upon the tax list of said city. Such tax list shall be the warrant for the collection thereof by the Treasurer of such city when delivered to him by the

County Assessor. Any such city shall furnish to the County Assessor the necessary books for the compilation of said tax list. In the event of any correction of any assessment subsequent to the delivery by the County Assessor of the tax list for any such city to the Treasurer thereof, such Treasurer shall upon notice thereof from the County Assessor correct such list in accordance therewith. If the tax so levied has been paid upon a greater assessment than finally fixed, the City Council shall direct the City Treasurer to refund the excess so collected and charge the several funds previously credited. If the assessment theretofore made be finally increased, the City treasurer after correcting said tax list shall collect the increased tax due in the same manner as for omitted property, provided, however, no interest shall be charged thereon until ten (10) days after demand unless such property is certified to such Treasurer as omitted property.

Sec. 52. That Section sixty-eight hundred sixty-seven (6867) be amended by striking from the seventh and eighth lines thereof the words "which shall be ascertained by the assessor of said city".

Sec. 53. Powers and duties of deputy assessor. A deputy assessor in the absence of disability of his principal may perform all the duties of or pertaining to the office.

Sec. 54. Powers of county auditor transferred. All the powers and duties heretofore possessed or performed by the county auditor relating to the assessment of property for taxation are hereby transferred to the county assessor.

Sec. 55. Taxing costs. The county assessor shall tax the costs of hearings held by virtue of paragraph six of the fifth preceding section against the person, partnership, association, or corporation if property is discovered which has been omitted from taxation, and against the county if no such property is discovered.

Sec. 56. Penalty. Should any person refuse to obey a subpoena duly issued, and served, or caused to be served, by the assessor, or should any person before the assessor for examination refuse to be sworn or refuse to testify, the assessor shall report said person to the district court, or to any judge thereof, in term time or in vacation, with a statement in writing of the facts, and to this end the assessor shall have the full assistance of the county attorney. The court or judge shall thereupon proceed with such matter in the manner in which proceedings would be carried on had the disobedience or refusal been in a proceedings legally pending before the court or judge.

Sec. 57. Every owner of taxable property and every person whose duty it is to return any property for taxation shall list on blanks provided by the county assessor, all such property together with a list of all debts which he claims as an offset against monies and credits, giving name and address of each creditor, and shall on or before March 1st of each year, or such other date as may be fixed by the assessor, file such return, duly verified, with the assessor. Such returns shall constitute the original assessment roll, and a copy thereof shall be delivered by the assessor to the taxpayer, but failure to receive such copy of assessment roll shall not invalidate the assessment.

Sec. 58. Complaint by taxpayer. Any taxpayer, his agent, or attorney may, within ten days from the deposit of such assessment roll in the post-office, or within ten days from the time when the said copy of the assessment is personally delivered to the taxpayer, file with the said assessor, in writing duly verified, any complaint he may have against such assessment.

Sec. 59. Complaint by public body. Any officer of the county, city, town, or school district interested, or a taxpayer thereof, may file with said assessor on or before the first Monday in May a verified complaint in regard to the assessment of any property in the county, city, town or school district.

Sec. 60. Hearing on complaints. The county assessor shall, prior to the third Monday in May, hear and determine all complaints legally filed with him concerning the assessment or valuation of any property, and make such changes, if any, in such assessments or valuations as in his judgment the owner is entitled to. Such hearing may, and shall, when the duties of the office will permit, be held at such suitable places in the county as the assessor may determine. The assessor shall give reasonable notice by publication or otherwise of the time and place of such hearings.

Sec. 61. Determination of complaint. When the county assessor has determined a complaint he shall, in writing, forthwith notify the complainant of his decision. The notice may be served personally or by mail.

Sec. 62. Appeal to board of review. Any complaining taxpayer or officer who is aggrieved by the ruling of the county assessor upon his complaint may appeal to the county board of review for a review of the action of the county assessor. Said appeal shall be taken by serving notice of appeal upon the county assessor, and by filing with the county auditor on or before the first Monday in June of each year said notice with proof of service thereon together with a verified written statement of his reasons for appeal, and a copy of the ruling of the assessor. An appeal by an officer from the action of the county assessor on a complaint shall be taken in the name of the governmental body of which he is an officer, and in addition to the service required by the preceding section the notice of appeal shall be served upon the owner of the property concerning which the complaint is made and affected thereby or upon the person required to return said property for assessment.

Sec. 63. Appeals filed. The county auditor shall file all such appeals presented to him, and when the county board of review meets he shall deliver the same to the chairman of said board.

Sec. 64. Complaint to board of review. Any taxpayer, his agent, or attorney may at any time after the third Monday in May, but prior to the first Monday in November, file with the county auditor any complaint he may have to any assessment made against his property, which complaint shall contain a verified statement of the objections to the assessment and a copy of the assessment roll delivered to him by the assessor. The county auditor shall present the same to the county board of review at its next meeting.

Sec. 65. County board of review. The board of supervisors shall constitute a county board of review, and shall convene as such on the first

Monday in June. The county auditor shall act as secretary of such board.

Sec. 66. Duties. The county board of review shall have the power to equalize the assessment of all property, or any class of property in the county.

Sec. 67. Hearing on complaints. The county board of review shall hear and determine all appeals from rulings by the assessor and all complaints which have been filed with the county auditor as provided in this act.

Sec. 68. Equalization of assessment. Upon the completion of its work the board of review shall order such changes in the assessment rolls, with respect to the equalization of the assessment of property, and upon appeals taken and complaints made, as it shall deem necessary to the end that all assessment of property and taxes levied thereon be made relatively just and uniform and in substantial compliance with the law. The secretary of the county board shall give notice in writing to any property owner whose assessment has been increased or who has appealed from the order of the assessor or filed a complaint with the said board, by mailing a copy of its order with respect to said property to said person or persons at the last known address.

Sec. 69. Appeal to district court. Any party aggrieved by the action of the county board of review may, within ten days from and after the date of mailing of said notice, appeal to the district court of his county by serving upon the county auditor and the assessor a notice of appeal, specifying the action appealed from and by filing within said time said notice together with proof of service thereof with the clerk of said court.

Sec. 70. Trial. The hearing of an appeal to the court shall be in equity, and the court shall determine de novo all questions arising before the county board of review which relate to the liability of the property to assessment or the amount thereof. Its decision shall be certified by the clerk of the court to the county assessor who shall correct the assessment books accordingly.

Sec. 71. Appeal to the state board of assessment and review. Said aggrieved party instead of appealing to the district court, may, on or before September 15th, appeal from the action of said board to the state board by serving upon the county auditor and the assessor a notice of appeal, specifying the action appealed from, and by filing with said state board of assessment and review within said time said notice together with proof of service thereof.

Sec. 72. Hearing by state board. Appeals to the state board shall be heard by said board, or by a member thereof, at its office or at a place designated by said board, beginning not later than the third Monday in August. The board shall give due notice of the time and place of said hearing and of any adjournment or continuance thereof. Said board shall by written order, direct the county assessor to make such changes in the assessment rolls as shall be necessary to comply with the decision of the board.

Sec. 73. Pending appeals. Pending appeals the assessor and county auditor shall proceed with their records on the basis of the assessments as fixed by the assessor or the county board of review.

Sec. 74. Abstract of assessment. Each county assessor shall, on or before the second Monday in July make and transmit to the state board of assessment and review, upon forms prescribed by said board, an abstract showing the assessment of all real and personal property in his county as corrected by the county board of review.

Sec. 75. Omitted property. Whenever the assessor acquires knowledge that property subject to taxation is withheld, overlooked, or for any cause is or has not been listed and assessed he shall at any time within five years from the date on which such assessment should have been made, list and assess uch property.

Sec. 76. Notice of intention to list. Before listing and assessing such omitted property for taxation, the assessor shall notify by registered mail the person, firm, corporation, administrator, or other person in whose name the property appears on the transfer books of the assessor or is to be assessed, to appear before him at his office within ten days from the mailing of said notice and show cause, if there be any, why such listing or assessment should not be made.

Sec. 77. Listing same. After such hearing the assessor shall make such correction, listing or assessment as in his judgment shall be proper and shall notify the delinquent taxpayer by registered mail of his action.

Sec. 78. Any party aggrieved by the action of the assessor may appeal to the district court in and for said county by serving notice of such appeal upon the assessor within ten days from the date when the registered notice, referred to in the preceding section, was mailed and by filing said notice of appeal within said time at the office of the clerk of said court.

Sec. 79. Decision final. If no appeal is taken the action of the assessor shall be final and he shall certify the assessment to the county treasurer who shall immediately transcribe and enter the same upon the tax list furnished to him by the county assessor.

Sec. 80. Collection of tax. Immediately after transcribing and entering said assessment on the tax list the treasurer shall make demand of the person, firm, corporation, or other party by whom the property should have been listed, or to whom it should have been assessed, or of the administrator or executor thereof, for the amount transcribed and entered on the tax list as a charge against the property in accordance with the assessment certified to him by the assessor, together with ten per cent interest thereon from the time such taxes would have been due and payable had such property been listed and assessed at the time and in the manner provided for by the law.

Sec. 81. Correction of assessment records. The county auditor or the county treasurer, upon discovering any error or mistake in the assessment records or tax list, shall at once notify the assessor who shall immediately investigate and if errors are found he shall correct the same or if property is found which has been omitted from taxation he shall list and assess the same and certify the same to the treasurer who shall transcribe and enter the same on the tax list.

Sec. 82. Same. The county assessor shall, upon receipt of the certified copy of the proceedings of the state board of assessment and review relative to the equalization of assessments as provided by law, enter in the appropriate assessment books of his county all changes in the assessed



valuations made by said board in such manner as to show in appropriate columns the total equalized valuation of personal property assessed against each person, and the total equalized valuation of each described tract of real estate contained in such assessment books, and shall, within fifteen days, certify to the correctness thereof, and deliver said books to the county auditor.

Sec. 83. Same. The county assessor shall, upon receipt from the clerk of the court of a certified copy of an order of court, or upon receipt of an order from the county board of review or the state board of review, make such changes and corrections in the assessment rolls, assessment books, tax list, or other records as are necessary to conform to said orders and to make the assessment of any property affected thereby conform to all provisions of the law pertaining thereto.

Sec. 84. That section fifty-seven a four (57-a4) of chapter twenty (20), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting after the word "assessor" in line one (1) thereof, the following:

"shall collect such tax from every person subject thereto and";  
and by striking from line three (3) thereof, the words:

"in his township".

Sec. 85. That section four hundred fourteen (414) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each" and inserting in lieu thereof the word "the"; and by striking from line three (3) thereof the word "district" and inserting in lieu thereof the word "county".

Sec. 86. That section four hundred sixteen (416) of the code of Iowa, 1927, be and the same is hereby amended by inserting after the word "any" in line one (1) thereof the word "deputy".

Sec. 87. That section four hundred thirty-two (432) of the code of Iowa, 1927, be and the same is hereby amended by striking from line twelve (12) thereof the word "assessors" and by inserting in lieu thereof the word "assessor".

Sec. 88. That section ten hundred sixty-five (1065) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines five (5) and six (6) thereof the words

"city, town and township assessors",  
and by inserting in lieu thereof the words  
"assessor and deputy assessors".

Sec. 89. That section ten hundred sixty-six (1066) of the code of Iowa, 1927, be and the same is hereby amended by inserting after the word "each" in line four (4) thereof, the following:

"those of county assessors not less than \$1000.00 each".

Sec. 90. That section fifteen hundred sixty-six (1566) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines two (2) and three (3) thereof the words

"of the city or town or township, as the case may be";  
and by striking from line eight (8) thereof the words

"within said city or town or township".

Sec. 91. That section twenty-five hundred ninety-six (2596) of the

code of Iowa, 1927, be and the same is hereby amended by striking from line three (3) thereof the words "township, town and city".

Sec. 92. That section thirty-seven hundred thirteen (3713) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines six (6), seven (7) and eight (8) thereof the following:

"the auditors of the several counties shall furnish the assessors with the proper blanks for taking such lists".

Sec. 93. That section forty-four hundred twenty-six (4426) of the code of Iowa, 1927, be and the same is hereby amended by striking all of said section and substituting in lieu thereof the following:

"The assessor shall, at the time of making assessments, record on suitable blanks furnished to him for that purpose by the secretary of the state board of education, the names, ages, sex and post-office address of all deaf or blind persons within the county.

"The county assessor shall forward to the secretary of the state board of education such returns within thirty days after the same are completed."

Sec. 94. That section fifty-one hundred thirty-three (5133) of the code of Iowa, 1927, be and the same is hereby amended by adding after the comma (,) after the word "engineer" in line five (5) thereof, the following: "county assessor".

Sec. 95. That section fifty-four hundred thirty-four (5434) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each", and by inserting in lieu thereof the word "the"; and by striking from line three (3) thereof the word "list", and by inserting in lieu thereof the words "cause to be listed"; and by striking therefrom all of said section after the period (.) after the word "thereof" in line seven (7).

Sec. 96. That section fifty-four hundred forty-three (5443) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each", and by inserting in lieu thereof the word "the".

Sec. 97. That section fifty-four hundred fifty-six (5456) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines five (5) and six (6) thereof the following words "except warrants issued to pay fees of assessors".

Sec. 98. That section fifty-five hundred forty-three (5543) of the code of Iowa, 1927, be and the same is hereby amended by striking the comma (,) after the word "health" in line six (6) thereof, and inserting in lieu thereof a period (.); and by striking the rest and remainder of the said sentence.

Sec. 99. That section one (1), chapter one hundred sixty-two (162), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting after the word "mayor", and before the word "treasurer" in line four (4) thereof the word "and"; and also by striking from said line four (4) the words "and assessor".

Sec. 100. That section fifty-six hundred sixty-four (5664) of the code of Iowa, 1927, be and the same is hereby amended by repealing the same and by enacting in lieu thereof the following:

"Councilmen in cities of the first class shall be paid an amount prescribed by ordinance, not in excess of two hundred fifty dollars per annum, which shall be in full compensation for all services of such councilmen of every character connected with their official duties.

"In all other cities and towns they shall receive not to exceed one dollar each for every regular or special meeting; and in the aggregate not exceeding fifty dollars in any one year."

Sec. 101. That section sixty-five hundred twenty-eight (6528) of the code of Iowa, 1927, be and the same is hereby amended by striking from sub-division three (3) thereof the word "assessor".

Sec. 102. That section sixty-six hundred fifty-one (6651) of the code of Iowa, 1927, be and the same is hereby amended by striking from line six (6) thereof the following:

"an assessor".

Sec. 103. That section sixty-six hundred sixty-nine (6669) of the code of Iowa, 1927, be and the same is hereby amended by striking from paragraph five (5) thereof the words "assessor, board of review".

Sec. 104. That section sixty-seven hundred three (6703) of the code of Iowa, 1927, be and the same is hereby amended by adding after the word "treasurer" in line three and before the word "collector" in line four the following:

"and in such cities having a population of over fifty thousand a".

Sec. 105. That section sixty-seven hundred thirty-two (6732) of the code of Iowa, 1927, be and the same is hereby amended by adding thereto the following:

"Nothing herein contained shall be deemed to affect the procedure for the assessment of property and the equalization of assessments by the County Assessor".

Sec. 106. That section sixty-nine hundred seventy-three (6973) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines three (3) and four (4) thereof the words "of the township or municipality wherein his warehouse is situated".

Sec. 107. That section seventy hundred seventeen (7017) of the code of Iowa, 1927, be and the same is hereby amended by striking from line five (5) thereof the words

"of the assessment district",

and by inserting in lieu thereof the words

"in the county".

Sec. 108. That section seventy hundred eighteen (7018) of the code of Iowa, 1927, be and the same is hereby amended by striking from line four (4) thereof the word "auditor", and by inserting in lieu thereof the word "assessor".

Sec. 109. That section seventy hundred twenty-seven (7027) of the code of Iowa, 1927, be and the same is hereby amended by striking from line ten (10) thereof the words

"of the assessment district",

and by inserting in lieu thereof the words

"in the county".

Sec. 110. That section seventy hundred twenty-eight (7028) of the

code of Iowa, 1927, be and the same is hereby amended by striking from line nine (9) thereof the words

"assessment district of such assessor",  
and by inserting in lieu thereof the word "county".

Sec. 111. That section seventy-one hundred nine (7109) of the code of Iowa, 1927, be and the same is hereby amended by adding after the semicolon (;) and before the word "and" in line fourteen (14) thereof the following:

"provided, however, that in the assessment of real estate the assessor shall give primary consideration to its net rental value averaged over a period of five years".

Sec. 112. That section seventy-one hundred thirteen (7113) of the code of Iowa, 1927, be and the same is hereby amended by striking therefrom the word "perjury", and by inserting in lieu thereof the following: "misdemeanor".

Sec. 113. That section seventy-one hundred twenty (7120) as amended, of the code of Iowa, 1927, be and the same is hereby amended by striking from line two (2) thereof the word "each" and by inserting in lieu thereof the word "the"; and by striking from lines three (3) and four (4) thereof the words "his assessment district", and by inserting in lieu thereof the words "the county"; and by adding thereto,

"and such other data or information as may be required and provided for by the state board of assessment and review".

Sec. 114. That section seventy-one hundred forty (7140) of the code of Iowa, 1927, be and the same is hereby amended by striking therefrom lines five (5) to seven (7), inclusive.

Sec. 115. That section seventy-one hundred forty-two (7142) of the code of Iowa, 1927, be and the same is hereby amended by striking from line five (5) thereof the word "auditor", and by inserting in lieu thereof the word "assessor".

Sec. 116. Sections sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300) and seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one

hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), code, 1927, and section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly are each amended by striking therefrom the word "auditor" or "auditor's" as the same may be wherever the same appears in said sections, and by inserting in lieu of said stricken words "assessor" or "assessor's" as the case may be.

Sec. 117. Wherever in the code reference is made to the transfer books in the office of the county auditor, the reference shall be deemed to mean the transfer books in the office of the county assessor, and the editor of the code is directed to make such correction.

Sec. 118. Section seventy-one hundred forty-eight (7148), code, 1927, is amended, revised and codified to read as follows:

"7148. Aggregate valuations certified. At the time of delivering the list to the treasurer, the assessor shall furnish to the county auditor a certified statement showing separately the aggregate full and taxable valuations of the real and personal property in the county, and also the aggregate amount of each separate tax as shown by the tax list; also to the state board of assessment and review a certified statement of the aggregate of each state tax in his county for the ensuing year."

Sec. 119. That section seventy-one hundred fifty-six (7156) of the code of Iowa, 1927, be and the same is hereby amended by striking from line two (2) thereof the word "he", and by inserting in lieu thereof the words "the treasurer".

Sec. 120. That section seventy-one hundred fifty-nine (7159) of the code of Iowa, 1927, be and the same is hereby amended by striking out all of said section and by enacting and substituting in lieu thereof the following:

"In all cases where real estate subject to taxation has not been assessed, the owner by himself, or agent, shall have the same done by the assessor and pay the taxes thereon; and if he fails to do so the assessor shall assess the same and the county treasurer shall collect the tax assessed as he does other taxes."

Sec. 121. That section seventy-one hundred sixty-four (7164) of the code of Iowa, 1927, be and the same is hereby amended by striking from line three (3) thereof the words "several boards" and by substituting in lieu thereof the words "county and state boards of review".

Sec. 122. Section seventy-two hundred nineteen (7219), code, 1927, is repealed and the following is enacted in lieu thereof, to-wit:

"7219. Enforcement of lien. If said property is being, or is about to be removed from the county, the assessor shall certify said fact to the county treasurer with a full description of the property as the same appears on the assessor's books, giving assessment district, where located, and the amount of said assessment, and the county treasurer shall thereupon proceed by distress to restrain the removal of said property and secure the lien of the tax due or to become due."

Sec. 123. That sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six

hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), code of Iowa, 1927, and section fifty-seven a two (57-a2) chapter twenty (20) of the Acts of the Forty-third General Assembly, section twenty-eight (28), chapter two hundred five (205) of the Acts of the Forty-third General Assembly, be and the same are hereby repealed.

Sec. 124. Wherever the statutes provide that taxes or assessments shall be certified by any governmental agency of the County Auditor, and by said Auditor placed on the tax lists, said statutes shall be deemed to require such certification to the County Assessor, and the Code Editor is directed to correct the said statutes accordingly.

Sec. 125. The provisions of this act shall not be in effect until the first day of January, 1932, except as to the provisions of Section forty-three (43) requiring the appointing board to appoint a county assessor prior to that date.

Sec. 126. The provisions of this act shall be severable, and in case any section, paragraph, sentence, or clause hereof shall be declared by a court of competent jurisdiction to be unconstitutional or void for any reason, such decision shall not invalidate any other provision herein contained.

Also amend the title by striking all of said title and inserting in lieu thereof the following:

An Act relating to taxation, and providing for property tax relief; by prescribing methods for the listing and assessment of property, and the equalization of assessments; and to provide for the levying, imposing, collecting, and paying of taxes on incomes; to provide rules and regu-

lations for the enforcement of this act, and prescribing penalties for the violations thereof; to create the office of county assessor for the purpose of assisting in the administration and collection of said income tax and the equitable assessment of property; to provide for the selection of county assessors, and defining their powers and duties; to constitute county boards of review and to prescribe their duties; to coordinate various statutes with this act; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), all of the Code of Iowa, 1927, and section fifty-seven-a two (57-a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in sections four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), ten hundred sixty-six (1066), fifteen hundred sixty-six (1566), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), fifty-six hundred sixty-four (5664), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hun-

dred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), sixty-five hundred twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-seven (6867), sixty-nine hundred seventy-three (6973), seventy hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-one hundred forty-eight (7148), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), seventy-two hundred nineteen (7219), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300), seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), Code, 1927, and section fifty-seven-a four (57-a4), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section one (1), chapter one hundred sixty-two (162), Acts of the Forty-third General Assembly, all relating to the listing and assessment of property for taxation.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Brown of Polk, House File No. 307, a bill for an act to amend section ten thousand two hundred ninety-nine (10299), code, 1927, as amended by chapter two hundred forty-four (244), acts of the forty-third general assembly, and to amend sections ten thousand three hundred six (10306) and ten thousand three hundred thirteen (10313), code, 1927, relating to labor and material on public improvements, with Senate amendment, was taken up and the amendment read and considered.



## SENATE AMENDMENT TO HOUSE FILE NO. 307

1. Amend by striking out lines 15 and 16 of Section one (1) the words "at the end of each thirty days" and substituting in lieu thereof "within thirty days after the materials are furnished".

Mr. Brown moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 57.

Avery	Greene	Lepley	Ryder
Babcock	Hansen of	Long	Shields
Bair	Audubon	McLain	Short
Bonnstetter	Hansen of Scott	Mathews	Snyder
Brown	Hanson of	Nelson of	Stanzel
Craven	Winnebago	Cherokee	Stiger
Dayton	Helgason	Osborn	TePaske
Donlon	Hollingsworth	Paisley	Thompson
Durant	Hook	Pattison	Torgeson
Ellsworth	Hopkins	Peaco	Van Buren
Felter	Hutcheon	Pendray	Wamstad
Figgins	Kern	Randall	Watts
Forsling	Kohler	Ratliff	Whiting
Garrett	Lamb	Reed	Mr. Speaker
Gissel	Langland	Roe	
Greaser			

The nays were, 1.

Rylander

Absent or not voting, 50.

Aiken	Fabritz	Laughlin	Orr
Allen	Finnern	Lichty	Randolph
Augustine	Gallagher	McCaulley	Rawlings
Ballew	Gilmore	McCreery	Reimers
Beath	Hayes	McDermott	Rutledge
Berry	Hesse	Malone	Simmer
Byers	Hollis	Mayne	Sours
Davis	Hunt	Mead	Strachan
Ditto	Hush	Millhone	Tamislea
Drake of Keokuk	Husted	Miller	Thiessen
Drake of	Johnson of	Morton	Van Wert
Muscatine	Marion	Nelson of Story	Wearin
Elliott	Koch	O'Donnell	Witt

House concurred in Senate amendment to House File No. 307.

On request of Peaco of Clinton, House File No. 105, a bill for an act to amend section eleven hundred seventy-one-b-one (1171-b1) of the Code, 1927, relating to the giving of preference by public agencies to domestic products, and to repeal section eleven hundred seventy-one-b three (1171-b3 of the Code, 1927,

and to further provide for the giving of preference to domestic or Iowa labor in all public work or improvements, and to provide a penalty for violation, with Senate amendments, was taken up and the amendments read and considered.

### SENATE AMENDMENTS TO HOUSE FILE NO. 105

1. Amend by striking Section 1 thereof and renumbering the remaining sections.

2. Further amend by adding immediately after Section 2 as it now appears in the bill, the following:

"Provided, however, that the provisions of this act shall not apply to the purchase of materials and supplies to be used in the construction of any road or highway."

3. Amend the title by striking from lines 1 and 2 the words "to repeal section eleven hundred seventy-one-b-three (1171-b3) of the code, 1927, and".

Mr. Peaco moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 66.

Avery	Greaser	Lichty	Reimers
Babcock	Greene	Long	Roe
Bair	Hansen of	McCreery	Ryder
Berry	Audubon	McDermott	Short
Bonnstetter	Hanson of	McLain	Snyder
Brown	Winnebago	Mathews	Sours
Craven	Helgason	Morton	Stanzel
Dayton	Hollingsworth	Nelson of	Stiger
Ditto	Hollis	Cherokee	TePaske
Donlon	Hook	Osborn	Thompson
Durant	Hopkins	Paisley	Torgeson
Ellsworth	Hutcheon	Pattison	Van Buren
Felter	Kohler	Peaco	Wamstad
Figgins	Lamb	Pendray	Watts
Finnern	Langland	Randall	Wearin
Gallagher	Laughlin	Ratliff	Whiting
Garrett	Lepley	Reed	Mr. Speaker
Gissell			

The nays were, none.

Absent or not voting, 42.

Aiken	Byers	Drake of	Forsling
Allen	Davis	Muscatine	Gilmore
Augustine	Drake of	Elliott	Hansen of Scott
Ballew	Keckuk	Fabritz	Hayes
Beath			

Hesse	Koch	Nelson of Story	Shields
Hunt	McCaulley	O'Donnell	Simmer
Hush	Malone	Orr	Strachan
Husted	Mayne	Randolph	Tamisiea
Johnson of	Mead	Rawlings	Thiessen
Marion	Millhone	Rutledge	Van Wert
Kern	Miller	Rylander	Witt

House concurred in Senate amendments to House File No. 105.

On request of Greene of Pottawattamie, House File No. 341, a bill for an act to amend the law as it appears in chapter three hundred twelve (312) of the code of Iowa, 1927, relating to heating plants, water or gas works and electric plants; to provide for and authorize the use of surplus earned from the operation of municipal water plants in cities of forty thousand (40,000) or over, having a board of trustees managing such plant; to authorize the use of said surplus earnings in said cities for the purpose of acquiring property and erecting a building or buildings thereon for its use and for the use of other city departments or agencies, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 341

1. Amend Section one (1) by inserting after the figures "40,000" in line five (5) the following:

"and less than fifty thousand (50,000)".

2. Amend the title by striking from lines 6 and 7 the words and figures "forty thousand (40,000) or over" and inserting in lieu thereof "more than forty thousand (40,000) and less than fifty thousand (50,000)".

Mr. Greene moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 67.

Avery	Durant	Hollis	McCreery
Babcock	Ellsworth	Hook	McDermott
Ballew	Finnern	Hopkins	McLain
Berry	Gallagher	Hutcheon	Malone
Bonnstetter	Garrett	Kern	Mathews
Brown	Gissel	Kohler	Morton
Craven	Greaser	Lamb	Nelson of
Dayton	Greene	Langland	Cherokee
Ditto	Hansen of	Laughlin	Osborn
Donlon	Audubon	Lepley	Pattison
Drake of	Hanson of	Lichty	Peaco
Muscatine	Winnebago	Long	Pendray

Randall	Roe	Stiger	Wamstad
Randolph	Ryder	Tamisiea	Watts
Ratliff	Short	TePaske	Wearin
Rawlings	Simmer	Thompson	Whiting
Reed	Sours	Torgeson	Mr. Speaker
Reimers	Stanzel	Van Buren	

The nays were, none.

Absent or not voting, 41.

Aiken	Figgins	Husted	Orr
Allen	Forsling	Johnson of	Paisley
Augustine	Gilmore	Marion	Rutledge
Bair	Hansen of Scott	Koch	Rylander
Beath	Hayes	McCaulley	Shields
Byers	Helgason	Mayne	Snyder
Davis	Hesse	Mead	Strachan
Drake of Keokuk	Hollingsworth	Millhone	Thiessen
Elliott	Hunt	Miller	Van Wert
Fabritz	Hush	Nelson of Story	Witt
Felter		O'Donnell	

House concurred in Senate amendment to House File No. 341.

## RESOLUTION

Reimers of Lyon and TePaske of Sioux offered the following resolution:

*Whereas*, The Honorable Herbert E. Dean, who was a member of the House of Representatives during the Thirty-seventh and Thirty-eighth sessions and a member of the Senate during the Forty-first and Forty-second sessions and who for the last four years was a member of the state highway commission, was summoned Friday of this week to the great beyond, and

*Whereas*, His public service in the General Assembly of the state of Iowa and also his contribution in planning the road improvement while serving on the state highway commission has made his life a fine record of public service to the whole state

*Be It Therefore Resolved by the House of Representatives*, That we extend to his mother and his children our heartfelt sympathy.

*Be It Further Resolved*, That these resolutions be printed in the Journal and the Chief Clerk be directed to send an enrolled copy to the family in care of his mother, Mrs. E. C. Dean of Ocheydan, Iowa.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Reimers moved its adoption.

Motion prevailed and the resolution was adopted.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 288, a bill for an act relating to Bank drafts and Cashiers' Checks.

WALTER H. BEAM, *Secretary*.

## SENATE MESSAGE CONSIDERED

Senate File No. 288, a bill for an act to amend Section eleven (11), Chapter thirty (30) of the Acts of the 43rd General Assembly, relating to Bank Drafts and Cashier's Checks given for clearings or drafts given for the transportation of funds.

Read first and second times and substituted for House File No. 397.

## CONSIDERATION OF BILLS

Senate File No. 288, a bill for an act to amend Section eleven (11), Chapter thirty (30) of the Acts of the 43rd General Assembly, relating to Bank Drafts and Cashier's Checks given for clearings or drafts given for the transportation of funds, having been substituted for House File No. 397, was taken up for consideration.

Ratliff of Henry moved the previous question.

Motion prevailed.

Torgeson of Worth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Avery	Ditto	Garrett	Hanson of
Babcock	Drake of	Gilmore	Winnebago
Bair	Muscatine	Gissel	Helgason
Ballew	Durant	Greaser	Hesse
Berry	Ellsworth	Greene	Hollingsworth
Bonnstetter	Felter	Hansen of	Hollis
Brown	Figgins	Audubon	Hopkins
Craven	Gallagher	Hansen of Scott	Hunt

Hush	Malone	Ratliff	Tamisiea
Hutcheon	Mathews	Reed	TePaske
Kohler	Morton	Reimers	Thiessen
Lamb	Nelson of	Roe	Thompson
Langland	Cherokee	Shields	Torgeson
Laughlin	Orr	Simmer	Van Buren
Lepley	Osborn	Snyder	Wamstad
Lichty	Pattison	Scurs	Wearin
Long	Peaco	Stanzel	Whiting
McCreery	Pendray	Stiger	Mr. Speaker
McDermott	Randolph	Strachan	
McLain			

The nays were, 9.

Dayton	Hayes	Paisley	Ryder
Donlon	Hook	Randall	Watts
Finnern			

Absent or not voting, 27.

Aiken	Elliott	Koch	O'Donnell
Allen	Fabritz	McCaulley	Rawlings
Augustine	Forsling	Mayne	Rutledge
Beath	Husted	Mead	Rylander
Byers	Johnson of	Millhone	Short
Davis	Marion	Miller	Van Wert
Drake of Keokuk	Kern	Nelson of Story	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Torgeson of Worth moved that the vote by which Senate File No. 288 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 155, a bill for an act to repeal the law as it appears in section twelve thousand nine hundred sixty b one (12960-b1) of the code of 1927 relating to the possession of machine guns, and to enact a substitute therefor, with report of committee recommending passage, was taken up for consideration.

Ditto of Osceola called up the amendment filed by Rutledge of Webster, found in the Journal of March 25th and moved its adoption.

Amendment adopted.

Ditto of Osceola moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Avery	Greene	Lepley	Reed
Babcock	Hansen of	Lichty	Reimers
Bair	Audubon	Long	Roe
Ballew	Hansen of Scott	McCaulley	Ryder
Berry	Hanson of	McCreery	Shields
Bonnstetter	Winnebago	McDermott	Short
Brown	Hayes	McLain	Simmer
Craven	Helgason	Malone	Snyder
Ditto	Hesse	Mathews	Sours
Donlon	Hollingsworth	Morton	Stiger
Drake of	Hollis	Nelson of	Strachan
Muscatine	Hook	Cherokee	Tamisiea
Durant	Hopkins	Orr	TePaske
Ellsworth	Hush	Osborn	Thiessen
Felter	Husted	Paisley	Thompson
Figgins	Hutcheon	Pattison	Torgeson
Finnern	Kern	Peaco	Van Buren
Forsling	Kohler	Pendray	Watts
Gallagher	Lamb	Randall	Wearin
Garrett	Langland	Randolph	Whiting
Gissel	Laughlin	Ratliff	Mr. Speaker
Greaser		Rawlings	

The nays were, none.

Absent or not voting, 26.

Aiken	Drake of Keokuk	Koch	Rutledge
Allen	Elliott	Mayne	Rylander
Augustine	Fabritz	Mead	Stanzel
Beath	Gilmore	Millhone	Van Wert
Byers	Hunt	Miller	Wamstad
Davis	Johnson of	Nelson of Story	Witt
Dayton	Marion	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. 151, a bill for an act to amend the law as it appears in section thirty (30) of chapter fifty-seven (57) of the acts of the forty-third general assembly relating to the carrying of firearms in motor vehicles so as to permit peace officers, while pursuing criminals, to carry loaded guns, rifles, etc., in a motor vehicle, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury called up the amendment filed by him, found in the Journal of March 23rd and moved its adoption.

Amendment adopted.

Ditto of Osceola moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Avery	Greaser	Lepley	Reed
Babcock	Greene	Lichty	Reimers
Bair	Hansen of	Long	Roe
Ballew	Audubon	McCreery	Ryder
Berry	Hansen of Scott	McDermott	Shields
Bonnstetter	Hanson of	McLain	Snyder
Brown	Winnebago	Malone	Sours
Craven	Hayes	Mathews	Stanzel
Ditto	Helgason	Morton	Stiger
Drake of	Hollingsworth	Nelson of	Strachan
Muscataine	Hollis	Cherokee	Tamisiea
Durant	Hook	Orr	TePaske
Ellsworth	Hopkins	Osborn	Thiessen
Felter	Hush	Paisley	Thompson
Figgins	Husted	Pattison	Torgeson
Finnern	Hutcheon	Peaco	Van Buren
Forsling	Kern	Pendray	Wamstad
Gallagher	Kohler	Randall	Watts
Garrett	Lamb	Randolph	Wearin
Gilmore	Langland	Ratliff	Whiting
Gissel	Laughlin	Rawlings	Mr. Speaker

The nays were, none.

Absent or not voting, 28.

Aiken	Donlon	Koch	Rutledge
Allen	Drake of Keokuk	McCaulley	Rylander
Augustine	Elliott	Mayne	Short
Beath	Fabritz	Mead	Simmer
Byers	Hesse	Millhone	Van Wert
Davis	Hunt	Miller	Witt
Dayton	Johnson of	Nelson of Story	
	Marion	O'Donnell	

So the bill having received a constitutional majority was declared to have passed the House.

TePaske of Sioux offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 151, by striking the words "pursuing criminals" and inserting in lieu thereof the words "on duty".

Amendment adopted, and the title, as amended, was agreed to.

Senate File No. 152, a bill for an act to authorize the Chief of the State Bureau of Investigation to issue permits to carry certain concealed weapons, to state officers and employees, and to certain non-residents of the state, with report of committee recommending passage, was taken up for consideration.



Forsling of Woodbury called up the amendment filed by him, found in the Journal of March 23rd and moved its adoption.

Amendment adopted.

Ditto of Osceola moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Avery	Greaser	McCaulley	Reimers
Babcock	Hanson of	McCreery	Roe
Bair	Winnebago	McDermott	Ryder
Ballew	Hayes	McLain	Shields
Berry	Helgason	Malone	Sours
Bonnstetter	Hollingsworth	Mathews	Stanzel
Brown	Hollis	Morton	Stiger
Craven	Hopkins	Nelson of	Strachan
Ditto	Hush	Cherokee	Tamisiea
Durant	Husted	Orr	TePaske
Ellsworth	Hutcheon	Osborn	Thiessen
Felter	Kern	Paisley	Thompson
Figgins	Kohler	Pattison	Torgeson
Finnern	Lamb	Peaco	Van Buren
Forsling	Langland	Pendray	Wamstad
Gallagher	Laughlin	Randolph	Watts
Garrett	Lepley	Ratliff	Wearin
Gilmore	Lichty	Rawlings	Whiting
Gissel	Long	Reed	Mr. Speaker

The nays were, none.

Absent or not voting, 34.

Aiken	Drake of	Hunt	O'Donnell
Allen	Muscatine	Johnson of	Randall
Augustine	Elliott	Marion	Rutledge
Beath	Fabritz	Koch	Rylander
Byers	Greene	Mayne	Short
Davis	Hansen of	Mead	Simmer
Dayton	Audubon	Millhone	Snyder
Donlon	Hansen of Scott	Miller	Van Wert
Drake of Keokuk	Hesse	Nelson of Story	Witt
Hook			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 37, a bill for an act to amend Section Four (4), Chapter fifty-eight (58), Acts of the 43rd General Assembly, relating to Fur Dealers Licenses and fixing date of expiration therefor, and penalty for violation, with report of committee recommending passage, was taken up for consideration.

Helgason 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, 74.

Avery	Hansen of	Long	Reimers
Babcock	Audubon	McCaulley	Roe
Bair	Hansen of Scott	McCreery	Ryder
Ballew	Hanson of	McLain	Shields
Bonnstetter	Winnebago	Malone	Simmer
Brown	Hayes	Mathews	Sours
Donlon	Helgason	Morton	Stanzel
Drake of	Hollingsworth	Nelson of	Strachan
Muscatine	Hollis	Cherokee	Tamisiea
Durant	Hook	Orr	TePaske
Ellsworth	Hopkins	Osborn	Thiessen
Felter	Hush	Paisley	Thompson
Figgins	Husted	Pattison	Torgeson
Finnern	Kern	Peaco	Van Buren
Forsling	Kohler	Pendray	Wamstad
Gallagher	Lamb	Randall	Watts
Garrett	Langland	Randolph	Wearin
Gilmore	Laughlin	Ratliff	Whiting
Gissel	Lepley	Rawlings	Mr. Speaker
Greene		Reed	

The nays were, none.

Absent or not voting, 34.

Aiken	Ditto	Koch	O'Donnell
Allen	Drake of Keokuk	Lichty	Rutledge
Augustine	Elliott	McDermott	Rylander
Beath	Fabritz	Mayne	Short
Berry	Greaser	Mead	Snyder
Byers	Hesse	Millhone	Stiger
Craven	Hunt	Miller	Van Wert
Davis	Hutcheon	Nelson of Story	Witt
Dayton	Johnson of Marion		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 21, a bill for an act to amend Section one (1) of Chapter one hundred nineteen (119) of the Acts of the Fortieth General Assembly relating to a tax levy for park improvement purposes for the sole purpose of grading, beautifying and otherwise improving certain lands acquired for park purposes and improving the driveways or boulevards connecting one park with another, with report of committee recommending passage, was taken up for consideration.

Greene 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, 69.

Avery	Gilmore	Lichty	Reed
Babcock	Gissel	Long	Reimers
Bair	Greaser	McCaulley	Roe
Berry	Greene	McCreery	Ryder
Bonnstetter	Hansen of Scott	McLain	Sours
Brown	Hanson of	Malone	Stanzel
Craven	Winnebago	Mathews	Stiger
Dayton	Helgason	Morton	Strachan
Ditto	Hollis	Nelson of	Tamisiea
Donlon	Hopkins	Cherokee	TePaske
Drake of	Husted	Orr	Thiessen
Muscatine	Hutcheon	Osborn	Thompson
Durant	Kern	Paisley	Torgeson
Ellsworth	Kohler	Pattison	Van Buren
Felter	Lamb	Peaco	Wamstad
Figgins	Langland	Pendray	Wearin
Finnern	Laughlin	Randolph	Whiting
Gallagher	Lepley	Ratliff	Mr. Speaker

The nays were, 4.

Garrett	Hansen of Audubon	Hook	Randall
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Absent or not voting, 35.

Aiken	Fabritz	Koch	Rutledge
Allen	Forsling	McDermott	Rylander
Augustine	Hayes	Mayne	Shields
Ballew	Hesse	Mead	Short
Beath	Hollingsworth	Millhone	Simmer
Byers	Hunt	Miller	Snyder
Davis	Hush	Nelson of Story	Van Wert
Drake of Keokuk	Johnson of	O'Donnell	Watts
Elliott	Marion	Rawlings	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 292, a bill for an act to repeal section fifty-six hundred ninety-nine (5699), code of 1927, relating to appointments of chiefs of police and chiefs of fire departments in cities having police and fire departments under civil service, and to enact a substitute therefor, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brown of Polk the amendments proposed by the committee, found in the Journal of March 10th, were adopted.

Mr. Brown moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Avery	Hansen of	Long	Reed
Babcock	Audubon	McCauley	Reimers
Bair	Hansen of	Scott McCreery	Roe
Berry	Hanson of	McDermott	Ryder
Bonnstetter	Winnebago	McLain	Snyder
Brown	Hayes	Malone	Sours
Craven	Helgason	Mathews	Stanzel
Dayton	Hollis	Morton	Stiger
Donlon	Hook	Nelson of	Tamisiea
Durant	Hopkins	Cherokee	TePaske
Ellsworth	Husted	Orr	Thiessen
Felter	Hutcheon	Osborn	Thompson
Figgins	Kern	Pattison	Torgeson
Finnern	Kohler	Peaco	Van Buren
Garrett	Lamb	Pendray	Wamstad
Gilmore	Langland	Randall	Wearin
Gissel	Laughlin	Randolph	Whiting
Greaser	Lepley	Ratcliff	Mr. Speaker
Greene	Lichty		

The nays were, none.

Absent or not voting, 37.

Aiken	Elliott	Koch	Rutledge
Allen	Fabritz	Mayne	Rylander
Augustine	Forsling	Mead	Shields
Ballew	Gallagher	Millhone	Short
Beath	Hesse	Miller	Simmer
Byers	Hollingsworth	Nelson of	Story Strachan
Davis	Hunt	O'Donnell	Van Wert
Ditto	Hush	Paisley	Watts
Drake of Keokuk	Johnson of	Rawlings	Witt
Drake of	Marion		
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE NO. 215 PLACED ON THE CALENDAR

Helgason of Emmet, chairman of the committee on fish and game, moved that the report of the committee, recommending that House File No. 215 be indefinitely postponed, be adopted.

TePaske of Sioux moved the previous question.

Motion prevailed.

On the question "Shall the report of the committee be adopted?" a roll call was demanded.

The ayes were, 7.

Figgins	Hansen of Scott	Husted	Watts
Garrett,	Hush	Mathews,	

The nays were, 72.

Avery	Greaser	Long	Roe
Bair	Greene	McCreery	Ryder
Ballew	Hansen of	McDermott	Shields
Berry	Audubon	McLain	Short
Bonnstetter	Hanson of	Malone	Simmer
Brown	Winnebago	Morton	Snyder
Craven	Helgason	Nelson of	Sours
Dayton	Hesse	Cherokee	Stanzel
Ditto	Hollis	Orr	Stiger
Donlon	Hook	Osborn	Strachan
Drake of	Hopkins	Paisley	Tamisiea
Muscatine	Hutcheon	Pattison	TePaske
Durant	Kern	Peaco	Thiessen
Ellsworth	Kohler	Pendray	Thompson
Felter	Lamb	Randall	Torgeson
Finnern	Langland	Randolph	Wamstad
Forsling	Laughlin	Ratliff	Wearin
Gallagher	Lepley	Reed	Whiting
Gilmore	Lichty	Reimers	Mr. Speaker

Absent or not voting, 29.

Aiken	Drake of	Johnson of	Nelson of Story
Allen	Keokuk	Marion	O'Donnell
Augustine	Elliott	Koch	Rawlings
Babcock	Fabritz	McCaulley	Rutledge
Beath	Gissel	Mayne	Rylander
Byers	Hayes	Mead	Van Buren
Davis	Hollingsworth	Millhone	Van Wert
	Hunt	Miller	Witt

Committee report rejected and House File No. 215 was placed on the calendar.

Thompson of Fayette moved that the House pass to the immediate consideration of House File No. 215.

Motion prevailed.

#### CONSIDERATION OF BILLS

House File No. 215, a bill for an act to create a closed season on skunks in various counties, and to provide for notice for such closed season; to provide for expense incident thereto, and to provide for a penalty for the violation of the provisions of this act, was taken up for consideration.

Randall of Lucas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 70.

Avery	Hansen	McCreery	Reimers
Babcock	of Audubon	McDermott	Roe
Bair	Hanson	McLain	Ryder
Berry	of Winnebago	Mathews	Shields
Bonnstetter	Hayes	Morton	Short
Brown	Helgason	Nelson	Snyder
Dayton	Hollingsworth	of Cherokee	Sours
Ditto	Hollis	Orr	Stiger
Donlon	Hook	Osborn	Strachan
Drake	Hopkins	Paisley	Tamisiea
of Muscatine	Hutcheon	Pattison	TePaske
Durant	Kern	Peaco	Thiessen
Ellsworth	Kohler	Pendray	Thompson
Felter	Lamb	Randall	Torgeson
Forsling	Langland	Randolph	Van Buren
Gallagher	Lepley	Ratcliff	Wamstad
Gilmore	Lichty	Rawlings	Whiting
Gissel	Long	Reed	Mr. Speaker
Greaser	McCauley		

The nays were, 9.

Ballew	Garrett	Hush	Stanzel
Craven	Hansen of Scott	Husted	Watts
Figgins			

Absent or not voting, 29.

Aiken	Fabritz	Laughlin	O'Donnell
Allen	Finnern	Malone	Rutledge
Augustine	Greene	Mayne	Rylander
Beath	Hesse	Mead	Simmer
Byers	Hunt	Millhone	Van Wert
Davis	Johnson	Miller	Wearin
Drake of Keokuk	of Marion	Nelson of Story	Witt
Elliott	Koch		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 530, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal Church of Mason City, Cerro Gordo county, Iowa, its articles of incorporation, the election of officers and board of trustees under said articles of incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as heretofore incorporated and assumed by said articles of

re-incorporation, with report of committee recommending passage, was taken up for consideration.

Long 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, 81.

Avery	Greaser	Lichty	Reimers
Babcock	Hansen of	Long	Roe
Bair	Audubon	McCaulley	Ryder
Ballew	Hansen of Scott	McCreery	Shields
Berry	Hanson of	McDermott	Short
Bonnstetter	Winnebago	McLain	Simmer
Brown	Helgason	Mathews	Snyder
Craven	Hesse	Morton	Sours
Dayton	Hollingsworth	Nelson of	Stanzel
Ditto	Hollis	Cherokee	Stiger
Donlon	Hook	Orr	Strachan
Drake of	Hopkins	Osborn	Tamisiea
Muscatine	Hush	Paisley	TePaske
Durant	Husted	Pattison	Thiessen
Ellsworth	Hutcheon	Peaco	Thompson
Felter	Kern	Pendray	Torgeson
Figgins	Kohler	Randall	Van Buren
Finnern	Lamb	Randolph	Wamstad
Gallagher	Langland	Ratliff	Wearin
Garrett	Laughlin	Rawlings	Whiting
Gilmore	Lepley	Reed	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 27.

Aiken	Fabritz	Koch	O'Donnell
Allen	Forsling	Malone	Rutledge
Augustine	Greene	Mayne	Rylander
Beath	Hayes	Mead	Van Wert
Byers	Hunt	Millhone	Watts
Davis	Johnson of	Miller	Witt
Drake of Keokuk	Marion	Nelson of Story	
Elliott			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Long of Cerro Gordo moved that the vote by which House File No. 530 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 107, a bill for an act to amend the law as it

appears in chapter two hundred fifty-one a one (251-a1) and section forty-seven hundred fifty-five b thirty-eight (4755-b38) of the code of Iowa 1927 by striking the word "gasoline" wherever it appears and substituting the words "motor vehicle fuel", and defining the words "motor vehicle fuel", with report of committee recommending passage, was taken up for consideration.

Wamstad of Mitchell called up the amendment filed by him, found in the Journal of March 9th and offered the following amendment to the amendment, and moved its adoption:

Amend the amendment by inserting in line eight (8) between the word "used" and the word "for" the words "as motor vehicle fuel or".

Amendment to the amendment adopted.

Amendment, as amended, adopted.

McCreery of Linn called up the amendment filed by him, found in the Journal of February 27th, and asked and obtained unanimous consent to change "line sixteen (16)" of the amendment to read as line "fifteen (15)."

Amendment adopted.

Orr 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, 77.

Avery	Gissel	Lamb	Rawlings
Babcock	Greaser	Langland	Reed
Bair	Greene	Lepley	Roe
Ballew	Hansen of	Lichty	Shields
Berry	Audubon	Long	Short
Bonnstetter	Hansen of Scott	McCauley	Simmer
Brown	Hanson of	McCreery	Snyder
Craven	Winnebago	McDermott	Sours
Dayton	Hayes	McLain	Stiger
Donlon	Helgason	Mathews	Strachan
Drake of	Hesse	Morton	Tamistica
Muscatine	Hollingsworth	Nelson of	TePaske
Durant	Hollis	Cherokee	Thiessen
Ellsworth	Hook	Orr	Thompson
Felter	Hopkins	Osborn	Torgeson
Figgins	Hush	Paisley	Van Buren
Finnern	Husted	Pattison	Watts
Forsling	Hutcheon	Peaco	Whiting
Gallagher	Kern	Pendray	Wamstad
Garrett	Kohler	Ratliff	Mr. Speaker
Gilmore			



The nays were, none.

Absent or not voting, 31.

Aiken	Elliott	Mayne	Reimers
Allen	Fabritz	Mead	Rutledge
Augustine	Hunt	Millhone	Ryder
Beath	Johnson of	Miller	Rylander
Byers	Marion	Nelson of Story	Stanzel
Davis	Koch	O'Donnell	Van Wert
Ditto	Laughlin	Randall	Wearin
Drake of Keokuk	Malone	Randolph	Witt

So the bill having received a constitutional majority was declared to have passed the House.

Wamstad of Mitchell offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 107 by adding thereto the following:

"and to amend sections fifty hundred ninety-three a five (5093-a5), and fifty hundred ninety-three b one (5093-b1), code, 1927, so as to require reports to be made by carriers and distributors upon all substances to be used in the manufacture, mixture or blending of motor vehicle fuels."

Amendment adopted, and the title as amended, was agreed to.

Orr of Clayton moved that the vote by which Senate File No. 107 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 527, a bill for an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools, with report of committee recommending passage, was taken up for consideration.

Hopkins 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, 67.

Avery	Craven	Felter	Garrett
Babcock	Dayton	Figgins	Gissel
Ballew	Donlon	Finnern	Greaser
Bonnstetter	Durant	Forsling	Hansen of
Brown	Ellsworth	Gallagher	Audubon

Hayes	Lepley	Pattison	Sours
Helgason	Lichty	Peaco	Stiger
Hollingsworth	Long	Pendray	Strachan
Hollis	McCreery	Randolph	Tamisiea
Hook	McDermott	Ratliff	TePaske
Hopkins	McLain	Rawlings	Thompson
Hush	Mathews	Reed	Torgeson
Husted	Morton	Reimers	Wamstad
Hutcheon	Nelson of	Roe	Watts
Kern	Cherokee	Ryder	Wearin
Kohler	Osborn	Shields	Whiting
Lamb	Paisley	Short	Mr. Speaker
Langland			

The nays were, none.

Absent or not voting, 41.

Aiken	Elliott	Koch	Randall
Allen	Fabritz	Laughlin	Rutledge
Augustine	Gilmore	McCaulley	Rylander
Bair	Greene	Malone	Simmer
Beath	Hansen of Scott	Mayne	Snyder
Berry	Hanson of	Mead	Stanzel
Byers	Winnebago	Millhone	Thiessen
Davis	Hesse	Miller	Van Buren
Ditto	Hunt	Nelson of Story	Van Wert
Drake of Keokuk	Johnson of	O'Donnell	Witt
Drake of	Marion	Orr	
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 414, a bill for an act to amend section three (3), chapter one hundred (100), acts of the forty-third (43rd) general assembly, relating to school elections, with report of committee recommending passage, was taken up for consideration.

McCreery of Linn offered the following amendment and moved its adoption:

Amend House File No. 414 by adding as section two (2) the following:

In districts not requiring registration the board may issue notice of the election by publishing notice once each week for two consecutive weeks in a newspaper published within the district, the last publication to be not less than seven (7) days prior to the day of the election.

Amendment adopted.

Hopkins 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, 73.

Avery	Greaser	Lepley	Ratliff
Babcock	Greene	Lichty	Rawlings
Bair	Hansen of	Long	Reed
Ballew	Audubon	McCaulley	Reimers
Berry	Hanson of	McCreery	Roe
Bonnstetter	Winnebago	McDermott	Ryder
Brown	Hayes	McLain	Sours
Craven	Helgason	Mathews	Stanzel
Dayton	Hesse	Morton	Stiger
Donlon	Hollingsworth	Nelson of	Tamisiea
Durant	Hollis	Cherokee	TePaske
Ellsworth	Hook	Orr	Thiessen
Felter	Hopkins	Osborn	Thompson
Figgins	Hush	Paisley	Torgeson
Finnern	Husted	Pattison	Wamstad
Forsling	Hutcheon	Peaco	Watts
Gallagher	Kohler	Pendray	Wearin
Garrett	Lamb	Randall	Whiting
Gissel	Langland	Randolph	Mr. Speaker

The nays were, none.

Absent or not voting, 35.

Aiken	Elliott	Laughlin	Rylander
Allen	Fabritz	Malone	Shields
Augustine	Gilmore	Mayne	Short
Beath	Hansen of Scott	Mead	Simmer
Byers	Hunt	Millhone	Snyder
Davis	Johnson of	Miller	Strachan
Ditto	Marion	Nelson of Story	Van Buren
Drake of Keokuk	Kern	O'Donnell	Van Wert
Drake of	Koch	Rutledge	Witt
Muscatine			

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 repeal section eight thousand four hundred fifty-seven (8457), Code, 1927, relating to corporations, with report of committee recommending passage, was taken up for consideration.

Watts of Van Buren moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 66.

Avery	Brown	Durant	Gallagher
Babcock	Craven	Ellsworth	Garrett
Ballew	Dayton	Felter	Gissel
Berry	Ditto	Figgins	Greaser
Bonnstetter	Donlon	Finnern	Greene

Hansen of Scott	Kohler	Osborn	Stiger
Hanson	Lamb	Paisley	Strachan
of Winnebago	Langland	Pattison	Tamisiea
Hayes	Lepley	Peaco	TePaske
Helgason	Long	Pendray	Thiessen
Hesse	McCaulley	Ratliff	Thompson
Hollingsworth	McLain	Reed	Torgeson
Hollis	Malone	Roe	Wamstad
Hook	Morton	Ryder	Watts
Hopkins	Nelson	Snyder	Wearin
Hush	of Cherokee	Sours	Whiting
Husted	Orr	Stanzel	Mr. Speaker

The nays were, none.

Absent or not voting, 42.

Aiken	Forsling	McCreery	Rawlings
Allen	Gilmore	McDermott	Reimers
Augustine	Hansen	Mathews	Rutledge
Bair	of Audubon	Mayne	Rylander
Beath	Hunt	Mead	Shields
Byers	Hutcheon	Millhone	Short
Davis	Johnson	Miller	Simmer
Drake of Keokuk	of Marion	Nelson of Story	Van Buren
Drake	Kern	O'Donnell	Van Wert
of Muscatine	Koch	Randall	Witt
Elliott	Laughlin	Randolph	
Fabritz	Lichty		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 502, a bill for an act to require certain entries by the county treasurer, and by the clerk of the district court, to show the exact time of the making of such entries, with report of committee on land titles recommending passage, was taken up for consideration.

Sours of Floyd moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 66.

Babcock	Figgins	Hollingsworth	McCaulley
Bair	Finnern	Hollis	McCreery
Ballew	Forsling	Hook	McDermott
Bonnstetter	Gallagher	Hush	McLain
Brown	Garrett	Husted	Malone
Craven	Gissel	Kohler	Mathews
Dayton	Greaser	Lamb	Morton
Ditto	Greene	Langland	Nelson of
Donlon	Hansen of Scott	Lepley	Cherokee
Ellsworth	Hayes	Lichty	Orr
Felter	Helgason	Long	Osborn

Pattison	Rawlings	Stanzel	Thompson
Peaco	Reed	Stiger	Torgeson
Pendray	Roe	Strachan	Wearin
Randall	Ryder	Tamisiea	Whiting
Randolph	Snyder	TePaske	Mr. Speaker
Ratliff	Sours	Thiessen	

The nays were, none.

Absent or not voting, 42.

Aiken	Durant	Johnson of	Reimers
Allen	Elliott	Marion	Rutledge
Augustine	Fabritz	Kern	Rylander
Avery	Gilmore	Koch	Shields
Beath	Hansen of	Laughlin	Short
Berry	Audubon	Mayne	Simmer
Byers	Hanson of	Mead	Van Buren
Davis	Winnebago	Millhone	Van Wert
Drake of	Hesse	Miller	Wamstad
Keokuk	Hopkins	Nelson of Story	Watts
Drake of	Hunt	O'Donnell	Witt
Muscatine	Hutcheon	Paisley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 74, a bill for an act to amend section 1748, Code 1927, relating to licenses for the use of seines or nets in the Mississippi River, with report of committee recommending passage, was taken up for consideration.

Orr 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, 67.

Aiken	Gilmore	Langland	Randolph
Avery	Gissel	Lepley	Rawlings
Babcock	Greaser	Lichty	Reed
Ballew	Greene	Long	Roe
Berry	Hansen of	McCaulley	Ryder
Bonnstetter	Audubon	McCreery	Sours
Brown	Hanson of	McDermott	Stanzel
Dayton	Winnebago	McLain	Strachan
Ditto	Hayes	Mathews	Tamisiea
Donlon	Helgason	Nelson of	TePaske
Durant	Hesse	Cherokee	Thompson
Ellsworth	Hollingsworth	Orr	Torgeson
Felter	Hollis	Paisley	Wamstad
Figgins	Hook	Pattison	Watts
Finnern	Hush	Peaco	Wearin
Forsling	Kern	Pendray	Whiting
Gallagher	Kohler	Randall	Mr. Speaker
Garrett	Lamb		

The nays were, none.

Absent or not voting, 41.

Allen	Fabritz	Mayne	Rylander
Augustine	Hansen of Scott	Mead	Shields
Bair	Hopkins	Millhone	Short
Beath	Hunt	Miller	Simmer
Byers	Husted	Morton	Snyder
Craven	Hutcheon	Nelson of Story	Stiger
Davis	Johnson of	O'Donnell	Thiessen
Drake of Keokuk	Marion	Osborn	Van Buren
Drake of	Koch	Ratliff	Van Wert
Muscatine	Laughlin	Reimers	Witt
Elliott	Malone	Rutledge	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Orr of Clayton moved that the vote by which Senate File No. 74 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 482, a bill for an act to legalize the payment of funds by Johnson County, Iowa, from the court expense fund, with report of committee recommending passage, was taken up for consideration.

Whiting of Johnson offered the following amendment and moved its adoption:

Amend section two (2) of House File No. 482 as follows:

1. By inserting after the word "the" in line three (3) the words "Press Citizen".
2. By inserting after the word "at" in line four (4) the words "Iowa City".
3. By inserting after the word "the" in line five (5) the words "Oxford Leader".
4. By inserting before the word "Iowa," in line six (6) the word "Oxford".

Amendment adopted.

Mr. Whiting moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 75.

Avery	Gissel	Lichty	Rawlings
Babcock	Greaser	Long	Reed
Bair	Hansen	McCaulley	Reimers
Ballew	of Audubon	McCreery	Roe
Berry	Hansen of Scott	McDermott	Ryder
Bonnstetter	Hanson	McLain	Sours
Brown	of Winnebago	Malone	Stanzel
Craven	Hayes	Mathews	Stiger
Dayton	Helgason	Morton	Strachan
Ditto	Hesse	Nelson	Tamisiea
Donlon	Hollingsworth	of Cherokee	TePaske
Durant	Hollis	Orr	Thiessen
Ellsworth	Hopkins	Osborn	Thompson
Felter	Hush	Paisley	Torgeson
Figgins	Husted	Pattison	Wamstad
Finnern	Kern	Peaco	Watts
Forsling	Kohler	Pendray	Wearin
Gallagher	Lamb	Randall	Whiting
Garrett	Langland	Randolph	Mr. Speaker
Gilmore	Lepley		

The nays were, none.

Absent or not voting, 33.

Aiken	Elliott	Laughlin	Rylander
Allen	Fabritz	Mayne	Shields
Augustine	Greene	Mead	Short
Beath	Hook	Millhone	Simmer
Byers	Hunt	Miller	Snyder
Davis	Hutcheon	Nelson of Story	Van Buren
Drake of Keokuk	Johnson	O'Donnell	Van Wert
Drake	of Marion	Ratliff	Witt
of Muscatine	Koch	Rutledge	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Whiting of Johnson moved that the vote by which House File No. 482 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 477, a bill for an act amending the law as it appears in section five thousand twenty-six b one (5026 b1) of the code, 1927, so as to limit the civil liability of owners and operators of automobiles, with report of committee on judiciary recommending passage, was taken up for consideration.

Kern of Polk called up the amendment filed by Millhone of Page, found in the Journal of March 25th, and moved its adoption.

Amendment adopted.

Mr. Kern moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 67.

Avery	Gilmore	Langland	Randolph
Rabcock	Gissel	Lepley	Ratliff
Bair	Greaser	Lichty	Reed
Berry	Greene	Long	Reimers
Brown	Hansen of	McCaulley	Roe
Craven	Audubon	McDermott	Sours
Dayton	Hanson of	McLain	Stiger
Ditto	Winnebago	Malone	Strachan
Donlon	Helgason	Mathews	Tamisiea
Drake of	Hesse	Morton	TePaske
Muscatine	Hollingsworth	Nelson of	Thiessen
Durant	Hollis	Cherokee	Torgeson
Ellsworth	Hush	Orr	Wamstad
Felter	Husted	Osborn	Watts
Figgins	Hutcheon	Paisley	Wearin
Finnern	Kern	Pattison	Whiting
Gallagher	Kohler	Peaco	Mr. Speaker
Garrett	Lamb	Pendray	

The nays were, none.

Absent or not voting, 41.

Aiken	Forsling	Mayne	Rylander
Allen	Hansen of Scott	Mead	Shields
Augustine	Hayes	Millhone	Short
Ballew	Hook	Miller	Simmer
Beath	Hopkins	Nelson of Story	Snyder
Bonnstetter	Hunt	O'Donnell	Stanzel
Byers	Johnson of	Randall	Thompson
Davis	Marion	Rawlings	Van Buren
Drake of Keokuk	Koch	Rutledge	Van Wert
Elliott	Laughlin	Ryder	Witt
Fabritz	McCreery		

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Kern of Polk moved that the vote by which House File No. 477 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 419, a bill for an act to amend section sixty-two (62) of the code, 1927, providing for the payment of publications, with report of committee recommending passage, was taken up for consideration.



Greene 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, 66.

Avery	Greene	Long	Roe
Babcock	Hansen of	McCauley	Ryder
Bair	Audubon	McCreery	Shields
Craven	Hanson of	McDermott	Snyder
Dayton	Winnebago	McLain	Sours
Ditto	Helgason	Malone	Stanzel
Donlon	Hesse	Mathews	Strachan
Drake of	Hollingsworth	Nelson of	Tamisiea
Muscatine	Hollis	Cherokee	TePaske
Durant	Hook	Orr	Thiessen
Ellsworth	Hopkins	Osborn	Thompson
Felter	Husted	Pattison	Torgeson
Figgins	Kern	Peaco	Watts
Finnern	Kohler	Pendray	Wearin
Forsling	Lamb	Randall	Whiting
Gallagher	Langland	Randolph	Mr. Speaker
Garrett	Lepley	Ratliff	
Gissel	Lichty	Reed	

The nays were, 1.

Wamstad

Absent or not voting, 41.

Aiken	Elliott	Koch	Rawlings
Allen	Fabritz	Laughlin	Reimers
Augustine	Gilmore	Mayne	Rutledge
Ballew	Greaser	Mead	Rylander
Beath	Hansen of Scott	Millhone	Short
Berry	Hayes	Miller	Simmer
Bonnstetter	Hunt	Morton	Stiger
Brown	Hush	Nelson of Story	Van Buren
Byers	Hutcheon	O'Donnell	Van Wert
Davis	Johnson of	Paisley	Witt
Drake of Keokuk	Marion		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 420, a bill for an act to amend section four hundred twenty-six (426) of the code, 1927, providing for the payment of publication of the federal census, with report of committee recommending passage, was taken up for consideration.

Greene 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, 73.

Aiken	Garrett	Lichty	Ratliff
Avery	Gilmore	Long	Reed
Babcock	Gissel	McCaulley	Ryder
Bair	Greaser	McCreery	Shields
Ballew	Greene	McDermott	Simmer
Berry	Hansen of	McLain	Snyder
Brown	Audubon	Malone	Sours
Craven	Hanson of	Mathews	Stanzel
Dayton	Winnebago	Morton	Stiger
Ditto	Helgason	Nelson of	Strachan
Donlon	Hollingsworth	Cherokee	Tamisiea
Drake of	Hook	Orr	TePaske
Muscatine	Hush	Osborn	Thiessen
Durant	Husted	Paisley	Torgeson
Ellsworth	Hutcheon	Pattison	Wamstad
Felter	Kern	Peaco	Watts
Figgins	Kohler	Pendray	Wearin
Finnern	Lamb	Randall	Whiting
Forsling	Langland	Randolph	Mr. Speaker
Gallagher			

## The nays were, 4.

Bonnstetter	Lepley	Roe	Thompson
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## Absent or not voting, 31.

Allen	Hansen of Scott	Koch	Rawlings
Augustine	Hayes	Laughlin	Reimers
Beath	Hesse	Mayne	Rutledge
Byers	Hollis	Mead	Rylander
Davis	Hopkins	Millhone	Short
Drake of Keokuk	Hunt	Miller	Van Buren
Elliott	Johnson of	Nelson of Story	Van Wert
Fabritz	Marion	O'Donnell	Witt

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 providing for the issuance of new certificates to corporations by the Secretary of State in all cases wherein a certificate has been issued to a corporation or purported corporation renewing its corporate existence from an erroneous date and/or for a period of time in excess of that provided by law, with report of committee recommending passage, was taken up for consideration.

Kern 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, 68.

Avery	Gilmore	McCreery	Reimers
Babcock	Gissel	McDermott	Roe
Bair	Greaser	McLain	Ryder
Ballew	Hansen of Scott	Malone	Short
Berry	Hanson of	Mathews	Simmer
Brown	Winnebago	Morton	Stanzel
Dayton	Helgason	Nelson of	Stiger
Donlon	Hollingsworth	Cherokee	Strachan
Drake of	Hollis	Orr	Tamisiea
Muscatine	Hook	Osborn	TePaske
Durant	Hopkins	Paisley	Thiessen
Ellsworth	Husted	Pattison	Thompson
Felter	Hutcheon	Peaco	Torgeson
Figgins	Kern	Pendray	Wamstad
Finnern	Lamb	Randall	Watts
Forsling	Langland	Randolph	Whiting
Gallagher	Lepley	Ratliff	Mr. Speaker
Garrett	Long	Reed	

The nays were, none.

Absent or not voting, 40.

Aiken	Fabritz	Kohler	Rawlings
Allen	Greene	Laughlin	Rutledge
Augustine	Hansen of	Lichty	Rylander
Beath	Audubon	McCaulley	Shields
Bonnstetter	Hayes	Mayne	Snyder
Byers	Hesse	Mead	Sours
Craven	Hunt	Millhone	Van Buren
Davis	Hush	Miller	Van Wert
Ditto	Johnson of	Nelson of Story	Wearin
Drake of Keokuk	Marion	O'Donnell	Witt
Elliott	Koch		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### COMMUNICATION FROM THE STATE BOARD OF ASSESSMENT AND REVIEW

The following communication was received from L. H. Cook, Chairman, of the State Board of Assessment and Review:

March 19, 1931.

Tax Revision Committee of the Forty-fourth General Assembly.

Dear Sirs:

The State Board of Assessment and Review respectfully submits for your consideration the recommendations contained herein, in regard to the modification of certain sections of the Iowa statutes relating to taxation. These recommendations cover several matters which have come to the attention of the board in the administration of the tax laws, which, in the opinion of the board require legislative attention.

1. Two amendments are desirable to section 6953 of the Code, sub-section three of this section states that sheep and swine over six months of age are subject to taxation; this is in conflict with a provision contained in sub-section thirteen of section 6944 which provides that only swine and sheep over nine months of age shall be taxed.

2. Sub-section five of section 6953 provides that accounts bearing interest are taxable. This is in conflict with the general provisions relating to moneys and credits which provides that all credits are assessable. The board, therefore, submits a bill covering these corrections for your consideration.

3. Section 6965 of the Code in its present form is not clear in its meaning. It provides that the assessment of Grain, Ice and Coal dealers shall be based on the average amount of capital used in conducting the business. The section does not state if this assessment shall be at the general property rate or as moneys and credits. The intent is obviously to provide for the assessment of the personal property of such businesses in a just and equitable manner corresponding with the assessment of merchandise or stocks of goods of other concerns. The board recommends that the section be amended as suggested in the accompanying bill.

4. The board respectfully calls attention to the fact that under the existing statutes stocks of merchandise or other personal property is not assessable in Iowa if brought into the state after the first day of January, thus a mercantile establishment may open its doors on January 2nd without tax liability until January 1st of the following year; if the merchant closes his business prior to the first day of the next year he is tax free for the period of operation. The board makes no specific recommendations upon this subject, but believes that the situation should be called to the attention of the legislature.

5. The board recommends that section 6988 of the Code be amended to specifically provide that any person claiming a deduction for indebtedness from his moneys and credits assessment shall be required to list specifically the nature of such indebtedness and to whom it is due while under decisions rendered by the Supreme Court it has been held that such a showing must be made there is considerable vagueness as to the statutory requirements in this particular. The board, therefore, recommends the enactment of the bill herewith submitted.

6. The board calls attention to the fact that under section 6996 of the Code it is provided that the Auditor of State shall issue to certain loan corporations a certificate entitling them to be assessed on the value of their moneys and credits providing it is found that such corporation is operating in accordance with the provisions of section 6994 of the Code; these sections relate to the operation of so-called Morris Plan Banks. The board finds that the issuance of these certificates often brings about conflict with the statutes relating to the assessment of money capital and banks in cases where such concerns become engaged in operations which are in competition with regularly chartered banks and therefore recommends that the section be amended as suggested in the accompanying bill.

7. The board respectfully desires to call attention to the provisions of Chapter 334 of the Code relating to the taxation of the capital stock of certain corporations. This law in its present form is almost unworkable. In section 7008 it is provided that the value of such shares of stock shall be assessed to the owners thereof as moneys and credits, but that in determining the value of such stock the amount of capital invested in property, other than moneys and credits shall be deducted from the actual value of the shares. Under the provisions of sub-section twenty, section 6944, of the Code, it is almost impossible to determine what corporations are subject to a return under this section and which are not. It will be noted by a reading of section 7008 that all corporations otherwise provided for in chapters 330 to 341 inclusive are exempt, as, are, also certain other corporations. This section does apply to the taxation of domestic insurance companies, certain investment companies, insurance agencies when incorporated, real estate holding companies and certain other classes of business. There is a conflict in this chapter due to the fact that section 7012 is in flat conflict with 7008 in that one section provides that in estimating the value of the capital stock the entire capital actually invested in property, other than moneys and credits shall be deducted from the valuations, while in section 7012 it is provided that the assessed valuation shall be deducted. Inasmuch as the provisions of section 7008 were enacted later than those of 7012 it is the opinion of the board that section 7008 gives the procedure which must be followed. The theory of this section originally was that the capital stock of a domestic corporation was to be taxed on its net worth over and above the physical property owned by such corporation, but due to the fact that legislatures from time to time have exempted certain classes of corporations, this act no longer affects most of the domestic corporations in the state. The return provided for in this act at present has never been generally demanded by assessors, prior to the creation of the State Board, which last year required some two thousand corporations to make a return resulting in the listing of probably \$20,000,000 in moneys and credits. Due to the fact that this section applies only to Iowa corporations it is discriminatory in many respects against Iowa businesses organized under the laws of the State and the return may be avoided by the subterfuge of organizing under the laws of another state. It imposes an entirely discriminatory tax upon insurance companies organized under the laws of Iowa and also discriminates as between incorporated insurance companies, financial agencies and those which are not. The board attempted in drafting the Business Franchise Tax, which was introduced in the legislature as one of the recommendations of the Joint Legislative Committee on Taxation and the board, to make this chapter apply to all corporations, both domestic and foreign. A storm of protest was created by this bill, due to the fact that it would have applied to all Iowa corporations, the same provisions which are now under the provisions of this section applicable to only a limited number. There is not the slightest justice or equity in many of the exemptions now provided in the taxation of corporation stock under the provisions of this section. For example, a public utility company which does not operate a transmission line is required to

make a return under the provisions of this section, while if such a company operates even one mile of rural transmission line it is not required to make a return. In its present form this section simply amounts to a form of return of moneys and credits and intangible values from certain corporations, while other corporations are exempt from making such a return.

In view of the fact that it seems obvious that the original recommendations of the board and the committee in regard to the taxation of corporation stocks are not likely to be followed it would seem advisable to repeal or modify the provisions of Chapter 334 contained in sections 7008 to 7013 inclusive to eliminate the injustice which results from its enforcement. In lieu of this section there should be a specific requirement providing for the listing by every corporation, domestic or foreign, operating under the laws of Iowa, of a detailed report upon which an assessment may be made on its moneys and credits and corporation stocks owned by such corporation.

The board has already in the recommendation of the Franchise Tax measure expressed its view on what should be done to correct the provisions of Chapter 334. It wishes to emphasize at this time the fact that Iowa does now have a law upon its books imposing exactly the same tax upon the capital stock of some two thousand of its corporations which is proposed in the Franchise Tax Bill recommended, but that the law imposing this tax is practically unworkable in its present provisions. Chapter 334 either ought to be repealed in entirety or its provisions should be made applicable as to all corporations doing business in Iowa. To clarify this chapter the board recommends that section 7012 be repealed as suggested in the accompanying bill. The board also recommends in connection with this section that in order to remedy the injustice which now exists due to the fact that domestic insurance companies are required to make a return under section 7008 which results in a taxation grossly discriminatory to companies organized under the laws of Iowa and which they can avoid by organizing under the laws of other states. Consideration should be given to the exemption of the capital stock of Iowa insurance companies under the provisions of Chapter 334. This can be easily done by the repeal of section 7026 of the Code.

In connection with the discussion of Chapter 334 the board wishes to call attention to the absurdity of the exemptions of capital stock of corporations from taxation in Iowa as provided in this chapter and also in sub-section 20 of section 6944 of the Code. At the present time under Iowa laws the capital stock of all telegraph and telephone companies, no matter where incorporated, is taxable, and the contrary is true as to all railroad companies, which with the exception of those incorporated under the laws of Iowa are taxable. Whether or not the capital stock of a railroad company incorporated under the laws of the state of Iowa is taxable is a matter of grave doubt, due to the conflict of the statutes.

The capital stock of any corporation engaged in merchandising in Iowa, whether organized under the laws of Iowa or not is exempt under this

provision; the capital stock of all chain stores is probably exempt from taxation in the hands of individual holders and it is very likely that the stock of most of the industrial corporations is also exempt. The capital stock of all Iowa organized corporations is exempt from taxation in the hands of the individuals and if such corporation is engaged in a mercantile or manufacturing business its capital stock is not taxable under the provisions of Chapter 334.

Under the present laws there is utterly no logic or justice in the policy of the state in regard to the taxation of securities of the nature of capital stock of corporations.

8. The board respectfully calls attention to the fact that the present law relating to the taxation of express companies has become obsolete and unworkable. There is no longer such a thing as an express company. Under the old sense of the word the business of the former express company is now conducted by the railroads who own the capital stock and the equipment, known as the American Express Agency; a very limited amount of property is owned by this agency which is assessable on the same basis as other property, but which the board must apportion on the basis of the number of express routes within the state. The board believes that if there is to be any real effort in the future to impose a tax upon the express business in Iowa it must be done through the application of a gross earnings tax. At the present time the gross amount of the express business in Iowa approximates a little more than \$2,000,000 annually; a 2% gross earnings tax upon this business would net approximately \$40,000 per year. A large number of states impose such a tax. If it should be the feeling of the committee that such a tax should be adopted a bill providing therefor is hereby submitted.

The board is not in this communication taking up any matters which are dealt with in the County Assessor's bill now pending. If, however, this bill should be enacted there are a number of matters in connection with the present assessment procedure which should be corrected. The board desires, however, to suggest one specific correction covering the question of assessment of moneys and credits and corporation stocks as omitted property. Section 7155 covers the assessment by the Treasurer of omitted property. At the present time there is in many cases a question of determining how much property has been omitted from a past return. There is a very considerable evasion due to difficulty on the part of the state or local tax assessor in determining whether or not assets were held during the entire period for which an assessment is liable. The board believes that where it can be determined that any person is the owner of property which has been omitted from return, that the burden of proof should be upon the owner to show that he has not had possession for the entire five year period for which delinquent taxes may be assessed. The board, therefore, submits the following amendment to section 7155 of the Code.

9. The board also suggests that it would be desirable to place the administration of the Inheritance Tax Department under its jurisdiction.

This recommendation is made at the suggestion and with the approval of the Treasurer of State. If the present moneys and credits law is to be retained there are many advantages in a combination of inheritance tax collections with the collection of delinquent moneys and credits taxes. The board now checks all inheritance tax returns for the purpose of determining whether or not there is an obligation for moneys and credits taxation. The inheritance tax returns, also, will have an important relation to the administration of the State Income Tax. The same men engaged in inheritance tax administration can also be used as agents of the board in other allied matters. In practically all states inheritance tax collections are in the hands of the agencies which administer the collection of income or similar taxes. Probably this particular recommendation should have the attention of the Committee on Departmental Affairs.

The board will be willing at any time to meet the committees of the House and Senate for discussion of these recommendations, which are, in all cases, based upon the practical experience of the board in connection with its administration of taxation affairs.

Yours very sincerely,

Iowa State Board of Assessment and Review,

LHC:ELD

By LOUIS H. COOK, *Chairman*.

#### ADDITIONAL COPIES OF HOUSE FILES ORDERED PRINTED

Bair of Buena Vista asked and obtained unanimous consent to have two hundred fifty additional copies of House File No. 440 printed.

Hush of Montgomery asked and obtained unanimous consent to have three hundred additional copies of House File No. 353 printed.

#### 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. 328, a bill for an act relating to reporting school census.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 52, a bill for an act relating to fishing with trot-lines, or throw lines.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:



House File No. 236, a bill for an act to make an appropriation for the expenses incurred in the election contest wherein L. W. Hatter was contestant and J. P. Gallagher was incumbent.

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 make an appropriation for the expenses incurred in the election contest of Hall vs. Fabritz.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 251, a bill for an act making appropriation to Harold Grimes, E. W. Cook, Ward N. Roland, and Dorothy Zein.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 157, a bill for an act relating to corporations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 355, a bill for an act relating to issuance of bonds.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 374, a bill for an act relating to assignment of bonds issued by the government of the United States.

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 relating to nominations by primary election.

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 relating to the power of the board of supervisors to order the destruction of certain papers and records.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 328

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section forty-two hundred thirty-five (4235), Code, 1927, be and the same is hereby amended by striking out of line three thereof the words "each year" and inserting in lieu thereof the words "each even numbered year".

Sec. 2. That section forty-three hundred twelve (4312), Code 1927, be amended by striking out of line three thereof the words "each year" and inserting in lieu thereof the words "each even numbered year".

Sec. 3. That section forty-three hundred thirteen (4313), Code, 1927, be and it is hereby amended by striking out paragraph one thereof and inserting in lieu thereof the following:

1. The number, as shown by the last preceding school census, of persons of school age in the corporation, distinguishing the sexes.

#### SENATE AMENDMENT TO HOUSE FILE NO. 52

Amend by adding the following section:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect on and after its publication in the Creston News Advertiser, a newspaper published at Creston, Iowa and The Record News, a newspaper published at Mt. Ayr, Iowa.

#### SENATE MESSAGES CONSIDERED

Senate File No. 355, a bill for an act providing that no proposition to authorize an issuance of bonds shall be deemed carried or adopted unless approved by sixty per cent (60%) of the votes cast thereon.

Read first and second times and substituted for House File No. 206.

Senate File No. 157, a bill for an act to amend Chapter 332 of the Code of Iowa by adding thereto Sections 6989-C1, 6989-C2 and 6989-C3 prohibiting the deduction by a corporation of debts owing by it to any affiliated corporation in making up the amount of money or credits which a corporation is required to list, or to have listed or assessed, and defining affiliated corporations, and providing that in certain cases debts owing by an affiliated corporation shall be disregarded as assets of the lending corporation in arriving at the assessable value of its shares of stock.

Read first and second times and referred to committee on banks and banking.

Senate File No. 251, a bill for an act to make appropriation to Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein, for damages to automobiles by reason of collisions with highway maintenance equipment or barricades in the highways.

Read first and second times and referred to committee on appropriations.

Senate File No. 374, a bill for an act to authorize and empower the superintendent of the Iowa Juvenile Home to execute assignment of bonds issued by the government of the United States and owned by, and registered in the name of the committed inmates of said home, who are minors, and to provide for the preservation of funds arising from such assignments.

Read first and second times and referred to committee on board of control.

Senate File No. 195, a bill for an act to amend Chapter Thirty-six (36) Code of 1927, relating to nomination by primary election by amending section six hundred thirty nine (639) and section six hundred forty-three (643).

Read first and second times and referred to committee on elections.

#### REPORTS OF COMMITTEES

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 135, a bill for an act to amend sections twelve thousand eight hundred thirty-seven (12837) and twelve thousand eight hundred forty (12840), thirteen thousand nine hundred ninety-seven (13997), Code, 1927, relating to the perfecting of an appeal to the Supreme Court, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 484, a bill for an act to amend section ten thousand four hundred eighty-one (10481), code, 1927, relating to divorce and custody of children, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 466, a bill for an act to provide a license tax for radio broadcasting stations, and to provide penalty for failure to secure a license, beg leave to report they have 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. B. FORSLING, *Chairman.*

Passed on file.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 145, a bill for an act to amend sections seventy-one hundred forty-four (7144), seventy-two hundred eight (7208), seventy-two hundred twelve (7212), and to repeal section seventy-two hundred thirteen (7213), all of the Code, 1927, and relating to the payment and apportionment of road taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 143, a bill for an act to amend section eleven thousand fifty-five (11055), Code, 1927, relating to the contents of an original notice of suit, beg leave to report they have had 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 judiciary, to whom was referred Senate File No. 146, a bill for an act to amend, revise, and codify sections one hundred thirty-nine (139), one hundred forty (140), ten hundred ninety-a twenty (1090-a20), ten hundred ninety-b two (1090-b2), forty-three hundred nineteen (4319), fifty-five hundred forty-eight (5548), fifty-five hundred forty-nine (5549), fifty-six hundred fifty-one (5651), fifty-six hundred fifty-three (5653), seventy-four hundred four (7404), and seventy-four hundred seven (7407), Code, 1927, relating to deposits by governmental bodies and officers of public funds, and to interest thereon, and to so amend sections ten hundred ninety-a six (1090-a6), ten hundred ninety-a seven (1090-a7), and fifty-five hundred forty-seven (5547), Code, 1927, relating to the state sinking fund for public deposits

and to the duties of the township clerk, as to coordinate and harmonize said sections with this act, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

L. B. FORSLING, *Chairman.*

Passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 116 and Senate Joint Resolution No. 10.

House Files Nos. 40, 41, 210 and 257.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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 File No. 116 and Senate Joint Resolution No. 10.

House Files Nos. 40, 41, 210 and 257.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 28th day of March, 1931, sent to the governor for his approval:

House Files Nos. 40, 41, 210 and 257.

C. J. ORR, *Chairman.*

Report adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 26th, approved the following bills:

House Files. Nos. 208, 212, 50 and 98.

## AMENDMENTS FILED

Brown of Polk filed the following amendment to Senate File No. 297:

Amend Senate File No. 297, by striking out, after the word "employee" in line one (1) of section six (6), the following:

" , except sheriffs or their deputies".

Kern of Polk filed the following amendment to House File No. 430.

Amend House File No. 430 by Simmer of Wapello by adding as Section two (2) thereof, the following:

Section 2. Provided, however, that no such ordinance adopted by any city or town shall apply to any manufacturing or merchandising establishment nor to any person or persons regularly employed by such manufacturing or merchandising establishment.

Bair of Buena Vista filed the following amendment to House File No. 440:

Amend House File No. 440 by adding as Section 6:

Sec. 6. This act being deemed of immediate importance, it shall be in full force and effect from and after its passage and publication in the Storm Lake Pilot Tribune, a newspaper published at Storm Lake, and the Denison Bulletin, a newspaper published at Denison.

Brown of Polk filed the following amendment to House File No. 485:

Amend House File No. 485 as follows:

1st. By inserting after the word "opinion" in line 8 of section 1 the words " , in which a majority of the medical staff of said institution shall concur,".

2nd. By inserting after the word "opinion" in the 3rd line of Section 2 the words "and that a majority of the medical staff of said institution concurs,".

3rd. By inserting after the word "Board" in line 72 of Section 2 the words "a majority of the members of said Board concurring,".

4th. By adding at the end of the bill another section, as follows:

"Section 7. Sections 3361 to 3363 both inclusive, Code 1927, are hereby repealed."

Ratliff of Henry moved the House do now adjourn until 1:00 p. m. today.

Forsling of Woodbury moved to amend by making the hour 9:00 a. m. Monday.

Amendment adopted.

Motion, as amended, prevailed and 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 30, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Don P. Hawkins, pastor of the Edwards Memorial Presbyterian Church, Des Moines.

Journal of March 28th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hesse of O'Brien for the day, on request of Drake of Keokuk; Ditto of Osceola for the day, on request of Drake of Keokuk; Witt of Butler for the day, on request of Drake of Keokuk; Koch of Bremer for the day, on request of Drake of Keokuk; Reimers of Lyon for the day, on request of Stiger of Tama.

## PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Beath of Adams, from 107 citizens of Adams county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

## REPORT OF COMMITTEE

Forsling of Woodbury, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 553, a bill for an act to legalize the action of the board of supervisors of Appanoose County in transferring nineteen thousand dollars (\$19,000.00) from the state insane fund to the paupers' fund by resolution upon March 14, 1931.

The judiciary committee recommends to the House that the bill do pass.

L. B. FORSLING, *Chairman*.

Report adopted.



## INTRODUCTION OF BILL

House File No. 553, by committee on judiciary, a bill for an act to legalize the action of the board of supervisors of Appanoose County in transferring nineteen thousand dollars (\$19,000.00) from the state insane fund to the paupers' fund by resolution upon March 14, 1931.

Read first and second times and passed on file.

## CONSIDERATION OF BILLS

House File No. 368, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five per cent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Elliott of Scott the amendments proposed by the committee, found in the Journal of February 27th, were adopted.

Elliott of Scott asked and obtained unanimous consent to have "line six (6)" of the committee amendment changed to read "line seven (7)."

Wamstad of Mitchell called up the amendment filed by him and found in the Journal of March 26th and moved to amend his amendment by striking in line three (3) the words, as found in the Journal of March 26th, "applied during the year of 1931", and inserting in lieu thereof, the words, "such excess levy as made for the year 1930".

Amendment adopted.

Amendment, as amended, adopted.

Forsling of Woodbury moved that further action on House File No. 368 be deferred. Motion lost.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by striking in line one of section one the figures "1932" and "1933" and inserting in lieu thereof the figures "1931" and "1932".

Amendment adopted.

Brown of Polk offered the following amendment and moved its adoption:

Amend by striking the period (.) in line eleven (11) of section one (1) and adding thereto the following: "except where the provisions of this act do not conflict with mandatory levies already provided by law".

Amendment adopted.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We the undersigned, hereby request a call of the House for the consideration and vote on House File No. 537, at 10 a. m. today.

F. HOLLINGSWORTH  
E. O. ELLSWORTH  
HUGH J. TAMISIEA  
H. N. HANSON  
P. H. DONLON

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Reimers of Lyon, Husted of Madison, Avery of Clay, Hesse of O'Brien, Ditto of Osceola, Witt of Butler, Durant of Hancock, who, on motion, were excused.

The hour having arrived for special order, House File No. 537, a bill for an act to provide for the creation of a public service commission, providing for its appointment, fixing the salaries of the members thereof; to define their powers and duties; to provide for the appointment of employees and their compensation; to provide for the regulation of all public service companies; to define, prescribe, and limit their powers and duties; to prescribe the procedure of the commission and in the courts; to impose and provide for the collection of an annual license fee from all public service companies; to fix and prescribe penalties for the violation of any of the provisions of said act, and

to repeal all laws or parts of laws which are inconsistent therewith; and to abolish the railroad commission, with report of committee on public utilities recommending passage, was taken up for consideration.

Brown of Polk moved that the call of the House be now raised.

Motion prevailed.

Simmer of Wapello offered the following amendment and moved the adoption of paragraphs 1, 2, 3, 4, 5 and 6 of the amendment:

Amend House File No. 537 as follows:

1. By inserting in line six, paragraph two of section two after the word "corporations" the words "street railway corporations".

2. By adding after the words "refrigerating corporations" in line ten of paragraph two of section two the words "operated for profit".

3. By striking the period in line twenty-seven of paragraph two of section two and adding in lieu thereof a semi-colon and the following words "nor to any municipally owned public utility or non-profit corporation."

4. By adding after the word "municipal" in line thirty-two of paragraph three of section two the words "or non-profit".

5. By striking the period in line four of paragraph one of section six and inserting in lieu thereof a comma and the following words "except those municipally owned and non-profit corporations."

6. By adding after the word "companies" in line seven, paragraph one of section six the following words "except municipally owned or non-profit corporations,".

7. By striking line 143 and the following lines to the period before the word "All" in line 149, paragraph eighteen of section seven and inserting in lieu thereof the following "Every public service corporation except municipally owned public service plants shall pay a semi annual franchise tax of one-half of one per cent of its gross receipts to the treasurer of state and shall, on or before the first day of April and the first day of September of each year, file with the commission a statement on oath showing its gross operating revenue for preceding calendar six months."

Paragraphs 1, 2, 3, 4, 5 and 6 of the amendment adopted.

Simmer of Wapello offered the following amendment and moved its adoption:

Amend House File No. 537 as follows:

By adding to subsection 4 of Section 2 the following:

"Municipally owned public service company means any public utility plant owned, operated or controlled by any municipality of this state, or any public utility plant established under a contract of purchase with a municipality of this state."

Amendment adopted.

Pendray of Jackson offered the following amendment and moved its adoption:

Amend line five (5) of sub-section nineteen (19) of section six (6) by inserting the word "temporarily" after the word "to".

Amendment adopted.

Hutcheon of Greene and Hollingsworth of Boone offered the following amendment and moved the adoption of paragraph 1:

Amend House File No. 537 as follows:

By striking from line fifty-four (54) of section four (4) the word "proposed".

By striking all of subsection six (6) of section five (5) and by substituting in lieu thereof the following: "In case of a telegraph corporation or person engaged in the public telegraph business, the commission may also, whenever it may determine it to be necessary or proper for the accommodation or convenience of the public so to do, after hearing had upon its own motion, or upon complaint, require any such telegraph corporation or person to accept and transmit over its or his lines of telegraph, messages received from the lines of any other such telegraph corporation or person engaged in the public telegraph business, and interchangeably to accept and receive dispatches from and for each other and from and for any individual or individuals; and on payment of its or his usual charges by individuals for transmitting dispatches as established by the rates and regulations of such telegraph corporation or person, or by the commission as hereinafter provided, to transmit such dispatches with impartiality and good faith."

By adding as subsection twenty-six (26) section seven (7) the following:

"Any person, public service company or municipality interested or aggrieved by any final order or decision entered by the commission may appeal from such final order or decision to the district court of any county wherein the subject matter of the order or decision is situated, by filing in said court a petition setting up the objections and stating the grounds of complaint. Said appeal from said order or decision shall be perfected in the same manner and at the same time as appeals are now perfected from justice courts to the district court. Said proceeding in the district court shall be tried as an equity proceeding. All of the laws applicable

to appeals from justice courts to the district courts of the state are hereby made applicable to appeals under the provisions of this act."

By adding as subsection twenty-seven (27) section seven (7) the following:

"Nothing in this act shall be construed to affect the right, power and authority of a city or town council to fix a minimum rate, schedule or tariff for services rendered by public service companies."

By adding as subsection twenty-eight (28) section seven (7) the following:

"Nothing in this act shall be construed to affect or take away the right of the cities or towns with respect to granting, renewal or extension of franchises, it being the intention to leave the law with respect to franchises as it now is."

Paragraph 1 of the amendment adopted.

#### REQUEST FOR SIFTING COMMITTEE

The Speaker requested the House to indicate their desire as to whether a sifting committee should be appointed.

Allen of Pocahontas moved that action on the appointment of a sifting committee be deferred.

On the question "Shall action be deferred?" a roll call was demanded.

The ayes were, 52.

Aiken	Figgins	Hutcheon	Rawlings
Allen	Finnern	Kohler	Reed
Augustine	Forsling	Langland	Ryder
Babcock	Gallagher	Lepley	Short
Beath	Garrett	McDermott	Snyder
Berry	Hansen of	McLain	Stanzel
Bonnstetter	Audubon	Morton	Strachan
Byers	Hanson of	Nelson of	Tamisiea
Craven	Winnebago	Cherokee	TePaske
Davis	Helgason	O'Donnell	Thompson
Dayton	Hollingsworth	Osborn	Van Wert
Drake of Keokuk	Hollis	Paisley	Wamstad
Ellsworth	Hopkins	Pendray	Watts
Fabritz	Husted	Randall	

The nays were, 29.

Drake of	Hunt	Malone	Rylander
Muscatine	Hush	Mathews	Shields
Elliott	Johnson of	Millhone	Thiessen
Felter	Marion	Nelson of Story	Torgeson
Gilmore	Kern	Pattison	Van Buren
Greaser	Lichty	Ratliff	Wearin
Greene	McCaulley	Reimers	Mr. Speaker
Hook	McCreery	Roe	

Absent or not voting, 27.

Avery	Gissel	Long	Rutledge
Bair	Hansen of Scott	Mayne	Simmer
Ballew	Hayes	Mead	Sours
Brown	Hesse	Miller	Stiger
Ditto	Koch	Orr	Whiting
Donlon	Lamb	Peaco	Witt
Durant	Laughlin	Randolph	

Motion prevailed.

#### HOUSE FILE WITHDRAWN

Hollis of Black Hawk asked and obtained unanimous consent to have House File No. 435 withdrawn from the committee on motor vehicles and transportation and from further consideration of the House.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on March 28th, approved the following bills:

House Files Nos. 210, 41, 40 and 257.

#### RESOLUTION

Drake of Muscatine offered the following resolution:

*Whereas*, The Honorable D. D. Webster, who was a member of the House of Representatives in the Thirty-second General Assembly from Muscatine county, died on the 10th day of March, 1931; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That a committee of three be appointed to draft suitable resolutions to be presented to the House in commemoration of his life and services.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Drake moved its adoption.

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Drake of Muscatine, Hunt of Louisa and Whiting of Johnson.

#### 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. 276, a bill for an act relating to the subdivision of independent districts.

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 relating to the deduction of real estate of banks for purposes of taxation.

Also, 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 relating to stopping payment on checks and drafts.

Also, 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 relating to state and savings banks and trust companies.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 306, a bill for an act relating to indebtedness for township road purposes.

Also, 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 relating to bonds in attachment proceedings.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 345, a bill for an act relating to unlawful combinations of insurance companies.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 250, a bill for an act establishing a minimum weight for ice cream.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 358, a bill for an act relating to permits to sell cigarettes and cigarette papers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 365, a bill for an act relating to the operation of motor trucks and trailers on the public highways of this state.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 367, a bill for an act amending the definition of the term "motor vehicle".

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 386, a bill for an act legalizing the re-incorporation of the First Methodist Episcopal Church of Mason City, Cerro Gordo County, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 370, a bill for an act relating to probation officers of the juvenile court.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 92, a bill for an act to provide the method and process of service of notice upon a motor vehicle owner or driver who is a non-resident of the State of Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 270, a bill for an act authorizing the formation of fire departments in rural communities and granting exemption from poll tax and jury service to the members of such departments.

Also, 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 prohibit the killing, trapping or ensnaring of beavers.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 271, a bill for an act relating to library building funds.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 223, a bill for an act pertaining to the practice of medicine and surgery.

Also, 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 assessment districts, survey and report, notice and hearing.



Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 121, a bill for an act to provide legal help in court actions to which the state highway commission is a party.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 427, a bill for an act relating to the classification of land within drainage districts.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 422, a bill for an act relating to the sale of food commodities by weight, or in United States standard containers.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 421, a bill for an act to legalize certain indebtedness and warrants issued in payment thereof by the city of Missouri Valley, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 373, a bill for an act to legalize the proceedings of the city of Council Bluffs, Iowa.

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 legalize a certain deed executed in the name of the independent school district of Monona, Iowa.

Also, 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 provide the form of distress warrants issued by the county treasurer for the collection of delinquent personal taxes.

Also, 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 relating to inspection fees for the inspection of scales.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 279, a bill for an act to authorize the issuance of a patent to certain land in Jones County, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 248, a bill for an act pertaining to the hotel keeper's lien.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 209, a bill for an act relating to the establishment of pension and annuity retirement systems in certain independent school districts.

Also, that the Senate has 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 inspector in the state department of health.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 189, a bill for an act relating to the operation of street railway lines by the Omaha, Council Bluffs & Suburban Railway Company.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 177, a bill for an act relating to conditions prerequisite to a pardon.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 136, a bill for an act relating to courses of study in common schools.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 117, a bill for an act relating to guardianship of veterans.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 113, a bill for an act relating to bridges, viaducts and railroad grade crossings.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 111, a bill for an act relating to attending school in another corporation.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 96, a bill for an act relating to the giving of exami-

nations to applicants for positions and for promotions by the civil service commission.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 71, a bill for an act to legalize a transfer of funds by the board of supervisors of Decatur County.

Also, 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 the levy of taxes for grading purposes.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 271

Amend by inserting at the beginning of line ten (10) of Section one (1) the following:

"Sec. 2."

#### SENATE AMENDMENT TO HOUSE FILE NO. 223

Amend section 1 by inserting in line 3 after the figure 9 in parentheses the words "a comma and".

Also amend by striking out of line 4 the comma preceding the word "or".

Also amend by striking out lines 6 and 7 and substituting in lieu thereof the following:

"3. Persons who act as representatives of any person in doing any of the things mentioned in this section."

#### SENATE AMENDMENT TO HOUSE FILE NO. 172

Amend by striking out of line (4) of Section one (1) the word "fifty-one" and substituting therefor, the word "thirty-five".

#### SENATE AMENDMENT TO HOUSE FILE NO. 121

Amend by striking all after the enacting clause and substituting the following:

"Section 1. The attorney General may appoint local attorneys to assist in any legal actions brought for or against the State Highway Commission. The compensation of such local attorneys heretofore or hereafter appointed and the special assistant attorney general appointed to look after the legal work of the State Highway Commission shall be fixed by the Attorney General and said Commission, and together with all court costs assessed against the said Commission, shall be payable from the primary road fund.

Section 2. All laws or parts of laws inconsistent with this act are hereby repealed.

Section 3. This act being deemed of immediate importance shall take effect from and after its publication as provided by law."

#### SENATE MESSAGES CONSIDERED

Senate File No. 386, a bill for an act to legalize the re-incorporation of The First Methodist Episcopal Church of Mason City, Cerro Gordo County, Iowa, its articles of incorporation, the election of officers and board of trustees under said Articles of Incorporation, and of the acts and proceedings to effect said re-incorporation and the title to the property belonging to said corporation as theretofore incorporated and assumed by said articles of re-incorporation.

Read first and second times and referred to committee on judiciary.

Senate File No. 367, a bill for an act to amend Section 5105-a1 and Section 5105-a39, Chapter 252-a1, Code of Iowa, 1927, amending the definition of the term "motor vehicle" and changing penalty for the violation of the provisions of said chapter.

Read first and second times and referred to committee on motor vehicles and transportation.

Senate File No. 365, a bill for an act to amend chapter one hundred thirty-one (131) of the laws of the forty-third general assembly relating to the operation of motor trucks and trailers on the public highways of this state.

Read first and second times and referred to committee on motor vehicles and transportation.

Senate File No. 330, a bill for an act to amend section twelve thousand eighty-eight (12088) of the code, 1927, relating to bonds in attachment proceedings.

Read first and second times and referred to committee on judiciary.

Senate File No. 306, a bill for an act relating to indebtedness for township road purposes and to provide for and authorize the levy, imposition, and collection of a tax annually to pay said indebtedness.

Read first and second times and substituted for House File No. 406.

Senate File No. 291, a bill for an act to provide that the requirements of Chapter ten (10) of the Acts of the 43d General Assembly shall not apply to State and Savings Banks and Trust Companies and National Banks subject to the jurisdiction of the Banking Department of the respective State or Federal Government.

Read first and second times and substituted for House File No. 443.

Senate File No. 290, a bill for an act relating to stopping payment on checks and drafts.

Read first and second times and substituted for House File No. 396.

Senate File No. 289, a bill for an act to amend Section seven thousand two (7002) of the Code, 1927, and to amend Section twenty-three (23), Chapter thirty (30), of the Acts of the 43rd General Assembly, to clarify the law relating to the deduction of real estate of Banks for purposes of taxation and prohibiting any offset against Surplus and Undivided Profits for losses.

Read first and second times and substituted for House File No. 444.

Senate File No. 276, a bill for an act to repeal chapter one hundred two (102), acts forty-third general assembly, relating to attaching and detaching territory; to amend section forty-one hundred fifty-two (4152), code, 1927, relating to the subdivision of independent districts, and to enact a law fixing a minimum limitaiton upon the size of independent school districts.

Read first and second times and substituted for House File No. 325.

Senate File No. 270, a bill for an act authorizing the formation of fire departments in rural communities and granting exemption from poll tax and jury service to the members of such departments.

Read first and second times and referred to committee on county and township organization.

Senate File No. 257, a bill for an act to prohibit the killing, trapping or ensnaring of beavers.

Read first and second times and referred to committee on fish and game.

Senate File No. 92, a bill for an act to provide the method and process of service of notice upon a motor vehicle owner or driver who is a non-resident of the State of Iowa.

Read first and second times and referred to committee on judiciary.

Senate File No. 358, a bill for an act to amend chapter seventy-eight (78), Code, 1927, relating to permits to sell cigarettes or cigarette papers and to the tax relating thereto, and to provide for refunds of tax in certain cases.

Read first and second times and referred to committee on judiciary.

Senate File No. 250, a bill for an act to amend section three thousand fifty-eight (3058), Code 1927, establishing a minimum weight for ice cream.

Read first and second times and referred to committee on dairy and food.

Senate File No. 345, a bill for an act to amend section nine thousand ten (9010) of the Code of Iowa, 1927, relating to unlawful combinations of insurance companies.

Read first and second times and referred to committee on insurance.

Senate File No. 370, a bill for an act to repeal section thirty-six hundred twelve (3612), Code of 1927, and to enact a substitute therefor providing for appointment of probation officers of the juvenile court; to amend section thirty-six hundred thirteen (3613), code of 1927, providing psychiatric service for juvenile courts; to amend section thirty-six hundred sixteen (3616), code of 1927, relating to salaries of probation officers; to repeal section thirty-six hundred seventeen (3617), code of 1927, and to enact a substitute therefor, defining class of children to which chapter one hundred eighty (180) is applicable; to repeal section thirty-six hundred twenty-one (3621), code of 1927, and to enact a substitute therefor relating to filing petitions in juvenile court; to amend section thirty-six hundred thirty-one (3631), code of 1927, by adding new sections thereto providing for appoint-

ment, powers and compensations of referees in juvenile court; to repeal section thirty-six hundred thirty-two (3632), code of 1927, and to enact a substitute therefor relating to powers of juvenile courts; to amend section thirty-six hundred thirty-three (3633), code of 1927, relating to detention of children by authority of juvenile courts; to amend section thirty-six hundred forty-one (3641), code of 1927, relating to aid of widow having custody of children under jurisdiction of juvenile court; to amend section thirty-six hundred forty-one-b1 (3641-b1), code of 1927, relating to tax levy for widows' pension in certain counties; to amend section thirty-six hundred fifty-three (3653), code of 1927, relating to payment for boarding out of children detained by authority of juvenile courts, and to amend section thirty-six hundred fifty-four (3654), code of 1927, relating to compensation of attaches of juvenile courts; to repeal section thirty-six hundred sixty-one (3661), code of 1927, and to enact a substitute therefor, relating to the jurisdiction over adults in juvenile delinquency matters.

Read first and second times and referred to committee on child welfare.

#### AMENDMENTS FILED

Whiting of Johnson, Shields of Clarke, Wearin of Mills, Elliott of Scott, Donlon of Palo Alto, Berry of Monroe, Hush of Montgomery, Drake of Keokuk, Aiken of Ida, McLain of Poweshiek, and Reed of Mahaska filed the following amendment to House File No. 442:

Amend House File No. 442 by striking Section 1 from the same and inserting in lieu thereof the following:

Sec. 1. That section five hundred twenty-six a one (526-a1) of the code, 1927, be repealed and the following enacted in lieu thereof:

"The state of Iowa is hereby organized and divided into nine (9) congressional districts, which shall be composed, respectively, of the following counties:

First district shall consist of the counties of Davis, Henry, Iowa, Jasper, Jefferson, Keokuk, Lee, Mahaska, Poweshiek, Van Buren, Wapello, Washington.

Second district shall consist of the counties of Cedar, Clinton, Des Moines, Jackson, Johnson, Jones, Louisa, Muscatine, and Scott.

Third district shall consist of the counties of Benton, Black Hawk, Bremer, Buchanan, Butler, Franklin, Grundy, Linn and Tama.

Fourth district shall consist of the counties of Allamakee, Cerro Gordo, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Floyd, Howard, Mitchell, Winneshiek and Worth.

Fifth district shall consist of the counties of Dallas, Guthrie, Marshall, Polk, and Story.

Sixth district shall consist of the counties of Adams, Appanoose, Clarke, Decatur, Lucas, Madison, Marion, Monroe, Montgomery, Page, Ringgold, Taylor, Union, Warren and Wayne.

Seventh district shall consist of the counties of Adair, Audubon, Cass, Carroll, Crawford, Fremont, Harrison, Mills, Monona, Pottawattamie and Shelby.

Eighth district shall consist of the counties of Boone, Calhoun, Emmet, Greene, Hamilton, Hancock, Hardin, Humboldt, Kossuth, Palo Alto, Pocahontas, Webster, Winnebago and Wright.

Ninth district shall consist of the counties of Buena Vista, Cherokee, Clay, Dickinson, Ida, Lyon, Plymouth, O'Brien, Osceola, Sac, Sioux and Woodbury.

Hansen of Scott offered the following amendment to House File No. 537:

Amend House File No. 537 by striking in line thirty-six (36) Section two (2), the words "Special Charter Cities", and inserting in lieu thereof "Cities operating under Special Charter."

Forsling of Woodbury offered the following amendment to House File No. 368:

Amend House File No. 368 by adding thereto the following:

"Sec. 2. Any taxing district may on showing of emergency made to the budget director and on securing his approval be exempt from the provisions of this act. Provided, however, such exemption shall apply only to the year for which such exemption is requested."

Watts of Van Buren filed the following amendment to House File No. 537:

Amend Section 4, subsection 2, by adding after sub-section "c" the following:

"(d) This section shall not apply to any city or town desiring to grant a franchise to a competing corporation".

Amend sub-section 7 (a) by striking all after the word "than" in line 130 and inserting in lieu thereof the words "those fixed by the commission."

Amend sub-section 9 by striking the period in line 9, and inserting a



comma instead, and adding the following "except that no franchise heretofore granted shall be extended beyond its present termination."

Forsling of Woodbury moved that the House do now adjourn until 9:00 a. m. Tuesday.

Hush of Montgomery moved to amend the motion by changing the hour to 1:00 p. m. today.

Amendment lost.

Motion by Mr. Forsling prevailed and 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 31, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. James A. Laurie, pastor of the Cedar Heights Presbyterian Church, Cedar Falls, Iowa.

Journal of March 30th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Garrett of Wayne for the day, on request of Greaser of Benton.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Byers of Linn, from citizens of Iowa, opposing Senate File No. 371. Tax revision.

By Davis of Delaware, from citizens of Manchester, favoring a state driver's license law and highway patrol; and favoring House Files Nos. 522 and 388 and opposing House File No. 398. Motor vehicles and transportation, and suppression of intemperance.

By Greaser of Benton, from officers and members of the Iowa State Legislative committee, O. R. C., favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Lichty of Black Hawk, from farmers residing in the Orange Township Consolidated School District, opposing discontinuing vocational education in Iowa. Appropriations.

## REPORTS OF COMMITTEES

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 251, a bill for an act to make appropriation to Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein, for damages to automobiles by reason of collisions with highway maintenance equipment for barricades in the 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.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 541, a bill for an act to make an appropriation to H. D. Coe, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Shields of Clarke, 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. 370, a bill for an act to permit boards of supervisors to mow the weeds and grasses along secondary roads, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

LEROY SHIELDS, *Chairman*.

Passed on file.

Also :

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 222, a bill for an act to amend section forty-seven hundred fifty-three-a seventeen (4753-a17) of the code, 1927, as amended by chapter twenty-three (23) acts of the forty-third (43d) general assembly, relating to the limitation of indebtedness for the financing of improvement of the 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 by striking the period at end of Section 1 thereof and inserting in lieu thereof the semi colon and adding the following: "provided however that the limitation of this act shall not apply to bonds authorized but not issued previous to the taking effect of this act."

LEROY SHIELDS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on roads and highways, to whom was referred Senate File No. 86, a bill for an act to amend the provisions of section four thousand seven hundred fifty-five b-eight (4755-b8), Code of 1927, relating to the improvement of the primary road system and the use of the primary road 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.

LEROY SHIELDS, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on roads and highways, to whom was referred House File No. 455, a bill for an act to provide that all penalties on delinquent motor vehicle license fees collected by any county treasurer shall be credited to and paid by him into the secondary road construction fund of his county, and to amend section forty-nine hundred twenty-six (4926) of the code, 1927, as amended by chapter one hundred twenty-two (122) acts of the forty-third (43d) general assembly, relative to diverting penalties to the reimbursement fund, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

LEROY SHIELDS, *Chairman*.

Passed on file.

Ratliff of Henry, from the committee on dairy and food, submitted the following reports:

MR. SPEAKER: Your committee on dairy and food, to whom was referred House File No. 457, a bill for an act to amend section thirty hundred seventy-six (3076), of the code, 1927, relating to the pasteurization of cream and milk, beg leave to report they have 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.

Z. S. RATLIFF, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on dairy and food, to whom was referred House File No. 499, a bill for an act to regulate the sale of food in certain retail establishments, beg leave to report they have 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.

Z. S. RATLIFF, *Chairman.*

Passed on file.

Berry of Monroe, from the committee on county and township organization, submitted the following reports:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 501, a bill for an act to require county board of supervisors to buy the yearly current supplies and materials from the lowest responsible bidder when the total cost in any year of any such a commodity or supply will exceed three hundred dollars (\$300.00), beg leave to report they have 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.

H. S. BERRY, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on county and township organization, to whom was referred House File No. 475, a bill for an act to amend section five thousand five hundred sixty-three (5563) of the code, 1927, relating to levying of a tax for cemeteries, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. S. BERRY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization has introduced to the House, House File No. 555, a bill for an act to create

rural street and road lighting districts; to locate rural lines, and provide service therefor; and to levy a tax on the taxable property within the district for payment for such service.

The committee on county and township organization recommends to the House that the bill do pass.

H. S. BERRY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization has introduced to the House, House File No. 554, a bill for an act granting to boards of supervisors power to regulate and fix rates for water, gas, heat and electric service within the territory outside of cities, towns, and cities under special charter; granting to boards of supervisors power to act jointly in regulating and fixing rates; to provide for the filing of tariffs, schedules, charges, rates, and other compensation by individuals, firms or corporations engaged in operating waterworks, gas works, or electric light and power plants, or selling or distributing any water, gas, heat or electricity; to provide for the filing of contracts, writings, agreements, leases, arrangements or other engagements in relation to the tariffs, schedules, charges, rates, or other compensations, demanded or received for the sale or distribution of water, gas, heat or electricity; to provide for the introduction of such tariffs, schedules, charges, rates, or other compensation, contracts, writings, agreements, leases, arrangements or other engagements in evidence in court; to provide penalty for violation of any of the provisions of this act.

The committee on county and township organization recommends to the House that the bill do pass.

H. S. BERRY, *Chairman*.

Report adopted.

### INTRODUCTION OF BILLS

House File No. 554, by committee on county and township organization, a bill for an act granting to boards of supervisors power to regulate and fix rates for water, gas, heat and electric service within the territory outside of cities, towns and cities under special charter; granting to boards of supervisors power to act jointly in regulating and fixing rates; to provide for the filing of tariffs, schedules, charges, rates, and other compensation by individuals, firms or corporations engaged in operating waterworks, gas works, or electric light and power plants, or selling or distributing any water, gas, heat or electricity; to provide for the filing of contracts, writings, agreements, leases, arrangements or other engagements in relation to the tariffs, schedules,

charges, rates, or other compensation, demanded or received for the sale or distribution of water, gas, heat or electricity; to provide for the introduction of such tariffs, schedules, charges, rates, or other compensation, contracts, writings, agreements, leases, arrangements or other engagements in evidence in court; to provide penalty for violation of any of the provisions of this act.

Read first and second times and passed on file.

House File No. 555, by committee on county and township organization, a bill for an act to create rural street and road lighting districts; to locate rural lines, and provide service therefor; and to levy a tax on the taxable property within the district for payment for such service.

Read first and second times and passed on file.

#### RESOLUTION

Malone of Cass offered the following resolution:

*Whereas*, The Honorable L. B. Shannon, who was a member of the House of Representatives in the forty-third General Assembly from Cass County, died on the 6th day of November, 1930; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Malone moved its adoption:

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Malone of Cass, Durant of Hancock and Greaser of Benton.

#### HOUSE FILE WITHDRAWN

Drake of Muscatine asked and obtained unanimous consent to have House File No. 275 withdrawn from further consideration of the House.

#### SENATE FILE NO. 285 REREFERRED

Rylander of Marshall asked and obtained unanimous consent to have Senate File No. 285 rereferred to the committee on board of control.

## ADDITIONAL COPIES OF BILL ORDERED PRINTED

Hollingsworth of Boone asked and obtained unanimous consent to have three hundred additional copies of House File No. 534 printed.

## CONSIDERATION OF BILLS

The House resumed consideration of House File No. 537, a bill for an act to provide for the creation of a public service commission, providing for its appointment, fixing the salaries of the members thereof; to define their powers and duties; to provide for the appointment of employees and their compensation; to provide for the regulation of all public service companies; to define, prescribe, and limit their powers and duties; to prescribe the procedure of the commission and in the courts; to impose and provide for the collection of an annual license fee from all public service companies; to fix and prescribe penalties for the violation of any of the provisions of said act, and to repeal all laws or parts of laws which are inconsistent therewith; and to abolish the railroad commission, was taken up for consideration.

The House resumed consideration of the amendment offered by Hutcheon of Greene and Hollingsworth of Boone, and found in the Journal of March 30th.

Hutcheon of Greene moved the adoption of paragraph two (2) of the amendment, as found on page 1285 of the Journal of March 30th.

Paragraph two (2) of the amendment adopted.

Hutcheon of Greene moved the adoption of paragraph three (3) of the amendment, as found on pages 1285 and 1286 of the Journal of March 30th.

Paragraph three (3) of the amendment adopted.

Pendray of Jackson moved the adoption of paragraph four (4) of the amendment, as found on page 1286 of the Journal of March 30th.

Paragraph four (4) of the amendment adopted.

Hutcheon of Greene moved the adoption of paragraph five (5) of the amendment, as found on page 1286 of the Journal of March 30th.



Paragraph five (5) of the amendment adopted.

Hutcheon of Greene offered the following amendment and moved its adoption:

Amend House File No. 537 as follows:

By adding at the end of line twenty (20) in subsection two (2) of section five (5) the following:

"the governor shall on or before June 30, 1933, with the approval of two-thirds of the Senate, appoint a successor to said member."

Amendment adopted.

Hansen of Scott called up the amendment filed by him, found in the Journal of March 30th, and moved its adoption.

Amendment adopted.

Watts of Van Buren called up the amendment filed by him, found in the Journal of March 30th and asked and obtained unanimous consent to have paragraphs two (2) and three (3) of his amendment withdrawn from further consideration of the House.

Mr. Watts moved the adoption of paragraph one (1) of the amendment, as found on page 1297 of the Journal of March 30th.

On the question "Shall paragraph one (1) of the amendment be adopted?" a roll call was demanded.

The ayes were, 50.

Allen	Hesse	Mathews	Rawlings
Augustine	Hook	Mead	Reed
Avery	Hopkins	Nelson of	Reimers
Babcock	Hush	Cherokee	Ryder
Ballew	Koch	Nelson of Story	Rylander
Bonnstetter	Kohler	Osborn	Short
Ditto	Langland	Paisley	Stiger
Drake of Keokuk	Laughlin	Pattison	Strachan
Ellsworth	Lepley	Peaco	TePaske
Finnern	Long	Pendray	Van Wert
Gissel	McDermott	Randall	Watts
Greaser	McLain	Randolph	Whiting
Hansen of		Ratliff	Mr. Speaker
Audubon			

The nays were, 22.

Byers	Gallagher	Hutcheon	Sours
Davis	Gilmore	Johnson of	Thiessen
Dayton	Hanson of	Marion	Thompson
Donlon	Winnebago	Millhone	Wamstad
Durant	Helgason	Morton	Wearin
Felter	Hollingsworth	Roe	Witt

Absent or not voting, 36.

Aiken	Figgins	Kern	Orr
Bair	Forsling	Lamb	Rutledge
Beath	Garrett	Lichty	Shields
Berry	Greene	McCaulley	Simmer
Brown	Hansen of Scott	McCreery	Snyder
Craven	Hayes	Malone	Stanzel
Drake of	Hollis	Mayne	Tamisiea
Muscatine	Hunt	Miller	Torgeson
Elliott	Husted	O'Donnell	Van Buren
Fabritz			

Paragraph one of the amendment by Mr. Watts adopted.

Simmer of Wapello asked and obtained unanimous consent to have paragraph seven (7) of his amendment, found on page 1285 of the Journal of March 30th withdrawn.

Allen of Pocahontas asked and obtained unanimous consent to amend the amendment by Simmer of Wapello, as found in the Journal of March 30th, as follows:

Amend the amendment by Simmer of Wapello to sub-section four (4) of section two (2) of House File No. 537, by inserting after the word "purchase" in line three (3) of said amendment the following words: "or contract of acquisition out of earnings".

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Allen of Pocahontas offered the following amendment and moved its adoption:

Amend House File No. 537 sub-section nine (9) of section five (5) by striking the period in line 129 and inserting a semi-colon therefor, and adding thereafter the following:

"provided that all hearings upon local matters shall be held at some place within the locality to be provided by the commission."

Amendment adopted.

TePaske of Sioux offered the following amendment and moved its adoption:

Amend House File No. 537 by adding after the period (.) in line seventy-eight (78) of section five (5) the following:

All records, determinations, rulings and orders shall be promptly, completely and conveniently indexed; and such indexes, records, determinations, rulings and orders shall be open to public inspection.

Amendment adopted.

Brown of Polk moved the previous question.

Motion prevailed.

Donlon of Palo Alto moved that the House reconsider the vote by which the previous question was ordered.

Motion prevailed.

Brown of Polk moved the previous question.

Motion prevailed.

Hollingsworth of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 34.

Augustine	Forsling	Lamb	Sours
Babcock	Gallagher	Laughlin	TePaske
Beath	Gilmore	Mead	Thompson
Brown	Hansen of Scott	Morton	Van Buren
Byers	Hanson of	Nelson of Story	Wamstad
Donlon	Winnebago	Osborn	Wearin
Durant	Hollingsworth	Pattison	Whiting
Elliott	Hopkins	Simmer	Mr. Speaker
Felter	Hutcheon	Snyder	

The nays were, 67.

Aiken	Gissel	Long	Rawlings
Allen	Greaser	McCreery	Reed
Avery	Greene	McDermott	Reimers
Bair	Hansen of	McLain	Roe
Ballew	Audubon	Malone	Ryder
Berry	Hayes	Mathews	Rylander
Bonnstetter	Helgason	Mayne	Shields
Craven	Hollis	Millhone	Short
Davis	Hook	Nelson of	Stanzel
Dayton	Hunt	Cherokee	Stiger
Ditto	Hush	O'Donnell	Strachan
Drake of Keokuk	Johnson of	Orr	Tamisiea
Drake of	Marion	Paisley	Thiessen
Muscatine	Kern	Peaco	Torgeson
Ellsworth	Koch	Pendray	Van Wert
Fabritz	Kohler	Randall	Watts
Figgins	Langland	Randolph	Witt
Finnern	Lepley	Ratliff	

Absent or not voting, 7.

Garrett	Husted	McCaulley	Rutledge
Hesse	Lichty	Miller	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Watts of Van Buren moved that the vote by which House File No. 537 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

Wamstad of Mitchell moved to adjourn until 9:00 a. m. Wednesday.

On the question "Shall the House adjourn?" a roll call was demanded.

The ayes were, 13.

Bair	Hanson of	Lamb	Simmer
Craven	Winnebago	Langland	Sours
Finnern	Hollingsworth	Orr	Van Buren
	Hopkins		Wamstad

The nays were, 78.

Aiken	Gallagher	Lepley	Reimers
Allen	Gilmore	Long	Roe
Augustine	Gissel	McCreery	Rutledge
Avery	Greaser	McLain	Ryder
Babcock	Greene	Mathews	Rylander
Beath	Hansen of	Mayne	Shields
Berry	Audubon	Mead	Short
Bonnstetter	Hansen of Scott	Millhone	Stanzel
Byers	Hayes	Nelson of	Stiger
Dayton	Helgason	Cherokee	Strachan
Ditto	Hollis	Nelson of Story	Tamisiea
Donlon	Hook	O'Donnell	Thiessen
Drake of Keokuk	Hunt	Osborn	Thompson
Drake of	Hush	Paisley	Torgeson
Muscatine	Hutcheon	Pattison	Van Wert
Durant	Johnson of	Peaco	Watts
Elliott	Marion	Pendray	Wearin
Fabritz	Kern	Randall	Whiting
Felter	Koch	Randolph	Witt
Figgins	Kohler	Rawlings	Mr. Speaker
Forsling		Reed	

Absent or not voting, 17.

Ballew	Hesse	McCaulley	Morton
Brown	Husted	McDermott	Ratliff
Davis	Laughlin	Malone	Snyder
Ellsworth	Lichty	Miller	TePaske
Garrett			

Motion to adjourn lost.

The motion to reconsider the vote by which House File No. 537 failed to pass the House and the motion to reconsider be laid on the table prevailed.

Bair of Buena Vista moved that the House do now adjourn until 9:00 a. m. Wednesday.

On the question "Shall the House adjourn?" a roll call was demanded.

The ayes were, 45.

Aiken	Gissel	Morton	Ryder
Augustine	Helgason	Nelson of	Short
Avery	Hollingsworth	Cherokee	Simmer
Babcock	Kohler	O'Donnell	Snyder
Bair	Lamb	Orr	Sours
Craven	Laughlin	Paisley	Stiger
Davis	Lepley	Peaco	Thiessen
Dayton	McDermott	Randall	Thompson
Ditto	McLain	Reed	Van Wert
Durant	Mead	Reimers	Wearin
Ellsworth	Millhone	Roe	Whiting
Gilmore		Rutledge	

The nays were, 58.

Allen	Forsling	Johnson of	Randolph
Ballew	Gallagher	Marion	Ratliff
Beath	Greaser	Kern	Rawlings
Berry	Greene	Koch	Rylander
Bonnstetter	Hansen of	Langland	Shields
Brown	Audubon	Lichty	Stanzel
Byers	Hansen of Scott	Long	Strachan
Donlon	Hanson of	McCreery	Tamisiea
Drake of Keokuk	Winnebago	Malone	TePaske
Drake of	Hayes	Mathews	Torgeson
Muscatine	Hollis	Mayne	Van Buren
Elliott	Hook	Nelson of Story	Wamstad
Fabritz	Hopkins	Osborn	Watts
Felter	Hunt	Pattison	Witt
Figgins	Hush	Pendray	Mr. Speaker
Finnern	Hutcheon		

Absent or not voting, 5.

Garrett	Husted	McCaulley	Miller
Hesse			

Motion to adjourn lost.

Simmer of Wapello moved that the House do now adjourn until 1:30 p. m. today.

Greene of Pottawattamie moved to amend the motion by changing the hour to 12:15 p. m. today.

Amendment lost.

On the question "Shall the House adjourn?" a roll call was demanded.

The ayes were, 12.

Augustine	Hopkins	Reimers	TePaske
Dayton	Lamb	Sours	Wamstad
Gissel	Rawlings	Stanzel	Wearin

The nays were, 77.

Aiken	Gallagher	Langland	Randall
Allen	Gilmore	Lepley	Randolph
Babcock	Greaser	Lichty	Ratliff
Bair	Greene	Long	Reed
Ballew	Hansen of	McCreery	Roe
Beath	Audubon	McLain	Ryder
Bonnstetter	Hanson of	Malone	Shields
Brown	Winnebago	Mathews	Short
Byers	Hayes	Mayne	Snyder
Craven	Helgason	Mead	Stiger
Ditto	Hollingsworth	Millhone	Strachan
Donlon	Hollis	Nelson of	Tamisiea
Drake of Keokuk	Hook	Cherokee	Thiessen
Drake of	Hush	Nelson of Story	Thompson
Muscatine	Hutcheon	O'Donnell	Torgeson
Durant	Johnson of	Orr	Van Buren
Ellsworth	Marion	Osborn	Van Wert
Felter	Kern	Paisley	Whiting
Figgins	Koch	Pattison	Witt
Finnern	Kohler	Peaco	Mr. Speaker
Forsling		Pendray	

Absent or not voting, 19.

Avery	Garrett	Laughlin	Rutledge
Berry	Hansen of Scott	McCaulley	Rylander
Davis	Hesse	McDermott	Simmer
Elliott	Hunt	Miller	Watts
Fabritz	Husted	Morton	

Motion to adjourn lost.

#### HOUSE CONCURRENT RESOLUTION NO. 14

Forsling of Woodbury and Reimers of Lyon offered the following concurrent resolution:

*Be It Resolved by the House, the Senate concurring, That the Forty-fourth General Assembly adjourn, sine die, at 12 o'clock noon, Wednesday, April 15th, 1931.*

Laid over under Rule 34.

#### REQUEST FOR SIFTING COMMITTEE

The Speaker requested the House to indicate their desire as to whether a sifting committee should be appointed at this time.

On the question "Shall a sifting committee be appointed?" a roll call was demanded.

The ayes were, 90.

Allen	Gilmore	Lepley	Reed
Augustine	Gissel	Lichty	Reimers
Avery	Greaser	Long	Roe
Babcock	Greene	McCreery	Rutledge
Bair	Hansen of Scott	McDermott	Ryder
Ballew	Hanson of	McLain	Rylander
Beath	Winnebago	Malone	Shields
Berry	Hayes	Mathews	Snyder
Bonnstetter	Helgason	Mayne	Sours
Brown	Hollingsworth	Mead	Stanzel
Byers	Hollis	Morton	Stiger
Ditto	Hook	Nelson of	Strachan
Donlon	Hopkins	Cherokee	TePaske
Drake of Keokuk	Hunt	Nelson of Story	Thiessen
Drake of	Hush	O'Donnell	Thompson
Muscatine	Hutcheon	Orr	Torgeson
Durant	Johnson of	Paisley	Van Wert
Ellsworth	Marion	Pattison	Wamstad
Fabritz	Kern	Peaco	Watts
Felter	Koch	Pendray	Wearin
Figgins	Kohler	Randall	Whiting
Finnern	Lamb	Randolph	Witt
Forsling	Langland	Ratliff	Mr. Speaker
Gallagher		Rawlings	

The nays were, 4.

Dayton	Osborn	Short	Tamisiea
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Absent or not voting, 14.

Aiken	Garrett	Husted	Miller
Craven	Hansen of	Laughlin	Simmer
Davis	Audubon	McCaulley	Van Buren
Elliott	Hesse	Millhone	

Motion prevailed and the Speaker was authorized to appoint a sifting committee.

#### APPOINTMENT OF SIFTING COMMITTEE

The Speaker appointed the following as members of the sifting committee: Hanson of Winnebago, Forsling of Woodbury, Brown of Polk, Reimers of Lyon, Felter of Warren, McCreery of Linn, Wamstad of Mitchell, Craven of Jasper and Ballew 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 amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 365, a bill for an act relating to manufacturer's serial number or other distinguishing number.

Also, that the Senate has indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House File No. 101, a bill for an act relating to the trial of defendants jointly indicted.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 530, a bill for an act to legalize the re-incorporation of the First Methodist Episcopal church of Mason City, Cerro Gordo County, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 184, a bill for an act relating to state aid for county and district fair associations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 396, a bill for an act to authorize the issuance of a patent to certain lands in Clinton County, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 344, a bill for an act relating to insurance other than life.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 196, a bill for an act relating to special election to submit proposition to abandon organization of city or town.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 128, a bill for an act relating to open season for killing, trapping or ensnaring furbearing animals.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 108, a bill for an act so as to provide that common carriers shall route intra-state shipments over the cheapest available routes where the shipper does not designate a particular route for said shipment.

WALTER H. BEAM, *Secretary.*



## SENATE AMENDMENTS TO HOUSE FILE NO. 365

Amend by adding as Section 2 thereof the following:

Section 2. It shall be presumed that such serial number, or distinguishing number or identification mark, or portion thereof, was unlawfully removed, altered, defaced, mutilated, concealed, covered or destroyed by said person in violation of the provisions of this act, if it shall appear that said person has had possession or control of any such machine, musical instrument or other goods, wares or merchandise with such serial number or distinguishing number or identification mark, or portion thereof removed, altered, defaced, mutilated, concealed, covered or destroyed, but such presumption shall not be conclusive. Also amend by renumbering the sections.

## SENATE MESSAGES CONSIDERED

Senate File No. 396, a bill for an act to authorize the issuance of a patent to certain Lands in Clinton County, Iowa.

Read first and second times and referred to sifting committee.

Senate File No. 108, a bill for an act to amend the law as it appears in chapter three hundred seventy-three (373) of the code of 1927 by inserting following section eighty hundred sixty-nine (8069) another section to be known as section eighty hundred sixty-nine a one (8069-a1), so as to provide that common carriers shall route intra-state shipments over the cheapest available routes where the shipper does not designate a particular route for said shipment.

Read first and second times and referred to sifting committee.

Senate File No. 128, a bill for an act to amend section two (2), chapter fifty-eight (58), acts of the forty-third General Assembly, relating to the open season for killing, trapping or ensnaring furbearing animals; to provide for an open season on red fox.

Read first and second times and referred to sifting committee.

Senate File No. 196, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of the code, 1927, relating to special election to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the code, 1927, and become a city or town under the general law governing cities and towns, or resume special charter.

Read first and second times and referred to sifting committee.

Senate File No. 344, a bill for an act to amend Chapter two hundred twenty-nine (229) of the Acts of the Forty-Third General Assembly, relating to insurance other than life, and to permit insurance of buildings and other property against loss or damage caused by railroad equipment and motor vehicles.

Read first and second times and referred to sifting committee.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 218, 194 and 236.

C. J. ORR,  
*Chairman House Committee.*

LEW MACDONALD,  
*Acting Chairman Senate Committee.*

Report adopted.

Orr of Clayton, 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. 21, 37, 74, 99, 105 and 288.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 218, 194 and 236.

Senate Files Nos. 21, 37, 74, 99, 105 and 288.

## BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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 March, 1931, sent to the governor for his approval:

House Files Nos. 218, 194 and 236.

C. J. ORR, *Chairman.*

Report adopted.

## AMENDMENTS FILED

Rutledge of Webster filed the following amendment to Senate File No. 111:

Amend Senate File No. 111 as follows:

1. By striking the period (.) following the word "section" in line three (3) of Section 1 and inserting in lieu thereof a comma (,) and by striking the capital "E" in the word "Except" in line four (4) of Section 1 and inserting in lieu thereof a small "e".

2. By adding to Section 1 as sub-paragraph 3 the following: "'Person'. Every natural person.", and by striking from lines six (6) and seven (7) of Section 2 the following: "The word "person" as used in this section shall be construed as meaning an individual."

3. By striking the word "section" at the end of line twenty (20) of Section 10 and substituting in lieu thereof the word "act".

4. By striking the word "sheriff" in line two (2) of Section 11 and substituting in lieu thereof the word "sheriffs".

5. By striking all of Sub-section 5 of Section 13 and substituting in lieu thereof the following: "The sheriff, chief of police, town marshal or other person designated by the department to examine applicants for operators, and chauffeurs' licenses under the provisions of Section 11 of this act, shall when directed by the department act for the department in receiving applications for operators' and chauffeurs' licenses and issue the licenses thereon, but such persons shall have no authority to issue licenses to any person except a resident of his county or to a non-resident of the state. For each operators' license issued for which a license fee is paid, the person issuing the same shall be entitled to retain the sum of twenty-five cents (25c) and for each chauffeur's license, the sum of fifty cents (50c) which shall, where the license is issued by the sheriff, be credited to the county general fund and where issued by a chief of police or town marshal, shall be credited to the city or town general fund. The balance of such license fees shall be forwarded to the Treasurer of State as provided for herein."

6. Amend Section 14 by striking from line seven (7) thereof the word "law" and by inserting in lieu thereof the words "the law".

7. Amend Sub-section 2 of Section 15 by striking the period (.) following the word "department" in line thirteen (13) and inserting in lieu thereof a comma (,) and the following: "or any person authorized by law to enforce the provisions of this act."

8. By striking Sub-section 1 of Section 16 and substituting in lieu thereof the following: "Every operator's license shall expire on December 31st of each odd numbered calendar year and shall be renewed upon its expiration upon application and payment of the license specified herein, provided that the department in its discretion may waive the examination of any applicant previously licensed under this act."

9. By inserting a period (.) after the word "equity" in line twelve (12) of Section 20 and striking the remainder of said Section.

10. Amend Section 29 by striking therefrom that part thereof commencing with the word "section" in line four (4) and ending with the word "act" in line six (6).

11. Strike Section Thirty (30) and substitute in lieu thereof the following: "The department shall within a reasonable time promulgate rules and regulations providing for the administration and enforcement of the provisions of this act and which such rules and regulations together with application blanks and licenses, shall be available so that all persons shall have ample opportunity to procure operators' and chauffeurs' licenses required by this act, prior to January 1, 1932."

12. Strike Section Thirty-one (31) and substitute in lieu thereof the following: "The license fees provided for herein, less the amount retained by the person issuing the same for and on behalf of the department as provided for in sub-paragraph 5 of Section 13, shall be paid to the Treasurer of State in such manner and at such times as the department may prescribe, and shall be credited by him to the department to defray the expenses of the administration and enforcement of this act provided, however, that if the license fees collected exceed such expenses the balance thereof shall be credited to the primary road fund."

Allen of Pocahontas moved that the House do now adjourn until 9:00 a. m. Wednesday.

Motion prevailed and 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, APRIL 1, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Henry McCraven, Des Moines.  
Journal of March 31st corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Allen of Pocahontas, from members of the Bar of Pocahontas county, favoring increasing the compensation allowed court reporters. Compensation of public officers.

By Byers of Linn, from residents of Linn, opposing Senate File No. 371. Tax revision.

By Davis of Delaware, from citizens of Manchester, favoring House Files Nos. 388 and 522, and opposing House File No. 398. Suppression of intemperance.

By Gissel of Buchanan, from members of the Buchanan County Medical Society, favoring a uniform standard for the practice of the healing art. Public health.

By Fabritz of Wapello, from citizens of Wapello county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

## REMARKS FROM THE GENTLEMAN FROM SIOUX

In response to the suggestion by the gentlemen from Palo Alto (Mr. Donlon) for an April first story by the member from Sioux (TePaske) the latter made in substance the following remarks:

MR. SPEAKER AND MEMBERS OF THE HOUSE: I should not be true to the standards of my race (Dutch) if I were not economical even in the use of time. I shall, therefore, take but a few moments.

This is the first of April, and it is therefore the anniversary of the best practical April fool joke of all history. It was on April one, 1572, during the Eighty Year War, that the Dutch opened the locks and dykes, flooded the country, drove back the invading army under Alva of Spain, and raised the siege of the city of Leyden. Leyden was a key position,

and that event was the turning point in that war, as the battle of Gettysburg turned the tide during our own Civil War.

When the Eighty Year War was over, a grateful nation turned to the little city to recognize her services in the cause of human freedom. In the *carte blanche* of the nation, Leyden wrote "A University". She chose a seat of learning, and Holland became the first school master of modern Europe. I want you to get the full significance of that choice. To use a street phrase, education is the Hollanders' middle name. Just to instance: The Leyden jar comes from Leyden, of course. At that university some of the leading minds of this country during colonial days received their training. At the conference called by President Harding for the reduction of arms, and the representatives of a large number of nations were gathered together, a Hollander was chosen to preside at the meeting, because he could meet the largest number of delegates in their own language.

Holland was the birthplace of Hugo Grotius, the father and greatest exponent of international law. She was the cradle of political and religious freedom. She was ever the messenger of reason and peace.

When France was murdering the Huguenots, they found welcome refuge in the land of my forefathers. While England was persecuting the Pilgrims, a group of them under Reverend Robinson found asylum in this same city of Leyden. When the American colonists were looking about for a pattern for a constitution, they found one in the political institutions of the Netherlands. When our young republic was in desperate need of financial aid, it was Dutch friendship that encouraged Dutch capital to supply the need.

The Dutch have furnished this country with presidents in the persons of the scholarly Martin Van Buren and the forceful Teddy Roosevelt. The congressman from the fifth Iowa District is one of our people; and two of the largest life insurance companies of Des Moines are headed by Dutchmen. When the state wanted a good gardener for the State Institution at Woodward, Iowa, they put a Hollander on the job.

Tidiness also is a Dutch trait. When our enterprising American advertisers wanted a trade mark that would best express cleanliness, they adopted "The Old Dutch Cleanser."

I must take no more of your time, but I want to bring greetings here from our relatively little group. The Norwegians have told their story here in song. The Irish have regaled us with their oratory. But let the land of Rembrandt, of Rubens and of Ruysdael (without some of whose works no art gallery in the world is complete)—let that land—and the land of the hyacinth and the tulip—let that land bring to you its greetings with colors.

(Mrs. TePaske, in Dutch costume, steps in, greets the flag and brings a blooming tulip to the speaker's stand.)

Behold! My Queen—greetings to this House, and to the Speaker whom we all respect and to his good wife whom we all love.

Mrs. TePaske of Sioux presented a pot of tulips to Speaker Johnson.

## REPORTS OF COMMITTEES

Van Wert of Franklin, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry, to whom was referred House File No. 528, a bill for an act to amend section fifty-four hundred fifty-four (5454), code, 1927; to repeal sections fifty-four hundred fifty-five (5455), and fifty-four hundred fifty-six (5456), code, 1927, and to enact substitutes therefor; and to repeal section fifty-four hundred fifty-seven (5457), code, 1927, relating to the payment of claims for injury or loss of fowl or domestic animal caused by dogs or 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 indefinitely postponed.

G. E. VAN WERT, *Chairman*.

Passed on file.

Bair of Buena Vista, 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. 514, a bill for an act to amend section fifty-one hundred five-a thirty-four (5105-a34), of the Code, 1927, relating to the regulation of motor vehicle 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 indefinitely postponed.

J. PARK BAIR, *Chairman*.

Passed on file.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred Senate File No. 232, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), of the code, 1927, relating to the collection of motor vehicle license fees, beg leave to report they have had 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. PARK BAIR, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred Senate File No. 365, a bill for an act to amend chapter one hundred thirty-one (131) of the laws of the forty-third general assembly relating to the operation of motor trucks and trailers on the public highways 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 do pass.

J. PARK BAIR, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation, to whom was referred Senate File No. 367, a bill for an act to amend section 5105-a1 and section 5105-a39, chapter 252-A1, code of Iowa, 1927, amending the definition of the term "motor vehicles" and changing penalty for the violation of the provisions of said chapter, beg leave to report they have had 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. PARK BAIR, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation has introduced to the House, House File No. 556, a bill for an act to amend sections forty-eight hundred sixty-four (4864), forty-nine hundred one (4901), and forty-nine hundred five (4905), code, 1927, and to repeal section forty-nine hundred fifteen (4915), code, 1927, relating to licensing and listing of motor vehicles.

The committee on motor vehicles and transportation recommends to the House that the bill do pass.

J. PARK BAIR, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on motor vehicles and transportation has introduced to the House, House File No. 557, a bill for an act to amend section forty-eight hundred sixty-seven (4867), code, 1927, relating to general exemptions from payment of fees on motor vehicles, and to amend section ten (10), chapter one hundred twenty-two (122), acts of the forty-third (43rd) general assembly, relating to license fees on trailers.

The committee on motor vehicles and transportation recommends to the House that the bill do pass.

J. PARK BAIR, *Chairman*.

Report adopted.

VanBuren of Jones, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 478, a bill for an act to reimburse Johnson county, Iowa, for money expended in the care of a state patient at the state sanatorium at Oakdale, Iowa, and making an appropriation to pay the



same, beg leave to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN *Chairman.*

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 556, by committee on motor vehicles and transportation, a bill for an act to amend sections forty-eight hundred sixty-four (4864), forty-nine hundred one (4901) and forty-nine hundred five (4905), code, 1927, and to repeal section forty-nine fifteen (4915), code, 1927, relating to licensing and listing of motor vehicles.

Read first and second times and passed on file.

House File No. 557, by committee on motor vehicles and transportation, a bill for an act to amend section forty-eight hundred sixty-seven (4867), code, 1927, relating to general exemptions from payment of fees on motor vehicles, and to amend section ten (10), chapter one hundred twenty-two (122), acts of the forty-third (43rd) general assembly, relating to license fees on trailers.

Read first and second times and passed on file.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Brown of Polk, House File No. 271, a bill for an act to amend sub-section 20 of Section 6211, Code of 1927, relating to library building funds, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 271

Amend by inserting at the beginning of line ten (10) of Section one (1) the following: "Sec. 2."

Mr. Brown moved that the House concur in the Senate amendment.

On the question, "Shall the House concur?"

The ayes were, 85.

Allen	Bonnstetter	Durant	Forsling
Augustine	Brown	Elliott	Gallagher
Avery	Byers	Ellsworth	Garrett
Babcock	Davis	Fabritz	Gilmore
Bair	Ditto	Felter	Gissel
Beath	Donlon	Figgins	Greaser
Berry	Drake of Keokuk	Finnern	

Hansen of	Lamb	Osborn	Snyder
Audubon	Langland	Pattison	Sours
Hanson of	Laughlin	Peaco	Stanzel
Winnebago	Lepley	Pendray	Strachan
Hesse	Lichty	Randolph	TePaske
Hollingsworth	Long	Ratliff	Thiessen
Hollis	McCreery	Rawlings	Thompson
Hook	McLain	Reed	Torgeson
Hopkins	Malone	Roe	Van Wert
Hush	Mathews	Rutledge	Wamstad
Husted	Mead	Ryder	Watts
Johnson of	Millhone	Rylander	Wearin
Marion	Morton	Shields	Whiting
Kern	Nelson of	Short	Witt
Koch	Cherokee	Simmer	Mr. Speaker
Kohler	Nelson of Story		

The nays were, none.

Absent or not voting, 23.

Aiken	Greene	McCaulley	Paisley
Ballew	Hansen of Scott	McDermott	Randall
Craven	Hayes	Mayne	Reimers
Dayton	Helgason	Miller	Stiger
Drake of	Hunt	O'Donnell	Tamisiea
Muscatine	Hutcheon	Orr	Van Buren

House concurred in Senate amendment to House File No. 271.

On request of Watts of Van Buren, House File No. 52, a bill for an act to amend the law as it appears in section sixteen (16) of chapter fifty-seven (57) of the Acts of the Forty-third General Assembly so as to authorize fishing with trot-lines, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 52

Amend by adding the following section:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect on and after its publication in the Creston News Advertiser, a newspaper published at Creston, Iowa and The Record News, a newspaper published at Mt. Ayr, Iowa.

Mr. Watts moved that the House concur in the Senate amendment.

On the question, "Shall the House concur?"

The ayes were, 80.

Allen	Babcock	Berry	Byers
Augustine	Bair	Bonnstetter	Craven
Avery	Beath	Brown	Davis

Ditto	Hanson of	Long	Roe
Donlon	Winnebago	McCreery	Ryder
Durant	Hesse	McLain	Short
Elliott	Hollis	Malone	Snyder
Ellsworth	Hopkins	Mathews	Sours
Fabritz	Hush	Mead	Stanzel
Felter	Husted	Millhone	Stiger
Figgins	Hutcheon	Morton	Strachan
Finnern	Johnson of	Nelson of	TePaske
Forsling	Marion	Cherokee	Thiessen
Gallagher	Kern	Nelson of Story	Thompson
Garrett	Koch	Pattison	Torgeson
Gilmore	Kohler	Peaco	Wamstad
Greaser	Lamb	Pendray	Watts
Greene	Langland	Randall	Wearin
Hansen of	Laughlin	Randolph	Whiting
Audubon	Lepley	Ratliff	Witt
Hansen of Scott	Lichty	Reed	Mr. Speaker

The nays were, 1.

Jsborn

Absent or not voting, 27.

Aiken	Hayes	Mayne	Rutledge
Ballew	Helgason	Miller	Rylander
Dayton	Hollingsworth	O'Donnell	Shields
Drake of Keokuk	Hook	Orr	Simmer
Drake of	Hunt	Paisley	Tamisiea
Muscatine	McCaulley	Rawlings	Van Buren
Gissel	McDermott	Reimers	Van Wert

House concurred in Senate amendment to House File No. 52.

On request of Kern of Polk, House File No. 365, a bill for an act to make it an offense for any person without the consent of the manufacturer, to remove, alter, deface, mutilate, conceal, cover or destroy a manufacturer's serial number or other distinguishing number or identification mark upon manufactured products or to offer any such product for sale and to provide a penalty therefor, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 365

Amend by adding as Section 2 thereof the following:

Section 2. It shall be presumed that such serial number, or distinguishing number or identification mark, or portion thereof, was unlawfully removed, altered, defaced, mutilated, concealed, covered or destroyed by said person in violation of the provisions of this act, if it shall appear that said person has had possession or control of any such machine, musical instrument or other goods, wares or merchandise with such serial number or distinguishing number or identification mark, or portion there-

of removed, altered, defaced, mutilated, concealed, covered or destroyed, but such presumption shall not be conclusive. Also amend by renumbering the sections.

Mr. Kern moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were, 79.

Augustine	Gissel	Laughlin	Roe
Avery	Greaser	Lepley	Ryder
Bair	Hansen of	Lichty	Rylander
Beath	Audubon	Long	Shields
Berry	Hansen of Scott	McLain	Short
Bonnstetter	Hanson of	Malone	Simmer
Brown	Winnebago	Mathews	Sours
Byers	Hesse	Mead	Stanzel
Craven	Hollingsworth	Millhone	Stiger
Davis	Hollis	Morton	Strachan
Donlon	Hook	Nelson of	TePaske
Drake of Keokuk	Hopkins	Cherokee	Thiessen
Durant	Hush	Nelson of Story	Thompson
Elliott	Hutcheon	Osborn	Torgeson
Ellsworth	Johnson of	Pattison	Wamstad
Fabritz	Marion	Pendray	Watts
Felter	Kern	Randall	Wearin
Figgins	Koch	Randolph	Whiting
Gallagher	Kohler	Ratliff	Witt
Garrett	Lamb	Rawlings	Mr. Speaker
Gilmore	Langland	Reed	

The nays were, none.

Absent or not voting, 29.

Aiken	Finnern	McCreery	Peaco
Allen	Forsling	McDermott	Reimers
Babcock	Greene	Mayne	Rutledge
Ballew	Hayes	Miller	Snyder
Dayton	Helgason	O'Donnell	Tamisiea
Ditto	Hunt	Orr	Van Buren
Drake of	Husted	Paisley	Van Wert
Muscatine	McCaulley		

House concurred in Senate amendments to House File No. 365.

On request of Rylander of Marshall, House File No. 172, a bill for an act to amend section forty-seven hundred forty-six (4746) of the code, 1927, relating to assessment districts, survey and report, notice and hearing, with Senate amendment, was taken up and the amendment read and considered.

## SENATE AMENDMENT TO HOUSE FILE NO. 172

Amend by striking out of line four (4) of Section one (1) the words "fifty-one" and substituting therefor, the words "thirty-five".

Mr. Rylander moved that the House concur in the Senate amendment.

On the question, "Shall the House concur?"

The ayes were, 71.

Allen	Greaser	Lepley	Shields
Avery	Hansen of	Lichty	Short
Babcock	Audubon	Long	Simmer
Bair	Hansen of Scott	McLain	Snyder
Beath	Hanson of	Mathews	Stanzel
Berry	Winnebago	Mead	Stiger
Brown	Hesse	Millhone	Strachan
Byers	Hollingsworth	Nelson of	TePaske
Craven	Hollis	Cherokee	Thiessen
Donlon	Hook	Nelson of Story	Thompson
Durant	Hopkins	Paisley	Torgeson
Elliott	Hush	Pattison	Van Wert
Ellsworth	Johnson of	Pendray	Wamstad
Fabritz	Marion	Randolph	Watts
Felter	Koch	Ratliff	Wearin
Finnern	Kohler	Rawlings	Whiting
Forsling	Lamb	Reed	Witt
Gallagher	Langland	Ryder	Mr. Speaker
Gissel	Laughlin	Rylander	

The nays were, 5.

Bonnstetter	Garrett	Hutcheon	Sours
Figgins			

Absent or not voting, 32.

Aiken	Gilmore	McCreery	Osborn
Augustine	Greene	McDermott	Peaco
Ballew	Hayes	Malone	Randall
Davis	Helgason	Mayne	Reimers
Dayton	Hunt	Miller	Roe
Ditto	Husted	Morton	Rutledge
Drake of Keokuk	Kern	O'Donnell	Tamisiea
Drake of	McCaulley	Orr	Van Buren
Muscatine			

House concurred in Senate amendment to House File No. 172.

Allen of Pocahontas moved that the House do now recess until 10:00 a. m. today.

On the question "Shall the House recess?" a roll call was demanded.

The ayes were, 29.

Aiken	Greene	Lamb	Sours
Allen	Hanson of	Lichty	Stanzel
Avery	Winnebago	Mathews	Strachan
Brown	Hollingsworth	Morton	Thompson
Byers	Hollis	Nelson of Story	Torgeson
Dayton	Hunt	Pattison	Van Wert
Drake of	Hutcheon	Ratliff	Wamstad
Muscatine	Kern	Rylander	

The nays were, 66.

Augustine	Gallagher	Langland	Rawlings
Babcock	Garrett	Laughlin	Reed
Bair	Gilmore	Lepley	Roe
Ballew	Gissel	McCaulley	Ryder
Beath	Greaser	McCreery	Shields
Berry	Hansen of	McLain	Short
Bonnstetter	Audubon	Malone	Simmer
Craven	Hansen of Scott	Mayne	Snyder
Donlon	Hesse	Mead	Stiger
Drake of Keokuk	Hook	Millhone	TePaske
Durant	Hopkins	O'Donnell	Thiessen
Elliott	Hush	Osborn	Van Buren
Fabritz	Husted	Paisley	Watts
Felter	Johnson of	Peaco	Wearin
Figgins	Marion	Pendray	Whiting
Finnern	Koch	Randall	Witt
Forsling	Kohler	Randolph	Mr. Speaker

Absent or not voting, 13.

Davis	Helgason	Nelson of	Rutledge
Ditto	Long	Cherokee	Tamisiea
Ellsworth	McDermott	Orr	
Hayes	Miller	Reimers	

Motion to recess lost.

### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 368, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five per cent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years.

Forsling of Woodbury called up the amendment filed by him, found in the Journal of March 30th, and moved its adoption.

Amendment adopted.

Mathews of Des Moines moved the previous question. Motion prevailed.

Ditto of Osceola moved that the House reconsider the vote by which the previous question was ordered.

Motion lost.

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?"

The ayes were, 91.

Augustine	Gallagher	Koch	Randall
Avery	Garrett	Kohler	Randolph
Bair	Gilmore	Lamb	Ratliff
Ballew	Gissel	Langland	Rawlings
Beath	Greaser	Laughlin	Reed
Berry	Greene	Lepley	Roe
Bonnstetter	Hansen of	Lichty	Rylander
Brown	Audubon	Long	Shields
Byers	Hansen of Scott	McCaulley	Snyder
Craven	Hanson of	McCreery	Sours
Davis	Winnebago	McDermott	Stanzel
Dayton	Helgason	McLain	Stiger
Ditto	Hesse	Mathews	Strachan
Donlon	Hollingsworth	Mayne	TePaske
Drake of Keokuk	Hollis	Millhone	Thiessen
Drake of	Hook	Morton	Thompson
Muscatine	Hopkins	Nelson of	Torgeson
Elliott	Hunt	Cherokee	Van Buren
Ellsworth	Hush	Nelson of Story	Wamstad
Fabritz	Husted	O'Donnell	Watts
Felter	Hutcheon	Osborn	Wearin
Figgins	Johnson of	Pattison	Whiting
Finnern	Marion	Peaco	Witt
Forsling	Kern	Pendray	Mr. Speaker

The nays were, 6.

Babcock	Malone	Paisley	Van Wert
Durant	Mead		

Absent or not voting, 11.

Aiken	Miller	Rutledge	Simmer
Allen	Orr	Ryder	Tamisiea
Hayes	Reimers	Short	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Elliott of Scott moved that the vote by which House File No. 368 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Ellsworth of Hardin, House File No. 223, a bill for an act to amend section twenty-five hundred thirty-eight (2538) of the code, 1927, pertaining to the practice of medicine and surgery, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS TO HOUSE FILE NO. 223

Amend section 1 by inserting in line 3 after the figure 9 in parentheses the words "a comma and".

Also amend by striking out of line 4 the comma preceding the word "or".

Also amend by striking out lines 6 and 7 and substituting in lieu thereof the following:

"3. Persons who act as representatives of any person in doing any of the things mentioned in this section."

Mr. Ellsworth moved that the House concur in the Senate amendments.

On the question, "Shall the House concur?"

The ayes were, 81.

Augustine	Figgins	Johnson of	Nelson of Story
Avery	Finnern	Marion	Orr
Babcock	Forsling	Kern	Paisley
Bair	Gallagher	Koch	Pattison
Ballew	Gilmore	Kohler	Pendray
Beath	Gissel	Lamb	Randall
Berry	Greaser	Langland	Randolph
Bonnstetter	Hansen of	Lepley	Ratliff
Brown	Audubon	Lichty	Rawlings
Byers	Hansen of Scott	Long	Reed
Craven	Hanson of	McCaulley	Rylander
Davis	Winnebago	McCreery	Sours
Dayton	Helgason	McDermott	Stanzel
Donlon	Hesse	McLain	TePaske
Drake of Keokuk	Hollingsworth	Mathews	Thiessen
Drake of	Hollis	Mayne	Thompson
Muscatine	Hook	Mead	Torgeson
Durant	Hunt	Millhone	Van Wert
Elliott	Hush	Morton	Wamstad
Ellsworth	Husted	Nelson of	Wearin
Fabritz	Hutcheon	Cherokee	Witt
Felter			Mr. Speaker

The nays were, none.

Absent or not voting, 27.

Aiken	Laughlin	Roe	Stiger
Allen	Malone	Rutledge	Strachan
Ditto	Miller	Ryder	Tamisiea
Garrett	O'Donnell	Shields	Van Buren
Greene	Osborn	Short	Watts
Hayes	Peaco	Simmer	Whiting
Hopkins	Reimers	Snyder	

House concurred in Senate amendments to House File No. 223.



## CONSIDERATION OF BILLS

The hour having arrived for special order, House File No. 442, a bill for an act to repeal section five hundred twenty-six a one (526-a1) of the code, 1927, and to enact a substitute therefor, redistricting the state into nine (9) congressional districts, with report of committee recommending that the House resolve itself into a committee of the whole for the consideration of House File No. 442.

Pursuant to report of the committee the House resolved itself into a committee of the whole.

On motion of Torgeson of Worth, the committee of the whole arose.

House reconvened, Speaker Johnson in the chair.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 105, 341, 307, 46, 71, 96, 111, 113, 117, 136, 177, 189, 190, 209, 248, 279, 280, 282, 338, 373, 421, 422 and 427.

C. J. ORR,

*Chairman House Committee.*

E. R. HICKLIN,

*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. 105, 341, 307, 46, 71, 96, 111, 113, 117, 136, 177, 189, 190, 209, 248, 279, 280, 282, 338, 373, 421, 422 and 427.

## BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 1st day of April, 1931, sent to the governor for his approval:

House Files Nos. 105, 341, 307, 46, 71, 96, 111, 113, 117, 136, 177, 189, 190, 209, 248, 279, 280, 282, 338, 373, 421, 422 and 427.

C. J. ORR, *Chairman.*

Report adopted.

#### AMENDMENT FILED

Van Buren of Jones filed the following amendment to Senate File No. 330:

Amend Senate File No. 330 by adding as section two (2) the following:

"Sec. 2. The provisions of this act shall not be construed to affect pending litigation".

Torgeson of Worth moved that the House pass to the immediate consideration of House File No. 442.

Wearin of Mills moved that the House do now adjourn until 9:00 a. m. Thursday.

Simmer of Wapello moved to amend the motion by changing the hour to 9:30 a. m. Thursday.

Amendment lost.

On the question "Shall the House adjourn?" a roll call was demanded.

The ayes were, 54.

Augustine	Finnern	Malone	Roe
Babcock	Gallagher	Mead	Ryder
Bair	Garrett	Millhone	Shields
Beath	Gilmore	O'Donnell	Short
Bonnstetter	Gissel	Osborn	Simmer
Byers	Hansen of Scott	Paisley	Stiger
Craven	Hook	Peaco	Thiessen
Dayton	Hush	Pendray	Van Buren
Donlon	Koch	Randall	Watts
Drake of Keokuk	Kohler	Randolph	Wearin
Elliott	Laughlin	Rawlings	Whiting
Ellsworth	McCreery	Reed	Witt
Fabritz	McDermott	Reimers	Mr. Speaker
Figgins	McLain		

Absent or not voting, 1.

Miller

Motion prevailed and House adjourned until 9:00 a. m. Thursday.

The nays were, 53.

Aiken	Hansen of	Johnson of	Orr
Avery	Audubon	Marion	Pattison
Ballew	Hanson of	Kern	Ratliff
Berry	Winnebago	Lamb	Rutledge
Brown	Hayes	Langland	Rylander
Davis	Helgason	Lepley	Snyder
Ditto	Hesse	Lichty	Sours
Drake of	Hollingsworth	Long	Stanzel
Muscatine	Hollis	McCaulley	Strachan
Durant	Hopkins	Mathews	Tamisiea
Felter	Hunt	Mayne	TePaske
Forsling	Hush	Morton	Thompson
Greaser	Husted	Nelson of	Torgeson
Greene	Hutcheon	Cherokee	Van Wert
		Nelson of Story	Wamstad

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 2, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. C. M. Granskou, President of Waldorf College, Forest City, Iowa.

Journal of April 1st corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Hansen of Audubon, from the board of education of Audubon, and from the Audubon community club, opposing the discontinuance of the appropriation for vocational agriculture. Appropriations.

By Hanson of Winnebago, from bakers of Cedar Rapids, opposing Senate File No. 158. Agriculture.

By Reed of Mahaska, from citizens of Oskaloosa, favoring Senate File No. 133 as it passed the Senate, and opposing any additional tax burdens of the truck operator. Motor vehicles and transportation.

By Fabritz of Wapello, from citizens of Ottumwa, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Van Buren of Jones, from farmers and members of the La Porte City night school, and citizens of Sloan, favoring section 48 of Senate File No. 10. Appropriations.

## REPORTS OF COMMITTEES

Simmer of Wapello, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance to whom was referred House File No. 400, a bill for an act to amend section eighty-nine hundred forty-three (8943), code, 1927, relating to execution of policies of 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.

LEONARD SIMMER, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on insurance to whom was referred House File No. 464, a bill for an act to amend section eighty-eight hundred thirty (8830) of the code, 1927, relating to deposit of securities with the commission of 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 do pass.

LEONARD SIMMER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on insurance to whom was referred House File No. 481, a bill for an act relating to motor vehicle liability insurance or indemnity so as to provide that when there has been liability incurred the contract therefor shall not be cancelled, avoided or settled for any reason, without the consent of the injured party, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

LEONARD SIMMER, *Chairman.*

Report adopted.

Forsling of Woodbury, from the committee on judiciary, submitted the following reports:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 558, a bill for an act to provide for the regulation of the rates and charges of individuals, firms and corporations engaged in the distribution of electricity, gas, and operating telephone companies outside the limits of cities and towns, and to require said individuals, firms and corporations to furnish any person applying therefor such service under reasonable rules and regulations.

The Judiciary Committee recommends to the House that the bill do pass.

F. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary has introduced to the House, House File No. 559, a bill for an act to require all individuals, firms or corporations operating any public utility to file with the auditor of state of the state of Iowa all their tariffs, schedules, charges, rates, fares, tolls, or other compensation asked, demanded, or received for any service rendered or furnished, and to file when requested by the auditor of state all contracts entered into with any individual, municipal corporation, state government or sub-division thereof, or other public utility in relation to its public service.

The Judiciary Committee recommends to the House that the bill do pass.

F. B. FORSLING, *Chairman*.

Report adopted.

#### ADDITIONAL COPIES OF BILL ORDERED PRINTED

Bair of Buena Vista asked and obtained unanimous consent to have five hundred additional copies of House File No. 547 printed.

Berry of Monroe asked unanimous consent to have House File No. 2 with Senate amendments made a special order for Friday, April 3rd, at 10:00 a. m.

Objection was made.

Berry of Monroe moved that House File No. 2 with Senate amendments be made a special order for Friday, April 3rd, at 10:00 a. m.

On the question "Shall House File No. 2 be made a special order?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 48.

Aiken	Drake of Keokuk	Gissel	Kohler
Augustine	Elliott	Greaser	Lamb
Avery	Fabritz	Greene	Lepley
Berry	Felter	Hansen of	Long
Byers	Figgins	Audubon	McLain
Davis	Finnern	Hook	Malone
Ditto	Forsling	Hutcheon	Mathews
Donlon	Gilmore	Kern	Morton

O'Donnell	Rawlings	Ryder	Stanzel
Paisley	Reed	Shields	Thiessen
Pendray	Reimers	Short	Watts
Randolph	Roe	Simmer	Whiting
Ratliff			

The nays were, 54.

Allen	Hansen of Scott	Laughlin	Rylander
Babcock	Hanson of	Lichty	Snyder
Bair	Winnebago	McCreery	Sours
Ballew	Helgason	McDermott	Stiger
Beath	Hesse	Mayne	Strachan
Bonnstetter	Hollingsworth	Mead	Tamisiea
Brown	Hollis	Millhone	TePaske
Craven	Hopkins	Nelson of	Thompson
Dayton	Hush	Cherokee	Torgeson
Drake of	Husted	Nelson of Story	Van Buren
Muscatine	Johnson of	Osborn	Van Wert
Durant	Marion	Pattison	Wamstad
Ellsworth	Koch	Peaco	Witt
Gallagher	Langland	Randall	Mr. Speaker
Garrett		Rutledge	

Absent or not voting, 6.

Hayes	McCaulley	Miller	Wearin
Hunt		Orr	

Motion lost.

### HOUSE FILE WITHDRAWN

Elliott of Scott asked and obtained unanimous consent to have House File No. 264 withdrawn from the sifting committee and from further consideration of the House.

### RESOLUTION

Bonnstetter of Kossuth offered the following resolution:

*Whereas*, The Honorable C. B. Hutchins, who was a member of the House of Representatives in the Thirty-fourth and Thirty-fifth General Assemblies from Kossuth county, died on the 28th day of March, 1931; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That a committee of three be appointed by the Speaker to draft suitable resolutions to be presented to the House in commemoration of his life and services.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Bonnstetter moved its adoption.

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Bonnstetter of Kosuth, Helgason of Emmet and Donlon of Palo Alto.

### INTRODUCTION OF BILLS

House File No. 558, by committee on judiciary, a bill for an act to provide for the regulation of the rates and charges of individuals, firms and corporations engaged in the distribution of electricity, gas, and operating telephone companies outside the limits of cities and towns, and to require said individuals, firms and corporations to furnish any person applying therefor such service under reasonable rules and regulations.

Read first and second times and passed on file.

House File No. 559, by committee on judiciary, a bill for an act to require all individuals, firms or corporations operating any public utility to file with the auditor of state of the state of Iowa all their tariffs, schedules, charges, rates, fares, tolls, or other compensation asked, demanded, or received for any service rendered or furnished, and to file when requested by the auditor of state all contracts entered into with any individual, municipal corporation, state government or sub-division thereof, or other public utility in relation to its public service.

Read first and second times and passed on file.

House File No. 560, by committee on public health, a bill for an act to amend the law as it appears in section twenty-three hundred thirty-three (2333) of the code, 1927, regulating the issuing of burial, removal and transit permits.

Read first and second times and passed on file.

### REPORT OF THE COMMITTEE OF THE WHOLE

Nelson of Story, chairman of the committee of the whole, submitted the following report:

MR. SPEAKER: The committee of the whole, to which was referred House File No. 442, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended, the bill do pass.



Amend House File No. 442 as follows:

By striking lines ten (10) to seventeen (17), inclusive, of section one (1) thereof and substituting in lieu thereof the following:

"Second district shall consist of the counties of Linn, Jones, Dubuque, Jackson, Clinton, and Scott."

"Third district shall consist of the counties of Wright, Franklin, Butler, Bremer, Hardin, Grundy, Black Hawk, Marshall, Tama, and Benton."

"Fourth district shall consist of the counties of Buchanan, Delaware, Clayton, Allamakee, Fayette, Winneshiek, Howard, Chickasaw, Floyd, Mitchell, Worth, and Cerro Gordo."

FRED W. NELSON, *Chairman of the Committee of the Whole.*

Report adopted.

#### RULE 64 INVOKED

Rutledge of Webster invoked Rule 64 for the day.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 442, a bill for an act to repeal section five hundred twenty-six a one (526-a1) of the code, 1927, and to enact a substitute therefor, redistricting the state into nine (9) congressional districts, with report of committee of the whole recommending amendment and passage.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We hereby request a call of the House for the consideration of House File No. 442.

W. E. S. HUTCHEON  
W. H. STRACHAN  
E. O. HELGASON  
ROY J. SOURS  
S. R. TORGESON

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present.

Tamisiea of Harrison called up the amendments proposed by the committee of the whole House and moved their adoption:

## AMENDMENTS PROPOSED BY COMMITTEE OF THE WHOLE

Amend House File No. 442 as follows:

By striking lines ten (10) to seventeen (17), inclusive, of section one (1) thereof and substituting in lieu thereof the following:

"Second district shall consist of the counties of Linn, Jones, Dubuque, Jackson, Clinton, and Scott."

"Third district shall consist of the counties of Wright, Franklin, Butler, Bremer, Hardin, Grundy, Black Hawk, Marshall, Tama, and Benton."

"Fourth district shall consist of the counties of Buchanan, Delaware, Clayton, Allamakee, Fayette, Winneshiek, Howard, Chickasaw, Floyd, Mitchell, Worth, and Cerro Gordo."

Wearin of Mills moved the previous question on the committee amendments.

Motion prevailed.

On the question "Shall the committee amendments be adopted?" a roll call was demanded.

The ayes were, 56.

Allen	Hanson of	Langland	Rutledge
Avery	Winnebago	Lepley	Ryder
Ballew	Hayes	Lichty	Rylander
Brown	Helgason	Long	Snyder
Davis	Hesse	McCaulley	Sours
Dayton	Hollingsworth	Mathews	Stanzel
Ditto	Hollis	Mayne	Strachan
Drake of	Hopkins	Morton	Tamisiea
Muscatine	Hunt	Nelson of	TePaske
Durant	Husted	Cherokee	Thompson
Ellsworth	Hutcheon	Nelson of Story	Torgeson
Felter	Johnson of	Orr	Van Wert
Greaser	Marion	Pattison	Wamstad
Greene	Kern	Randall	Witt
Hansen of	Lamb	Ratliff	Mr. Speaker
Audubon			

The nays were, 52.

Aiken	Drake of Keokuk	Hansen of Scott	Mead
Augustine	Elliott	Hook	Millhone
Babcock	Fabritz	Hush	Miller
Bair	Figgins	Koch	O'Donnell
Beath	Finnern	Kohler	Osborn
Berry	Forsling	Laughlin	Paisley
Bonnstetter	Gallagher	McCreery	Peaco
Byers	Garrett	McDermott	Pendray
Craven	Gilmore	McLain	Randolph
Donlon	Gissel	Malone	Rawlings

Reed  
Reimers  
Roe

Shields  
Short  
Simmer

Stiger  
Thiessen  
Van Buren

Watts  
Wearin  
Whiting

Absent or not voting, none.

Committee amendments adopted.

Whiting of Johnson, McCreery of Linn and Elliott of Scott offered the following amendments and moved their adoption:

Amend House File No. 442, as follows:

1. By striking section one (1), and inserting in lieu thereof the following:

Section 1. That section five hundred twenty-six a-one (526-a1) of the code, 1927, be repealed and the following enacted in lieu thereof:

"The state of Iowa is hereby organized and divided into nine (9) congressional districts, which shall be composed, respectively, of the following counties:

First district shall consist of the counties of Davis, Henry, Iowa, Jasper, Jefferson, Keokuk, Lee, Mahaska, Poweshiek, Van Buren, Wapello and Washington.

Second district shall consist of the counties of Cedar, Clinton, Des Moines, Jackson, Johnson, Jones, Louisa, Muscatine, and Scott.

Third district shall consist of the counties of Benton, Black Hawk, Bremer, Buchanan, Butler, Franklin, Grundy, Linn, and Tama.

Fourth district shall consist of the counties of Allamakee, Cerro Gordo, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Floyd, Howard, Mitchell, Winneshiek, and Worth.

Fifth district shall consist of the counties of Dallas, Guthrie, Marshall, Polk, and Story.

Sixth district shall consist of the counties of Adams, Appanoose, Clarke, Decatur, Lucas, Madison, Marion, Monroe, Montgomery, Page, Ringgold, Taylor, Union, Warren, and Wayne.

Seventh district shall consist of the counties of Adair, Audubon, Cass, Carroll, Crawford, Fremont, Harrison, Mills, Monona, Pottawattamie, and Shelby.

Eighth district shall consist of the counties of Boone, Calhoun, Emmet, Greene, Hamilton, Hancock, Hardin, Humboldt, Kossuth, Palo Alto, Pocahontas, Webster, Winnebago, and Wright.

Ninth district shall consist of the counties of Buena Vista, Cherokee, Clay, Dickinson, Ida, Lyon, Plymouth, O'Brien, Osceola, Sac, Sioux, and Woodbury.

Allen of Pocahontas raised the point of order that the amendment was out of order, for the reason that it struck the committee amendment which had just been adopted.

Speaker held the point of order not well taken.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 51.

Aiken	Fabritz	McCreery	Reed
Augustine	Figgins	McLain	Reimers
Babcock	Finnern	Mead	Roe
Bair	Gallagher	Millhone	Shields
Beath	Garrett	Miller	Short
Berry	Gilmore	O'Donnell	Simmer
Bonnstetter	Gissel	Osborn	Stiger
Byers	Hansen of Scott	Paisley	Thiessen
Craven	Hook	Peaco	Van Buren
Ditto	Hush	Pendray	Watts
Donlon	Koch	Randall	Wearin
Drake of Keokuk	Kohler	Randolph	Whiting
Elliott	Laughlin	Rawlings	

The nays were, 57.

Allen	Hanson of	Langland	Ratliff
Avery	Winnebago	Lepley	Rutledge
Ballew	Hayes	Lichty	Ryder
Brown	Helgason	Long	Rylander
Davis	Hesse	McCaulley	Snyder
Dayton	Hollingsworth	McDermott	Sours
Drake of	Hollis	Malone	Stanzel
Muscatine	Hopkins	Mathews	Strachan
Durant	Hunt	Mayne	Tamisiea
Ellsworth	Husted	Morton	TePaske
Felter	Hutcheon	Nelson of	Thompson
Forsling	Johnson of	Cherokee	Torgeson
Greaser	Marion	Nelson of Story	Van Wert
Greene	Kern	Orr	Wamstad
Hansen of	Lamb	Pattison	Witt
Audubon			Mr. Speaker

Absent or not voting, none.

Whiting amendment lost.

Hutcheon of Greene moved the previous question.

On the question "Shall the previous question be ordered?" a roll call was demanded.

The ayes were, 56.

Allen	Hanson of	Langland	Rutledge
Avery	Winnebago	Lepley	Ryder
Ballew	Hayes	Lichty	Rylander
Brown	Helgason	Long	Snyder
Davis	Hesse	McCaulley	Sours
Dayton	Hollingsworth	Malone	Stanzel
Drake of	Hollis	Mathews	Strachan
Muscatine	Hopkins	Mayne	Tamisiea
Durant	Hunt	Morton	TePaske
Ellsworth	Husted	Nelson of	Thompson
Forsling	Hutcheon	Cherokee	Torgeson
Gissel	Johnson of	Nelson of Story	Van Wert
Greaser	Marion	Orr	Wamstad
Greene	Kern	Pattison	Witt
Hansen of	Lamb	Ratliff	Mr. Speaker
Audubon			

The nays were, 51.

Aiken	Fabritz	McCreery	Reed
Augustine	Felter	McLain	Reimers
Babcock	Figgins	Mead	Roe
Bair	Finnern	Millhone	Shields
Beath	Gallagher	Miller	Short
Berry	Garrett	O'Donnell	Simmer
Bonnstetter	Gilmore	Osborn	Stiger
Byers	Hansen of Scott	Paisley	Thiessen
Craven	Hook	Peaco	Van Buren
Ditto	Hush	Pendray	Watts
Donlon	Koch	Randall	Wearin
Drake of Keokuk	Kohler	Randolph	Whiting
Elliott	Laughlin	Rawlings	

Absent or not voting, 1.

McDermott

Motion prevailed.

Tamisiea of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 60.

Allen	Felter	Hesse	Langland
Avery	Forsling	Hollingsworth	Lepley
Ballew	Gissel	Hollis	Lichty
Brown	Greaser	Hopkins	Long
Davis	Greene	Hunt	McCaulley
Dayton	Hansen of	Husted	McDermott
Ditto	Audubon	Hutcheon	Malone
Drake of	Hanson of	Johnson of	Mathews
Muscatine	Winnebago	Marion	Mayne
Durant	Hayes	Kern	Morton
Ellsworth	Helgason	Lamb	

Nelson of Cherokee	Ratliff	Stanzel	Torgeson
Nelson of Story	Rutledge	Strachan	Van Wert
Orr	Ryder	Tamisiea	Wamstad
Paisley	Rylander	TePaske	Witt
Pattison	Snyder	Thompson	Mr. Speaker
	Sours		

The nays were, 48.

Aiken	Fabritz	McCreery	Reed
Augustine	Figgins	McLain	Reimers
Babcock	Finnern	Mead	Roe
Bair	Gallagher	Millhone	Shields
Beath	Garrett	Miller	Short
Berry	Gilmore	O'Donnell	Simmer
Bonnstetter	Hansen of Scott	Osborn	Stiger
Byers	Hook	Peaco	Thiessen
Craven	Hush	Pendray	Van Buren
Donlon	Koch	Randall	Watts
Drake of Keokuk	Kohler	Randolph	Wearin
Elliott	Laughlin	Rawlings	Whiting

Absent or not voting, none.

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Tamisiea of Harrison moved that the vote by which House File No. 442 passed the House be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be tabled?" a roll call was demanded.

The ayes were, 58.

Allen	Hanson of	Lepley	Rutledge
Avery	Winnebago	Lichty	Ryder
Ballew	Hayes	Long	Rylander
Brown	Helgason	McCauley	Snyder
Davis	Hesse	McDermott	Sours
Dayton	Hollingsworth	Malone	Stanzel
Drake of Muscatine	Hollis	Mathews	Strachan
Durant	Hopkins	Mayne	Tamisiea
Ellsworth	Hunt	Morton	TePaske
Felter	Husted	Nelson of	Thompson
Forsling	Hutcheon	Cherokee	Torgeson
Greaser	Johnson of	Nelson of Story	Van Wert
Greene	Marion	Orr	Wamstad
Hansen of	Kern	Pattison	Witt
Audubon	Lamb	Ratliff	Mr. Speaker
	Langland	Rawlings	

The nays were, 48.

Aiken	Byers	Figgins	Hush
Augustine	Craven	Finnern	Koch
Babcock	Ditto	Gallagher	Kohler
Bair	Donlon	Garrett	Laughlin
Beath	Drake of Keokuk	Gilmore	McCreery
Berry	Elliott	Hansen of Scott	McLain
Bonnstetter	Fabritz	Hook	Mead

Millhone	Pendray	Roe	Thiessen
Miller	Randall	Shields	Van Buren
O'Donnell	Randolph	Short	Watts
Osborn	Reed	Simmer	Wearin
Peaco	Reimers	Stiger	Whiting

Absent or not voting, 2.

Gissel Paisley

Motion to table the motion to reconsider prevailed.

#### REPORT OF SPECIAL COMMITTEE

Ditto of Osceola, chairman of the special committee to report on House Files Nos. 340 and 174 submitted the following report:

**MR. SPEAKER:** The special committee to whom House Files 340 and 174 were referred beg to report that after careful consideration we were unable to reach an agreement and are therefore reporting both bills back to the House without recommendation.

Van Buren of Jones moved the report of the committee be laid on the table.

On the question "Shall the report be tabled?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 49.

Aiken	Finnern	Lepley	Rylander
Allen	Forsling	McCreery	Short
Babcock	Garrett	Mead	Simmer
Beath	Gilmore	Millhone	Stanzel
Berry	Hansen of	Nelson of	Stiger
Brown	Audubon	Cherokee	Strachan
Craven	Hollis	O'Donnell	TePaske
Davis	Hook	Osborn	Van Buren
Donlon	Hunt	Pattison	Van Wert
Ellsworth	Kern	Pendray	Watts
Fabritz	Kohler	Randall	Wearin
Felter	Lamb	Reimers	Witt
Figgins	Laughlin	Roe	

The nays were, 55.

Augustine	Greene	Langland	Rawlings
Avery	Hansen of Scott	Long	Reed
Bair	Hanson of	McCaulley	Rutledge
Ballew	Winnebago	McDermott	Ryder
Bonnstetter	Helgason	McLain	Shields
Byers	Hesse	Malone	Snyder
Dayton	Hollingsworth	Mathews	Sours
Ditto	Hopkins	Mayne	Tamisiea
Drake of Keokuk	Hush	Morton	Thiessen
Drake of	Husted	Nelson of Story	Thompson
Muscatine	Hutcheon	Orr	Torgeson
Durant	Johnson of	Paisley	Wamstad
Gallagher	Marion	Peaco	Whiting
Gissel	Koch	Randolph	Mr. Speaker
Greaser		Ratliff	

Absent or not voting, 4.

Elliott	Hayes	Lichty	Miller
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Motion lost.

Reed of Mahaska moved that the report of the committee be rereferred to the committee.

Van Buren of Jones moved as a substitute that House Files Nos. 174 and 340 be referred to the sifting committee.

McCreery of Linn moved the previous question. Motion prevailed.

On the question "Shall the motion to substitute be adopted?" a roll call was demanded.

The ayes were, 54.

Babcock	Forsling	McCreery	Shields
Bair	Garrett	McDermott	Short
Beath	Gilmore	Malone	Simmer
Berry	Greaser	Mead	Snyder
Craven	Hansen of	Millhone	Stanzel
Davis	Audubon	Morton	Stiger
Dayton	Hansen of Scott	Nelson of	TePaske
Drake of	Hollis	Cherokee	Van Buren
Muscatine	Hook	Nelson of Story	Van Wert
Elliott	Hunt	Pattison	Wamstad
Ellsworth	Lamb	Pendray	Watts
Fabritz	Langland	Randall	Wearin
Felter	Laughlin	Randolph	Witt
Figgins	Lepley	Reimers	Mr. Speaker
Finnern			

The nays were, 50.

Allen	Greene	Kern	Rawlings
Augustine	Hanson of	Koch	Reed
Avery	Winnebago	Kohler	Roe
Ballew	Hayes	Long	Rutledge
Bonnstetter	Helgason	McCauley	Ryder
Brown	Hesse	McLain	Rylander
Byers	Hollingsworth	Mayne	Sours
Ditto	Hopkins	O'Donnell	Strachan
Donlon	Hush	Orr	Tamisia
Drake of Keokuk	Husted	Osborn	Thiessen
Durant	Hutcheon	Paisley	Thompson
Gallagher	Johnson of	Peaco	Torgeson
Gissel	Marion	Ratliff	Whiting

Absent or not voting, 4.

Aiken	Lichty	Mathews	Miller
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Motion prevailed and substitution was made.

Substitute motion adopted.



House File No. 297, a bill for an act to amend section fifty-four hundred twenty-five (5425), code, 1927, relating to the license fee on dogs, with report of committee recommending passage, was taken up for consideration.

Hopkins of Guthrie called up the amendment filed by him, found in the Journal of March 13th and moved its adoption.

Rylander of Marshall offered the following amendment to the amendment filed by Mr. Hopkins and moved its adoption:

Amend the amendment offered by the gentleman from Guthrie to House File No. 297, in Section 3 of said amendment by adding after the word "towns" the following: "which have ordinances prohibiting dogs from running at large."

Amendment to the amendment adopted.

On the question "Shall the amendment as amended be adopted?" a roll call was demanded.

The ayes were, 13.

Augustine	Hollis	Koch	Thompson
Ballew	Hook	Lamb	Whiting
Hansen of	Hopkins	Laughlin	Mr. Speaker
Audubon		Ryder	

The nays were, 58.

Avery	Garrett	McCreery	Pendray
Babcock	Gissel	McDermott	Randall
Beath	Greaser	McLain	Reed
Berry	Greene	Malone	Reimers
Bonnstetter	Hansen of Scott	Mathews	Roe
Dayton	Hanson of	Mayne	Shields
Donlon	Winnebago	Mead	Snyder
Drake of Keokuk	Helgason	Morton	Sours
Durant	Hesse	Nelson of	Strachan
Ellsworth	Hollingsworth	Cherokee	Tamisiea
Fabritz	Hunt	Nelson of Story	TePaske
Felter	Hush	Orr	Thiessen
Figgins	Kohler	Osborn	Torgeson
Forsling	Langland	Paisley	Watts
Gallagher	Lepley	Peaco	Wearin

Absent or not voting, 37.

Aiken	Ditto	Husted	McCaulley
Allen	Drake of	Hutcheon	Millhone
Bair	Muscatine	Johnson of	Miller
Brown	Elliott	Marion	O'Donnell
Byers	Finnern	Kern	Pattison
Craven	Gilmore	Lichty	Randolph
Davis	Hayes	Long	Ratliff

Rawlings	Short	Stiger	Wamstad
Rutledge	Simmer	Van Buren	Witt
Rylander	Stanzel	Van Wert	

Amendment as amended lost.

Hanson of Winnebago called up the amendment filed by him, found in the Journal of March 11th and moved its adoption.

Amendment adopted.

Durant 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, 63.

Allen	Felter	Johnson of	Peaco
Augustine	Figgins	Marion	Pendray
Avery	Gallagher	Kern	Rawlings
Babcock	Gissel	Kohler	Reimers
Bair	Greaser	Langland	Roe
Ballew	Greene	Lichty	Rutledge
Beath	Hansen of	McLain	Snyder
Berry	Audubon	Malone	Sours
Bonnstetter	Hanson of	Mead	Stanzel
Brown	Winnebago	Morton	Strachan
Craven	Helgason	Nelson of	Tamisiea
Dayton	Hollingsworth	Cherokee	TePaske
Donlon	Hook	Nelson of Story	Thompson
Drake of	Hopkins	Orr	Torgeson
Muscatine	Hush	Osborn	Wamstad
Durant	Husted	Paisley	Witt
Fabritz	Hutcheon	Pattison	Mr. Speaker

The nays were, 20.

Drake of Keokuk	Koch	Mathews	Ryder
Ellsworth	Lamb	Mayne	Thiessen
Garrett	Laughlin	Randall	Watts
Hansen of Scott	Lepley	Ratliff	Wearin
Hollis	McCreery	Reed	Whiting

Absent or not voting, 25:

Aiken	Gilmore	McDermott	Shields
Byers	Hayes	Millhone	Short
Davis	Hesse	Miller	Simmer
Ditto	Hunt	O'Donnell	Stiger
Elliott	Long	Randolph	Van Buren
Finnern	McCaulley	Rylander	Van Wert
Forsling			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 112, a bill for an act to amend sections eighty-nine hundred thirty-nine (8939) and eighty-nine hundred forty (8940) as amended by the Acts of the Forty-third (43rd) General Assembly, and section eighty-nine hundred forty-one (8941) of the Code, 1927, relating to insurance other than life, and to authorize the insuring of titles of real estate, with report of committee recommending amendment and passage, was taken up for consideration.

Kern of Polk moved that the amendments proposed by the committee, found in the Journal of February 26th, be adopted.

Committee amendment lost.

Mr. Kern moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 33.

Avery	Hansen of Scott	Long	Orr
Brown	Hayes	McCaulley	Pattison
Byers	Hunt	McLain	Ratliff
Drake of	Hutcheon	Mayne	Rutledge
Muscatine	Johnson of	Millhone	Rylander
Elliott	Marion	Morton	Short
Figgins	Kern	Nelson of	TePaske
Forsling	Laughlin	Cherokee	Witt
Garrett	Lichty	Nelson of Story	Mr. Speaker

The nays were, 64.

Aiken	Finnern	Kohler	Roe
Allen	Gallagher	Lamb	Ryder
Augustine	Gilmore	Langland	Shields
Babcock	Gissel	Lepley	Simmer
Bair	Greaser	McCreery	Snyder
Ballew	Hansen of	McDermott	Sours
Beath	Audubon	Malone	Stanzel
Berry	Hanson of	Mathews	Stiger
Bonnstetter	Winnebago	Mead	Thiessen
Craven	Helgason	O'Donnell	Thompson
Davis	Hesse	Osborn	Torgeson
Ditto	Hollingsworth	Paisley	Van Wert
Donlon	Hollis	Peaco	Wamstad
Durant	Hook	Pendray	Watts
Elliott	Hopkins	Randolph	Wearin
Felter	Hush	Reed	Whiting
	Husted	Reimers	

Absent or not voting, 11.

Dayton	Greene	Randall	Tamisiea
Drake of Keokuk	Koch	Rawlings	Van Buren
Fabritz	Miller	Strachan	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

#### BILLS REFERRED TO SIFTING COMMITTEE

Hanson of Winnebago moved that all bills not passed by the House, except appropriations bills, after adjournment of the House next Saturday, be referred to the sifting committee.

Motion prevailed.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Hunt of Louisa, House File No. 121, a bill for an act to provide legal help in court actions to which the state highway commission is a party, to authorize payment from the primary road fund of attorneys' compensation and court costs in connection with legal work of the state highway commission, and to relieve the general revenue of the state therefrom, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 121

Amend by striking all after the enacting clause and substituting the following:

"Section 1. The Attorney General may appoint local attorneys to assist in any legal actions brought for or against the State Highway Commission. The compensation of such local attorneys heretofore or hereafter appointed and the special assistant attorney general appointed to look after the legal work of the State Highway Commission shall be fixed by the Attorney General and said Commission, and together with all court costs assessed against the said Commission, shall be payable from the primary road fund.

Section 2. All laws or parts of laws inconsistent with this act are hereby repealed.

Section 3. This act being deemed of immediate importance shall take effect from and after its publication as provided by law."

Mr. Hunt moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 6.

Avery

Johnson of  
Marion

Kern  
McCauley

Orr  
Witt

The nays were, 80.

Babcock	Hanson of	McLain	Rutledge
Bair	Winnebago	Malone	Ryder
Ballew	Hayes	Mathews	Rylander
Berry	Helgason	Mayne	Shields
Bonnstetter	Hesse	Mead	Short
Craven	Hollingsworth	Morton	Sours
Davis	Hook	Nelson of	Stanzel
Donlon	Hopkins	Cherokee	Stiger
Drake of Keokuk	Hunt	Nelson of Story	Strachan
Drake of	Hush	O'Donnell	Tamisiea
Muscatine	Husted	Osborn	TePaske
Durant	Hutcheon	Paisley	Thiessen
Felter	Koch	Pattison	Thompson
Figgins	Kohler	Peaco	Torgeson
Finnern	Lamb	Pendray	Van Wert
Forsling	Langland	Randolph	Wamstad
Gallagher	Laughlin	Ratliff	Watts
Garrett	Lepley	Rawlings	Wearin
Gilmore	Lichty	Reed	Whiting
Gissel	Long	Reimers	Mr. Speaker
Greaser	McDermott	Roe	

Absent or not voting, 22.

Aiken	Dayton	Hansen of	Miller
Allen	Ditto	Audubon	Randall
Augustine	Elliott	Hansen of Scott	Simmer
Beath	Ellsworth	Hollis	Snyder
Brown	Fabritz	McCreery	Van Buren
Byers	Greene	Millhone	

House refuses to concur in Senate amendment to House File No. 121.

On request of Hopkins of Guthrie, House File No. 328, a bill for an act to repeal sections forty-two hundred thirty-five (4235) and forty-three hundred twelve (4312), code, 1927, relating to school census and to enact substitutes therefor, to provide for a biennial school census, and to amend section forty-three hundred thirteen (4313), code, 1927, relating to reporting school census, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 328

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section forty-two hundred thirty-five (4235), Code, 1927, be and the same is hereby amended by striking out of line three thereof the words "each year" and inserting in lieu thereof the words "each even numbered year".

Sec. 2. That section forty-three hundred twelve (4312), Code 1927, be amended by striking out of line three thereof the words "each year" and inserting in lieu thereof the words "each even numbered year".

Sec. 3. That section forty-three hundred thirteen (4313), Code, 1927, be and it is hereby amended by striking out paragraph one thereof and inserting in lieu thereof the following:

1. The number, as shown by the last preceding school census, of persons of school age in the corporation, distinguishing the sexes.

Hopkins of Guthrie offered the following amendment to the Senate amendment to House File No. 328 and moved its adoption:

This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Stuart Herald, a newspaper published in Stuart, Iowa, and the Grinnell Herald, a newspaper published in Grinnell, Iowa.

House amendment to Senate amendment to House File No. 328 adopted.

Mr. Hopkins moved that the House concur in the Senate amendment, as amended.

On the question "Shall the House concur?"

The ayes were, 78.

Babcock	Gissel	Lamb	Reed
Bair	Greene	Langland	Reimers
Ballew	Hansen of	Laughlin	Roe
Beath	Audubon	Lepley	Rutledge
Berry	Hansen of Scott	Lichty	Ryder
Bonnstetter	Hanson of	Long	Rylander
Byers	Winnebago	McCreery	Shields
Craven	Hayes	McDermott	Sours
Davis	Helgason	McLain	Strachan
Donlon	Hesse	Malone	Tamisiea
Drake of Keokuk	Hollingsworth	Mathews	TePaske
Drake of	Hollis	Mayne	Thiessen
Muscatine	Hook	Mead	Thompson
Durant	Hopkins	Millhone	Torgeson
Elliott	Hush	Morton	Van Wert
Fabritz	Husted	Nelson of	Wamstad
Felter	Hutcheon	Cherokee	Wearin
Figgins	Johnson of	Osborn	Whiting
Finnern	Marion	Paisley	Witt
Gallagher	Koch	Pendray	Mr. Speaker
Garrett	Kohler	Rawlings	

The nays were, 1.

Gilmore

Absent or not voting, 29.

Aiken	Forsling	O'Donnell	Short
Allen	Greaser	Orr	Simmer
Augustine	Hunt	Pattison	Snyder
Avery	Kern	Peaco	Stanzel
Brown	McCaulley	Randall	Stiger
Dayton	Miller	Randolph	Van Buren
Ditto	Nelson of Story	Ratliff	Watts
Ellsworth			

House concurred in Senate amendment as amended.

Torgeson of Worth, on behalf of the steering committee, recommended to the House that when the House adjourned that it be to reconvene at 1:15 p. m. today, and the adjournment of the afternoon session to be at 2:45 p. m. Also, that the House reconvene at 7:30 p. m. this evening.

Mr. Torgeson moved the adoption of these recommendations.

Motion prevailed.

#### ADDITIONAL COPIES OF MAP TO HOUSE FILE NO. 442 PRINTED

Tamisiea of Harrison asked and obtained unanimous consent to have five hundred additional copies of the map to House File No. 442 printed, as passed by the House.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 184 and 530.

House Files Nos. 271, 172, 52, 365 and 223.

C. J. ORR

*Chairman House Committee.*

LEW MACDONALD

*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 bills:

House Files Nos. 271, 172, 52, 365, 223, 184 and 530.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 2nd day of April, 1931, sent to the Governor for his approval:

House Files Nos. 184, 530, 271, 172, 52, 365, and 223.

C. J. ORR, *Chairman.*

Report adopted.

#### PROOF OF PUBLICATION

The official proof of publication of House File No. 553, a bill for an act to legalize the action of the board of supervisors of Appanoose County in transferring nineteen thousand dollars (\$19,000) from the state insane fund to the paupers' fund by resolution upon March 14, 1931, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 13058 of the Code, 1927.

On motion of Sours of Floyd the House adjourned until 1:15 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of McCauley of Calhoun, House File No. 2, a bill for an act providing for property tax relief by the levying, collecting and paying of taxes on incomes; providing for rules and regulations and prescribing penalties, and making an appropriation for carrying out this act, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 2.

Amend House File No. 2 by striking all after the enacting clause and substituting in lieu thereof the following:



"Sec. 1. Short Title. This act shall be known and cited as the "property tax relief act of 1931".

Ses. 2. Definitions. For the purpose of this act and unless otherwise required by the context:

1. The word "board" or "state board" means the state board of assessment and review.

2. The word "taxpayer" includes any individual, corporation or fiduciary whose income is in whole or in part subject to the tax imposed by this act.

3. "Taxable income" means, so far as a person or corporation is concerned, all net income.

4. The word "person" includes individuals, fiduciaries and partnerships.

5. The word "corporation" includes joint stock companies, limited partnerships, and associations organized for pecuniary profit.

6. The words "domestic corporation" mean any corporation organized under the laws of this state.

7. The words "foreign corporation" mean any corporation other than a domestic corporation.

8. The words "income year" mean the calendar year or the fiscal year upon the basis of which the net income is computed under this act; if no fiscal year has been established they mean the calendar year.

9 The words "tax year" mean the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this act.

10. The words "fiscal year" mean an accounting period of twelve months, ending on the last day of any month other than December.

11. The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual, or corporate, acting in any fiduciary capacity for any person trust or estate.

12. The word "paid", for the purposes of the deductions under this act, means "paid or accrued" or "paid or incurred", and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act. The term "received", for the purpose of the computation of net income under this act, means "received or accrued", and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

13. The word "resident" applies only to individuals and includes for the purpose of determining liability to the tax imposed by this act upon or with reference to the income of any tax year, any individual domiciled in the state of Iowa, and any other individual who maintains a permanent place of abode within the state, and spends in the aggregate more than six months of the tax year within the state.

14. The words "foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States", when used in a geographical sense, include the states, the territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

15. The word "individual" means a natural person.

16. The word "dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property or in stock of the corporation.

### IMPOSITION OF TAX

Sec. 3. Individuals. 1. A tax is hereby imposed upon every resident of the state, which tax shall be levied, collected and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

(a) On the first two thousand dollars of taxable income, or any part thereof, one per cent (1%).

(b) On the third and fourth thousand dollars of taxable income, or any part thereof, two per cent (2%).

(c) On the fifth and sixth thousand dollars of taxable income or any part thereof, three per cent (3%).

(d) On the seventh and eighth thousand dollars of taxable income, or any part thereof, four per cent (4%).

(e) On all taxable income in excess of eight thousand dollars, five per cent (5%). Such tax shall first be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931; provided, however, that every single person, a resident of the state, having a net income of more than fifteen hundred dollars a year plus five hundred dollars for each dependent, and every married person, a resident of the state having a net income of more than thirty-five hundred dollars a year, plus four hundred dollars for each dependent, shall pay a tax of not less than three dollars.

2. Corporations. A tax is hereby imposed upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount equivalent to one per cent of the net income as herein defined, received by such corporation during the income year; but no corporation having a net income of less than one thousand dollars (\$1000.00) during the income year shall be required to file a return or to pay a tax.

(a) Allocation and Apportionment of Net Income. If the trade or business of the corporation is carried on entirely within the state, the tax shall be imposed on the entire net income, but if such trade or business is carried on partly within and partly without the state, the tax shall be imposed only on the portion of the net income reasonably attributable to the trade or business within the state, said net income attributable to the State of Iowa to be determined as follows:

(1) Interest, dividends, rents and royalties (less related expenses) received in connection with business in the state, shall be allocated to the state and where received in connection with business outside the state, shall be allocated outside of the state.

(2) Gains from the sale of capital assets or property held, owned or used in connection with the trade or business of the taxpayer, but not for sale in the regular course of business, shall be allocated to the state, if

the property sold is real or tangible personal property situated in the state; otherwise, such gains shall be allocated outside of the state. Gains from the sale of intangible property shall be allocated upon the basis hereinafter provided for the allocation of net income.

(3) Net income of the above classes having been separately allocated and deducted as above provided, the remainder of the net income of the taxpayer shall be allocated and apportioned as follows:

Where income is derived from business other than the manufacture and sale of tangible personal property, such income shall be specifically allocated or equitably apportioned within and without the state under rules and regulations of the board.

Where income is derived from the manufacture or sale of tangible personal property, the portion thereof attributable to business within the state shall be taken to be such percentage of the total of such income as gross sales within the state bears to the total gross sales of the corporation.

The gross sales of the corporation within the state shall be taken to be the gross sales from goods sold and delivered within the state, excluding deliveries for transportation out of the state.

For the purpose of this section, the word "sale" shall include exchange and the word "manufacture" shall include the extraction and recovery of natural resources and all processes of fabricating and curing.

(b) Allocation in Special Cases. If any taxpayer believes that the method of allocation and apportionment hereinbefore prescribed as administered by the board and applied to his business has operated or will so operate as to subject him to taxation on a greater portion of his net income than is reasonably attributable to business or sources within the state, he shall be entitled to file with the board a statement of his objections and of such alternative method of allocation and apportionment as he believes to be proper under the circumstances with such detail and proof and within such time as the board may reasonably prescribe; and if the board shall conclude that the method of allocation and apportionment theretofore employed is in fact inapplicable and inequitable, it shall redetermine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to business and sources within the state, not exceeding, however, the amount which would be arrived at by application of the statutory rules for apportionment.

(c) The words "tangible personal property" shall be taken to mean corporeal personal property, such as machinery, tools, implements, goods, wares and merchandise, and shall not be taken to mean money deposits in banks, shares of stock, bonds, notes, credits, or evidence of an interest in property and evidences of debt.

3. Taxable year. The tax imposed by this act shall be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931 and annually thereafter.

4. Exemptions. The following organizations and corporations shall be exempt from taxation under this act:

(a) All state, national, cooperative and savings banks, title insurance and trust companies, building and loan associations, insurance companies and/or insurance associations, railway companies, equipment car companies and pullman car companies, now or hereafter organized and incorporated by or under the laws of this state or lawfully operating in the state of Iowa.

(b) Fraternal beneficiary associations.

(b1) Insurance companies organized under the laws of the state of Iowa and existing by reason of the law as it appears in section eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719) of the code, 1927.

(c) All domestic companies described in section 6994-6995 of the code, 1927, engaged in the business of loaning money to deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans.

(d) Cemetery corporations and corporations organized for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(e) Business leagues, chambers of commerce, or boards of trade not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(f) Civic leagues or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

(g) Clubs organized and operated exclusively for pleasure, recreation, and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

(h) Farmers' associations and fruit growers' associations, or like organizations organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them.

5. That tax imposed by this act shall apply to and become a charge against estates or trusts, which tax shall be levied, collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust, including:

(a) Income received by estates of deceased persons during the period of administration or settlement of the estate.

(b) Income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interest.

(c) Income held for future distribution under the terms of the will or trust.

(d) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed, as the court may direct.

(e) Income of an estate during the period of administration or settle-

ment permitted by subdivision seven (7), to be deducted from the net income upon which the tax is to be paid by the fiduciary.

(f) The net income received during the year by deceased individuals who have died on or after the date a return was due to be filed without having made a return.

6. The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts, whether such income be taxable to the estate or trust or to the beneficiaries thereof. The net income of an estate or trust shall be computed in the same manner and on the same basis as provided in this act for individual taxpayers, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is, during the taxable year, paid to or permanently set aside for the United States, any state, territory, or any political subdivision thereof, of the District of Columbia, or any corporation or association organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and, in cases under paragraphs (d) and (e) of subdivision five (5) of this section, the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made.

7. In cases under paragraphs (a), (b) and (c) of subdivision five (5) of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary, except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee, heir or other beneficiary. In cases under (a), (b) and (c) the estate or trust shall be allowed the same exemptions as are allowed to single persons under section twelve (12), and in cases under paragraph (f) the same exemption as would be allowed the deceased, if living.

8. In cases under paragraphs (d) and (e) of subdivision five (5) of this section, if the distribution of income is in the discretion of the fiduciary, either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled, the tax shall be imposed upon the estate or trust in the manner provided in subdivision seven (7) of this section, but without the deduction of any amounts of income paid or credited to any such beneficiary. In all other cases under paragraphs (d) and (e) of subdivision five (5) of this section, the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not, of the net income of the estate or trust for the taxable year, or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his distributive share of the income of the estate or trust for any accounting period of such estate or trust end-

ing within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed.

9. A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under this section, but the amount contributed to such fund by the employer and all earnings of such fund shall be taxed to the distributee in the year in which distributed or made available to him.

### COMPUTATION OF TAX

Sec. 4. Net income defined. The term "net income" means the gross income of the taxpayer less the deductions allowed by this act.

Sec. 5. Gross income defined. 1. The term "gross income" includes gains, profits and incomes derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, business, commerce of sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit; or gains or profits, and income derived from any source whatever and in whatever form paid. The amount of all such items shall be included in the gross income of the tax year in which received by the taxpayer, unless, under the methods of accounting permitted under this act, any such amounts are to be properly accounted for as of a different period.

2. The term "gross income" does not include the following items, which shall be exempted from taxation under this act:

(a) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income);

(b) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under a life insurance, endowment, or annuity contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (a) of this paragraph;

(c) The value of property acquired by gift, bequest, devise, or descent (but the income from such property shall be included in gross income).

(d) Interest upon the obligations of the United States or its posses-

sions, agencies, or instrumentalities, which is or shall be exempt from state taxation by federal law.

(e) Salaries, wages and other compensation received from the United States by officials or employees thereof which are or shall be exempt from state taxation by federal law.

(f) Any amounts received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness, plus the amount of damages received, whether by suit or agreement, on account of such injuries or sickness.

(g) Stock dividends of a corporation distributed to its own stockholders.

Sec. 6. Basis of return of net income. 1. Taxpayers, who customarily determine their income on a basis other than that of actual cash receipts and disbursements, may, with the approval of the board return their net income under this act upon a similar basis. Taxpayers who customarily determine their income on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the board, and subject to such rules and regulations as it may establish, return their net income under this act on the basis of such fiscal year, in lieu of that of the calendar year.

2. A taxpayer may, with the approval of the state board, and under such regulations as it may prescribe, change his income year from the fiscal year to the calendar year or otherwise, in which case his net income shall be computed upon the basis of such new tax year.

3. An individual carrying on business in partnership shall be liable for income tax only in his individual capacity and shall include in his gross income his share of the net income of the partnership during the income year, but when the partner's net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his share of the net income of the partnership for any accounting period of such partnership ending within the fiscal or calendar year upon the basis of which such partner's net income is computed.

4. Every individual, taxable under this act, who is a beneficiary of an estate or trust, shall include in his gross income the distributive share of the net income of the estate or trust, received by him or distributable to him during the income year. Unless otherwise provided in the law, the will, the deed or other instrument creating the estate, trust or fiduciary relation, the net income shall be deemed to be distributed or distributable to the beneficiaries (including the fiduciary as a beneficiary, in the case of income accumulated for future distribution) ratably, in proportion to their respective interests.

Sec. 7. Determination of gain or loss. 1. For the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal or mixed, the basis shall be, in case of property acquired on or after January 1, 1931, the cost thereof, or the inventory value, if the inventory is made in accordance with this act.

2. In case of property acquired prior to January 1, 1931, and disposed of thereafter:

(a) No profit shall be deemed to have been derived if either the cost or

the fair market price or value on January 1, 1931, exceeds the value realized.

(b) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January 1, 1931, is less than the value realized.

(c) Where both the cost and the fair market price or value on January 1, 1931, are less than the value realized, the basis for computing profit shall be the cost or the fair market price or value on January 1, 1931, whichever is higher.

(d) Where both the cost and the fair market price or value on January 1, 1931, are in excess of the value realized, the basis for computing loss shall be the cost or the fair market price or value on January 1, 1931, whichever is lower.

(e) Any distribution to the taxpayer of the assets of a corporation in partial or complete liquidation thereof shall be treated as a sale of the stock or securities of the corporation owned by him and the gain or loss shall be computed accordingly.

Sec. 8. Exchange of property. 1. When property is exchanged for other property having a readily ascertainable market value, the property received in exchange shall, for the purpose of determining gain or loss, be treated as the equivalent of cash to the amount of its fair market value, if any, but even if property received in exchange has a readily ascertainable market value, no gain or loss shall be recognized (1) when in the reorganization, recapitalization, or other change in identity, form, or place of organization, however affected, consolidation or merger of one or more corporations a taxpayer receives in place of any stock, or securities owned by him, stock or securities in a corporation a party to or resulting from such reorganization, consolidation or merger, or (2) when a taxpayer or taxpayers transfer any property, real, personal or mixed, to a corporation for stock and securities in the corporation and immediately after the transfer is or are in control of such corporation by stock ownership.

2. When property is exchanged for other property and no gain or loss is recognized, the property received shall be treated as taking the place of the property exchanged therefor.

3. Installment Basis.

a. Dealers in personal property. Under regulations prescribed by the board, any person or corporation who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

b. Sales of realty and casual sales of personalty. In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the



selling price, the income may, under regulations prescribed by the board, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

c. Change from accrual to installment basis. If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded; provided, however, no tax shall be imposed on any income accrued from sales made prior to January 1, 1931.

d. Gain or loss upon disposition of installment obligations. If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

Sec. 9. Inventory. Whenever, in the opinion of the board, the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the board may prescribe, conforming as nearly as may be to the best accounting practice in the trade or business and most clearly reflecting the income.

Sec. 10. Deductions. In computing net income there shall be allowed as deductions:

1. All the ordinary and necessary expenses, paid or incurred during the tax year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal service actually rendered, traveling expenses while away from home in pursuit of trade or business, and including rentals or other payments required to be made as a condition to the continued use or possession, for the purpose of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

2. All interest paid or accrued during the tax year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities, the interest on which is exempt from taxation under this act.

3. Taxes paid or accrued within the income year, imposed by the authority of the United States or of any of its possessions or of any state, territory or the District of Columbia or of any foreign country; except inheritance taxes, Federal estate taxes or estate taxes of this

or any other state, and except income taxes imposed by this act and taxes assessed for local benefits, of a kind tending to increase the value of the property assessed.

4. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in trade or business.

5. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business.

6. Losses sustained during the tax year of property not connected with the trade or business, if arising from fires, storm, shipwreck or other casualty, or from theft and not compensated for by insurance or otherwise.

7. Losses deduced under the foregoing paragraphs four, five, and six shall be ascertained and computed upon the same basis as provided in section seven of this act.

8. Debts ascertained to be worthless and charged off within the tax year; provided, however, that such deductions shall not exceed the value of such debt on January 1, 1931.

9. A reasonable allowance for the depreciation, exhaustion, wear and tear and obsolescence of property used in the trade or business, and in the case of mines or other natural deposits and timber, a reasonable allowance for depletion; provided, that in computing the deductions allowed under this paragraph the basis shall be the cost (including in the case of mines and other natural deposits, the cost of development, not otherwise deducted), and in the case of property acquired prior to January 1, 1931, the fair market value of the property on that date shall be taken in lieu of cost up to that date. The reasonable allowance under this paragraph shall be made under rules and regulations to be prescribed by the board. In the case of leases the deductions allowed may be equitably apportioned between the lessor and the lessee.

10. Contributions made within the taxable year to or for the use of:

(a) The United States, any state, territory or political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(b) Any corporation or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals;

(c) The special fund for vocational rehabilitation authorized by section seven of the vocational rehabilitation act;

(d) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations;

(e) Fraternal societies operating under the lodge system, if such contributions are to be used exclusively for religious, charitable or educational purposes. This deduction is limited to an amount which, in all of the above cases combined, does not exceed fifteen per cent (15%) of the taxpayer's net income, computed without the benefit of such deductions.

11. If for any taxable year beginning after December 31, 1930, it appears on the production of evidence satisfactory to the board that any taxpayer has sustained a net loss, the amount thereof shall be

deducted from the net income of the taxpayer for the succeeding year; and if such net loss is in excess of the net income for such succeeding tax year, the amount of such excess shall be used as a reduction in computing the net income for the next two succeeding tax years, the deduction in all cases to be made under regulations prescribed by the board.

12. Dividends received within the year from stock in any corporation, the income of which shall have been assessed, and the tax on such income paid by the corporation under the provisions of this act; provided, however, that the taxpayer shall not be allowed a credit upon his income tax in excess of the amount of the tax paid by the corporation upon the earnings from which the dividend was paid; and provided further that such corporation has reported the name and address of each person owning stock and the amount of dividends paid each such person during the year.

Sec. 11. Items not deductible. In computing net income no deductions shall in any case be allowed in respect to the following:

1. Personal, living or family expenses.

2. Any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate.

3. Any amount expended in restoring property or in making good the exhaustion thereof, for which an allowance is or has been made.

4. Premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

Sec. 12. Exemptions. 1. There shall be deducted from the tax after the same shall have been computed as set forth in this act a personal exemption for individuals as follows:

(a) For an individual, fifteen dollars.

(b) For husband and wife or head of a family, fifty dollars.

For the purposes of this chapter, the term "head of a family" means an individual who maintained a household and supported therein himself and one or more persons who were dependant upon him for support.

(c) For each child under the age of eighteen years who is actually supported by and dependent upon the taxpayer for his support, an additional four dollars.

(d) The personal exemptions provided by this section shall be determined by the personal status of a taxpayer on the last day of the tax year.

## RETURNS

Sec. 13. Individual returns. 1. Every individual having a net income for the tax year from sources taxable under this act of fifteen hundred dollars or over if single, or if married and not living with husband or wife; or having a net income for the tax year of thirty-five hundred dollars or over if married and living with husband or wife; and every partnership doing business in this state shall make a return under oath, stating specifically the items of gross income and the deductions and exemptions allowed by this act.

2. If husband and wife living together have an aggregate net income or thirty-five hundred dollars or over, each shall make such a return, unless the income of each is included in a single joint return.

3. If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

4. Provided, also, that every individual having a gross income of five thousand dollars a year or over, shall file a return.

Sec. 14. Fiduciary returns. 1. Every fiduciary subject to taxation under the provisions of this act, as provided in section three (3) hereof, shall make a return under oath for the individual, estate or trust for whom or for which he acts, if the net amount thereof amounts to one thousand dollars or more or the gross amount thereof amounts to two thousand dollars or more.

2. The return made by a fiduciary shall state specifically the items of gross income, and the deductions and exemptions allowed by this act and such other facts as the board may prescribe. Under such regulations as the board may prescribe, a return may be made by one of two or more joint fiduciaries.

3. Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

Sec. 15. Corporation returns. 1. The return by a corporation shall be sworn to by the president, vice-president, or other principal officer and by the treasurer or assistant treasurer. Before a corporation shall be dissolved and its assets distributed it shall make a return for a settlement of the tax for any income earned in the income year up to its final date of dissolution.

2. When any corporation, liable to taxation under this act, conducts its business in such a manner as either directly or indirectly to benefit the members or stockholders thereof or any person interested in such business by selling its products or the goods or commodities in which it deals at less than the fair price which might be obtained therefor, or where a corporation, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, acquires and disposes of the products, goods or commodities of the corporation so owning a substantial portion of its stock in such a manner as to create a loss or improper net income for either of said corporations, or where a corporation, owning directly or indirectly a substantial portion of the stock of another corporation, acquires and disposes of the products, goods or commodities, of the corporation of which it so owns a substantial portion of the stock, in such a manner as to create a loss or improper net income for either of said corporations, the board may determine the amount of taxable income of either or any of such corporations for the calendar or fiscal year, having due regard to the reasonable profits which, but for such arrangement or understanding, might or could have been obtained, by the corporation or corporations liable to taxation under this act, from dealing in such products, goods or commodities.

3. Where the state board has reason to believe that any person or corporation so conducts his trade or business as either directly or indirectly to distort his true net income and the net income properly

attributable to the state, whether by the arbitrary shifting of income, through price fixing, charges for services, or otherwise, whereby the net income is arbitrarily assigned to one or another unit in a group of taxpayers carrying on business under a substantially common control, it may require such facts as it deems necessary for the proper computation of the entire net income and the net income properly attributable to the state, and in determining the same the board shall have regard to the fair profits which would normally arise from the conduct of the trade or business.

Sec. 16. Consolidated Returns. 1. Any corporation capable of exercising directly or indirectly substantially the entire control of the business of another corporation doing business in the United States either by ownership or control of substantially the entire capital stock of such other corporation or otherwise may, under regulations to be prescribed by the board, be permitted, and upon demand of the board shall be required, to make a consolidated return, showing the consolidated net income of all such corporations, and such other information as the board may require in order to compute the net income properly attributable to the state and to impose the tax upon the taxpayers concerned.

2. The board may permit or require the filing of a consolidated return where substantially the entire control of two or more such corporations liable to taxation under this act is exercised by the same interests. Any corporation liable to report under this act and owned or controlled, either directly or indirectly, by another corporation, may be required to make a consolidated report showing the combined net income, such assets of the corporation as are required for the purposes of this act, and such other information as the board may require.

3. In case it shall appear to the board that any arrangement exists in such a manner as to improperly reflect the business done, the segregable assets or the entire net income earned from business done in the state, the board is authorized and empowered, in such manner and under such rules and regulations as it may determine, to equitably adjust the tax.

Sec. 17. Information at source. 1. Every person or corporation being a resident of or having a place of business in this state, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the state or of any political subdivision of the state, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath, to the state board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

2. Every partnership, having a place of business in the state, shall make a return, stating specifically the items of its gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals who would be entitled to share in the

net income if distributed, and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

3. Every fiduciary shall make, under oath, a return for the individual, estate, or trust for whom he or for which he acts, and shall set forth in such return the items of the gross income, the deductions allowed by this act, the net income, the names and addresses of the beneficiaries, the amounts distributed or distributable to each and the amount, if any, lawfully retained by him for future distribution. Such return may be made by one of two or more joint fiduciaries.

Sec. 18. Time and place of filing returns. Returns shall be in such form as the board may, from time to time, prescribe, and shall be filed with the board within ninety days after the expiration of the tax year. In case of sickness, absence or other disability, or whenever, in its judgment, good cause exists, the board may allow further time for filing returns. There shall be annexed to the return the affidavit or affirmation of the taxpayer making the return to the effect that the statements contained therein are true. The board shall cause to be prepared blank forms for said returns and shall cause them to be distributed throughout the state and to be furnished upon application, but failure to receive or secure the form shall not relieve the taxpayer from the obligation of making any return herein required.

Sec. 19. Failure to file returns; supplemental returns. If the board shall be of the opinion that any person or corporation required under this act to file a return has failed to file such return, or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxpayer a return or supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the board finds that any items of income, taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of this act whether or not the board required a return or a supplementary return under this section.

Sec. 20. Return by administrator or executor. 1. The return by an individual, who, while living, was subject to income tax in the state during the tax year, and who has died before making the return, shall be made in his name and behalf by the administrator or executor of the estate and the tax shall be levied upon and collected from his estate.

Sec. 21. Change of tax year. If a taxpayer, with the approval of the board, changes the tax year on the basis of which his net income is computed, he shall, at such time and in such manner as the board may prescribe, make a separate return of his net income received during the period intervening between the end of his former income year and the beginning of his new income year.

## COLLECTION AND ENFORCEMENT OF TAXES

Sec. 22. Time and place of payment. 1. The tax may be paid in two installments, each consisting of one-half of the total amount of the tax. The first installment shall be remitted with the return and the second installment shall be paid on or before six months after the date fixed for filing the return; provided, however, that in case the total amount of the tax shall be ten dollars or less, then, and in that case, the whole amount of the tax shall be paid at the time of filing the return.

2. When, at the request of the taxpayer, the time for filing the return is extended, interest at the rate of six per cent (6%) per annum on one-half of the total tax, from the time when the return was originally required to be filed to the time of payment shall be added and paid.

Sec. 23. Examination of returns. 1. As soon as practicable after the return is filed the board shall examine it and determine the correct amount of the tax, and the amount so determined by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid within ten days after notice of the amount shall be mailed by the board.

2. If the return is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty added because of the understatement, but interest shall be added to the amount of the deficiency at the rate of one half of one per cent ( $\frac{1}{2}\%$ ) for each month or fraction of a month.

3. If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent (5%) thereof, and in addition, interest at the rate of one half of one per cent ( $\frac{1}{2}\%$ ) per month or fraction of a month.

4. If the understatement is found by the board to be false or fraudulent, with intent to evade the tax, the tax on the additional income discovered to be taxable shall be doubled and an additional one per cent (1%) per month or fraction of a month shall be added.

5. The interest provided for in this section shall in all cases be computed from the date the return was originally required to be filed to the date of payment.

6. If the amount of tax as determined by the board shall be less than the amount theretofore paid, the excess shall be refunded with interest from date of payment at six per cent per annum under the provisions of such regulations as may be prescribed by the state board.

7. All payments received must be credited, first, to penalty and interest accrued, and then to tax due.

Sec. 24. Additional taxes. 1. If the board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within two years after the time when the return was due, compute the tax and give notice to the taxpayer of the proposed assessment, and the taxpayer shall thereupon have an opportunity, within thirty days, to file an appeal with the board and a hearing shall be granted and a final decision thereon shall be made by the board as soon as possible. The limi-

tation of two years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from such notification, if no appeal has been filed or after such hearing if such appeal has been filed, the board shall assess the income of such taxpayer or any portion thereof which it determines has not theretofore been assessed and shall give notice to the taxpayer so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than five dollars shall be assessed.

Sec. 25. Warrant for the collection of taxes. If any tax imposed by this act or any portion of such tax be not paid within sixty days after the same becomes due, the board shall issue a warrant under its official seal directed to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property of the taxpayer found within his county, for the payment of the amount thereof, with the added penalties, interest, and the cost of executing the warrant, and to return such warrant to the board and pay to it the money collected by virtue thereof by a time to be therein specified, not less than sixty days from the date of the warrant, file with the clerk of the district court of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The said sheriff shall thereupon proceed upon the same in all respects, with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgment of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be collected in the same manner.

Sec. 26. Tax a debt. Every tax imposed by this act, and all increases, interest and penalties thereon shall become, from the time it is due and payable, a personal debt from the person or persons liable to pay the same to the state of Iowa, and all property of the taxpayer, whether exempt from execution or not, shall be liable for satisfaction of the debt.

Sec. 27. Action for recovery of taxes. Action may be brought at any time by the attorney general of the state, and shall be brought by him upon the request of the state board, in the name of the state, to recover the amount of any taxes, penalties, and interest due under this act.

Sec. 28. Tax upon settlement of fiduciaries account.

1. No final account of a fiduciary shall be allowed by any court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and



the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax to the extent of said certificate.

2. For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board may, on behalf of the state, agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

### PENALTIES

Sec. 29. Penalties. 1. If any taxpayer, without intent to evade any tax imposed by this act, shall fail to file a return of income or pay a tax, if one is due at the time required by or under the provisions of this act, but shall voluntarily file a corrected return of income and pay the tax due, within sixty days thereafter, there shall be added to and made a part of the tax an additional amount equal to five per cent (5%) thereof, plus one dollar, and an additional one per cent (1%) for each month or fraction of a month during which the tax remains unpaid.

2. If any taxpayer fails voluntarily to file a return of income or to pay a tax, if one is due, within sixty days of the time required by or under the provisions of this act, the tax rates shall be increased by twenty per cent (20%), and such increased tax shall be further increased by one per cent (1%) for each month or fraction of a month from the time the tax was originally due to the date of payment.

3. The board shall have power, upon making a record of its reason therefor, to waive or reduce any of the additional taxes or interest provided in subdivisions one (1) and two (2) of this section or in subdivisions two (2), three (3) and four (4) of section twenty-three (23), and to credit all payments received first to penalty and interest, then to tax due.

4. If any taxpayer fails to file a return within sixty days of the time prescribed by this act, any judge of the district court, upon petition of the state board or county assessor of any county, shall issue a writ of mandamus requiring such person to file a return. The order of notice upon the petition shall be returnable not later than ten days after the filing of the petition. The petition shall be heard and determined on the return day or on such day thereafter as the court shall fix, having regard to the speediest possible determination of the case, consistent with the rights of the parties.

5. Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction.

6. If a corporation required by the provisions of this act to file any report or return or to pay any tax or fee, either as a corporation organized under the laws of this state, or as a foreign corporation doing business in this state for profit, or owning and using a part or all of its

capital or plant in this state, fails or neglects to make any such report or return or to pay any such tax or fee for ninety days after the time prescribed in this act for making such report or return, or for paying such tax or fee, the board may in its discretion certify such fact to the secretary of state. The secretary of state shall thereupon cancel the articles of incorporation of any such corporation which is organized under the laws of this state by appropriate entry upon the margin of the record thereof, or cancel the certificate of authority of any such foreign corporation to do business in this state by proper entry. Thereupon all the powers, privileges, and franchises conferred upon such corporation by such articles of incorporation or by such certificate of authority shall cease and determine. The secretary of state shall immediately notify by registered mail such domestic or foreign corporation of the action taken by him.

7. Any person or persons who shall exercise or attempt to exercise any powers, privileges, or franchises under articles of incorporation or certificate of authority after the same are cancelled, as provided in any section of this act, shall pay a penalty of not less than one hundred dollars nor more than one thousand dollars, to be recovered in an action to be brought by the board in the district court of Pouk County.

8. Any corporation whose articles of incorporation or certificate of authority to do business in this state have been cancelled by the secretary of state, as provided in sub-section six (6), or similar provisions of prior revenue acts, upon the filing, within ten years after such cancellation, with the secretary of state, of a certificate from the board that it has complied with all the requirements of this act and paid all state taxes, fees, or penalties due from it, and upon the payment to the secretary of state of an additional penalty of fifty dollars, shall be entitled to again exercise its rights, privileges, and franchises in this state; and the secretary of state shall cancel the entry made by him under the provisions of subsection six (6) or similar provision of prior revenue acts, and shall issue his certificate entitling such corporation to exercise its rights, privileges, and franchises.

9. Any person, or any officer or employee of any corporation, or member or employee of any partnership, who, with intent to evade any requirement of this act or any lawful requirement of the board thereunder, shall fail to pay any tax or to make, sign, or verify any return or to supply any information required by or under the provisions of this act, shall be guilty of a misdemeanor and punished accordingly. Any person, corporation, or any officer or employee of a corporation, or member or employee of any partnership, who with intent to evade any of the requirements of this act, or any lawful requirement of the board thereunder, shall make, render, sign or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, or who shall aid, abet, direct, cause, or who shall procure anyone so to do, shall be liable to a penalty of not more than five thousand dollars, to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction, and shall also upon conviction be punished by imprisonment in the penitentiary for a term of from one

to three years and by a fine of not less than one thousand dollars nor more than five thousand dollars.

10. The board shall have the power to compromise any penalty under subsections five (5) and nine (9) of this section. The penalties provided by such subsections shall be additional to all other penalties in this act provided.

11. The failure to do any act required by or under the provisions of this act shall be deemed an act committed in part at the office of the board in Iowa. The certificate of the board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

12. If any taxpayer who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the board of his delinquency refuses or neglects, within twenty days after such notice, to file a proper return, or files a fraudulent return, the board shall determine the income of such taxpayer, according to its best information and belief, and assess the same at not more than double the amount so determined. The board may, in its discretion, allow further time for filing a return in such case.

#### REVISION AND APPEAL

Sec. 30. Revision by board. A taxpayer may appeal to the board for revision of the tax assessed against him at any time within one year from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The board shall grant a hearing thereon and if, upon such hearings, it shall determine that the tax is excessive or incorrect, it shall re-settle the same according to the law and the facts and adjust the computation of the tax accordingly. The board shall notify the taxpayer of its findings and shall refund to the taxpayer the amount, if any, paid in excess of the tax found by it to be due with interest at six per cent per annum. If the taxpayer has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return, or, having filed an incorrect return, has failed, after notice, to file a proper return, the board shall not reduce the tax below the amount for which the taxpayer is found to be properly assessed.

Sec. 31. Appeal. The determination of the board upon application made by a taxpayer for revision of any tax may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the board in the county in which the taxpayer resides or has his principal place of business within sixty days after notice by the board of its determination, given as provided in section twenty-three (23) and/or section twenty-nine (29) of this act. Thereupon appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any such taxes, interest or penalties paid, found by the court to be in excess of those legally

assessed, shall be ordered refunded to the taxpayer, with interest at six per cent per annum from time of payment. An appeal may be taken by the taxpayer or the board to the supreme court in the manner that appeals are taken in suits in equity, irrespective of the amounts involved.

### ADMINISTRATION

Sec. 32. The State Board shall administer, enforce, collect, and receipt for the taxes herein imposed. Each member of said board shall give a bond in an amount to be fixed by the Governor. Said bond shall be signed as surety by an association or an incorporation authorized to do a fidelity insurance business in the State of Iowa, and the reasonable cost of said bond shall be paid by the State. The board may for administrative purposes divide the state into districts, provided, that in no case shall a county be divided in forming a district.

The board is hereby authorized to make such rules and regulations as it may deem necessary to the proper administration and enforcement of this act. Such rules and regulations shall be in full force and effect from and after their publication in two newspapers of general circulation in the state of Iowa.

Sec. 33. Board may examine books and records. The board, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power: to examine or cause to be examined by any agent or representative designated by it books, papers, records or memoranda; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oaths and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination books, papers, records and documents relating to any matter which it shall have the authority to investigate or determine.

In all cases where it finds that the taxpayer has not properly reported his or its income, as provided by law, and all hearings where it decides a matter against the taxpayer, the board shall tax the costs to the taxpayer, otherwise they shall be taxed to the state.

The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases. Where the costs are taxed to the taxpayer they shall be added to the taxes assessed against said taxpayer and shall be collected in the same manner.

In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and production of records, books, papers and documents, and such court may issue an order requiring the person to appear before the board and give evidence or produce records, books, papers and documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof.

Testimony on hearings before the board may be taken by a deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

Sec. 34. Officers, agents and employees. 1. The board may appoint and remove such agents, auditors, clerks and employees as it may deem necessary, such persons to have such duties and powers as the board may, from time to time prescribe.

2. The salaries of all agents and employees shall be fixed by the board subject to the approval of the executive council.

3. All such agents and employees shall be allowed such reasonable and necessary traveling and other expenses as may be incurred in the performance of their duties.

4. The board may require such of the officers, agents, and employees as it may designate to give bond for the faithful performance of the duties in such sum and with such sureties as it may determine and the state shall pay the premiums on such bonds.

Sec. 35. Oaths and acknowledgments. All officers empowered by law to administer oaths, and all agents, auditors, and such other employees as the board may designate, shall have the power to administer an oath to any person or take the acknowledgment of any person in respect of any return or report required by this act or the rules and regulations of the board.

Sec. 36. Publication of statistics. The board shall prepare and publish annually statistics reasonably available, with respect to the operation of this act, including amounts collected, classification of taxpayers, and such other facts as are deemed pertinent and valuable.

Sec. 37. Secrecy required; penalty for violation.

1. Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the board, any deputy, agent, auditor or other officer or employee, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act. Nothing herein shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act. Reports and returns shall be preserved for four years and thereafter until the board orders them to be destroyed. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax.

2. Any person violating subdivision one (1) of this section shall be deemed guilty of a misdemeanor, and if the offender be an officer or employee of the state he shall be dismissed from office and shall be incapable of holding any public office in this state for a period of five years thereafter.

3. Every taxpayer shall, upon request of the board, furnish a copy of the return for the corresponding year which he has filed or may file with the federal government of the United States, showing his net income and how obtained and the several sources from which derived.

4 Notwithstanding the provisions of this section, the auditor may permit the commissioner of internal revenue of the United States, or the proper officer of any state imposing an income tax upon the income of individuals, or the authorized representatives of either such officer, to inspect the income tax returns of any individuals, or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper office of this state charged with the administration of the income tax law thereof.

Sec. 38. Accounting by board. All revenue arising under the operation of this act and collected by the board shall be remitted daily by it to the treasurer of state and the same shall become a part of and be credited to the general fund of the state.

Sec. 39. Refunds. 1. The board is hereby authorized to grant a refund of any taxes erroneously or illegally assessed or collected, and all penalties and/or interest assessed or collected thereon, and all taxes that appear to it to be unjustly assessed or excessive in amount, or in any manner wrongfully collected under this act, with interest thereon at six per cent per annum.

2. Such refunds shall be ordered only after claims therefor have been filed by the taxpayer and after hearing, investigation, or such other proofs under oath, as the said board may require.

3. No claim for refund shall be allowed by the board unless a claim therefor has been filed, under oath, with the board within one year after the payment of said tax, penalty or interest thereon.

4. Upon final determination by the board that such refund shall be allowed, the said board shall certify the amount thereof and the name of the claimant to the auditor of state, who, shall, upon the receipt of such certificate, draw his warrant upon the treasurer of state therefor; and the treasurer of state shall pay the same out of any funds in the state treasury not otherwise appropriated.

Sec. 40. Tax a replacement. It is hereby expressly provided that the revenue derived from the tax hereby imposed shall reduce by at least four (4) mills the state millage tax which the board would otherwise levy for state purposes.

Sec. 41. For the purpose of administering, enforcing and collecting the tax provided for in this act there is hereby created the office of County Assessor. Wherever the word "assessor" appears in the law it shall be construed to mean the County Assessor.

Sec. 42. Appointing board. The board of supervisors and the county auditor and the county treasurer of each county shall constitute an appointing board, of which the chairman of the board of supervisors shall be the regular chairman and of which the county auditor shall be the regular secretary. Two-thirds of the members of said board shall

constitute a quorum. The secretary shall keep a record of the proceedings of the board and perform such other duties as the board may direct.

Sec. 43. First Assessor. Said appointive board shall prior to January 1, 1932, appoint an assessor for the county, who upon qualifying shall serve until the second secular day in January, 1936, and upon his qualifying the terms of office of all township, city, and town assessors shall terminate, but such persons may be retained thereafter by said county assessor as field men but only insofar as he may deem such retention necessary and advisable.

Sec. 44. Appointment. Prior to January 1, 1936, and prior to the first day of January of each fourth year thereafter the said appointing board shall appoint a county assessor who shall serve for a term of four years.

Sec. 45. Vacancies. In case of vacancy in the office of county assessor the county auditor shall call together the appointing board at a time to be fixed by him, at which time an assessor shall be appointed for the unexpired term.

Sec. 46. Deputy assessor. When the county assessor is unable himself to perform all the duties required of him by law he is authorized to appoint such number of full or part time deputies and field men as the board of supervisors may approve. Deputies and field men shall hold office only during the pleasure of the county assessor, and shall be under the supervision and control of the county assessor who shall be responsible for their malfeasance, misfeasance and nonfeasance.

Sec. 47. Notification. Upon the appointment of a county assessor, or a deputy county assessor, the county auditor shall immediately notify the state board of assessment and review of such appointment and of the post-office address of each appointee.

Sec. 48. Salary. The county assessor shall receive an annual salary equal to the salary of the county auditor of said county and shall also receive his actual and necessary traveling expenses incurred in the discharge of his official duties. Deputy assessors and field men shall receive such compensation as may be fixed by the board of supervisors for the time actually employed, together with such actual necessary expenses as have been previously authorized by said board. All such salaries, compensation, and expenses shall be paid from the general fund of the county.

Sec. 49. Assessment records. When the county assessor has duly qualified the county auditor shall deliver to the assessor all books, including transfer books, index books, and plat books, plats, maps, forms, or copies thereof and other data relative to the assessment and classification of property which may be in the office of said auditor and necessary to the performance of the duties of the county assessor.

Sec. 50. Duties of assessor. The county assessor shall:

1. Devote his entire time to the duties of his office and shall not engage in any occupation or business interfering or inconsistent with his duties.

2. Shall cause to be assessed, in accordance with section seventy-one hundred nine (7109), of the code of Iowa, 1927, all the property, per-

sonal and real, in his county except such as is exempt from taxation, or the assessment of which is otherwise provided for.

3. Have access to all public records of the county, and, as far as practicable, make or cause to be made a careful examination of all such records and files in order to obtain all available information which may contribute to the accurate listing at its actual value, and to the proper persons, of all property subject to taxation in his county.

4. Cooperate with the state board of assessment and review in the discharge of his duties, and in the administration and enforcement of the income tax provided for in this act; he shall assist the residents of his county in making income tax returns.

5. Obey and execute all orders, directions, and instructions of the state board of assessment and review.

6. Have power to examine the books and records of any person, firm, association or corporation within the county at any place designated by him, whenever he has reason to believe that such person, firm, association or corporation has not listed its property as provided by law; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oaths and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination records, books, papers and documents relating to any matter which he shall have the authority to investigate or determine.

Provided, however, that no bank or loan and trust company or its officers or employees shall be required to divulge knowledge concerning the property of any person when such knowledge was obtained through information imparted as a part of a business transaction with or for such person and in the usual and ordinary course of business of said bank or loan and trust company, and was necessary and proper to the discharge of the duty of said bank or loan and trust company in relation to such business transaction. Provided, however, that this provision shall be additional to other provisions of the law relating to confidential and privileged communications.

In all cases where he finds that the taxpayer has not listed its or his property as provided by law, and all hearings where he decides a matter against the taxpayer, the assessor shall tax the costs to the taxpayer, otherwise they shall be taxed to the county. The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases. Where the costs are taxed to the taxpayer they shall be added to the taxes assessed against said taxpayer and shall be collected in the same manner as are other taxes.

In case of disobedience to a subpoena the assessor may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and the production of records, books, papers and documents and such court may issue an order requiring the persons to appear before the assessor and give evidence or to produce records, books, papers or documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof. Testimony on hearings before the assessor may be taken by a deposition



as in civil cases and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

7. Make up all assessment records as prescribed by the state board of assessment and review.

8. Submit on or before the first Monday in June to the county board of review the completed assessment rolls.

9. Lay before the county board of review, at the time of submitting the completed assessment rolls such information as he may possess which will aid said board in performing its duties in adjusting the assessments to the valuations required by law.

10. Furnish to the state board of assessment and review any information which he may have relative to the ownership of any property that may be assessable within this state but not assessable or subject to being listed for taxation by him in his county.

11. Keep the transfer books, index books, and plat books as provided by law.

12. In any county in which there is a city acting under special charter, having a population of over 50,000, he shall submit to the City Council of such city, a recapitulation of the then actual values of all property subject to assessment and taxation in said city not later than the first day of July in each year. Upon certification to said assessor by such City Council of the tax levy and the percentage of taxable value for the current year he shall not later than the first day of September of such year deliver to the City Treasurer of said City a tax list, covering all property assessable within and subject to taxation by said city, with the taxes so levied and certified extended thereon upon such taxable value as shall have been determined by the City Council, which list shall embody all corrections in assessment made prior to the second Monday in July of such year. He shall also certify from time to time to the City Treasurer of such City any assessments of omitted property or corrections in assessments in the same manner as to the County Treasurer.

Sec. 51. In any county in which there is a city acting under special charter and having a population of over fifty thousand (50,000), the City Council shall not later than the second Monday in July of each year certify to the County Assessor the tax levy and the percentage of taxable and actual value for the current year for extension upon the tax list of said city. Such tax list shall be the warrant for the collection thereof by the Treasurer of such city when delivered to him by the County Assessor. Any such city shall furnish to the County Assessor the necessary books for the compilation of said tax list. In the event of any correction of any assessment subsequent to the delivery by the County Assessor of the tax list for any such city to the Treasurer thereof, such Treasurer shall upon notice thereof from the County Assessor correct such list in accordance therewith. If the tax so levied has been paid upon a greater assessment than finally fixed, the City Council shall direct the City Treasurer to refund the excess so collected and charge the several funds previously credited. If the assessment theretofore made be finally increased, the City Treasurer after correcting

said tax list shall collect the increased tax due in the same manner as for omitted property, provided, however, no interest shall be charged thereon until ten (10) days after demand unless such property is certified to such Treasurer as omitted property.

Sec. 52. That Section sixty-eight hundred sixty-seven (6867) be amended by striking from the seventh and eighth lines thereof the words "which shall be ascertained by the assessor of said city".

Sec. 53. Powers and duties of deputy assessor. A deputy assessor in the absence or disability of his principal may perform all the duties of or pertaining to the office.

Sec. 54. Powers of county auditor transferred. All the powers and duties heretofore possessed or performed by the county auditor relating to the assessment of property for taxation are hereby transferred to the county assessor.

Sec. 55. Taxing costs. The county assessor shall tax the costs of hearings held by virtue of paragraph six of the fifth preceding section against the person, partnership, association, or corporation if property is discovered which has been omitted from taxation, and against the county if no such property is discovered.

Sec. 56. Penalty. Should any person refuse to obey a subpoena duly issued, and served, or caused to be served, by the assessor, or should any person before the assessor for examination refuse to be sworn or refuse to testify, the assessor shall report said person to the district court, or to any judge thereof, in term time or in vacation, with a statement in writing of the facts, and to this end the assessor shall have the full assistance of the county attorney. The court or judge shall thereupon proceed with such matter in the manner in which proceedings would be carried on had the disobedience or refusal been in a proceedings legally pending before the court or judge.

Sec. 57. Every owner of taxable property and every person whose duty it is to return any property for taxation shall list on blanks provided by the county assessor, all such property together with a list of all debts which he claims as an offset against monies and credits, giving name and address of each creditor, and shall on or before March 1st of each year, or such other date as may be fixed by the assessor, file such return, duly verified, with the assessor. Such returns shall constitute the original assessment roll, and a copy thereof shall be delivered by the assessor to the taxpayer, but failure to receive such copy of assessment roll shall not invalidate the assessment.

Sec. 58. Complaint by taxpayer. Any taxpayer, his agent, or attorney may, within ten days from the deposit of such assessment roll in the post-office, or within ten days from the time when the said copy of the assessment is personally delivered to the taxpayer, file with the said assessor, in writing duly verified, any complaint he may have against such assessment.

Sec. 59. Complaint by public body. Any officer of the county, city, town, or school district interested, or a taxpayer thereof, may file with said assessor on or before the first Monday in May a verified complaint

in regard to the assessment of any property in the county, city, town or school district.

Sec. 60. Hearing on complaints. The county assessor shall, prior to the third Monday in May, hear and determine all complaints legally filed with him concerning the assessment or valuation of any property, and make such changes, if any, in such assessments or valuations as in his judgment the owner is entitled to. Such hearing may, and shall, when the duties of the office will permit, be held at such suitable places in the county as the assessor may determine. The assessor shall give reasonable notice by publication or otherwise of the time and place of such hearings.

Sec. 61. Determination of complaint. When the county assessor has determined a complaint he shall, in writing, forthwith notify the complainant of his decision. The notice may be served personally or by mail.

Sec. 62. Appeal to board of review. Any complaining taxpayer or officer who is aggrieved by the ruling of the county assessor upon his complaint may appeal to the county board of review for a review of the action of the county assessor. Said appeal shall be taken by serving notice of appeal upon the county assessor, and by filing with the county auditor on or before the first Monday in June of each year said notice with proof of service thereon together with a verified written statement of his reasons for appeal and a copy of the ruling of the assessor. An appeal by an officer from the action of the county assessor on a complaint shall be taken in the name of the governmental body of which he is an officer, and in addition to the service required by the preceding section the notice of appeal shall be served upon the owner of the property concerning which the complaint is made and affected thereby or upon the person required to return said property for assessment.

Sec. 63. Appeals filed. The county auditor shall file all such appeals presented to him, and when the county board of review meets he shall deliver the same to the chairman of said board.

Sec. 64. Complaint to board of review. Any taxpayer, his agent, or attorney may at any time after the third Monday in May, but prior to the first Monday in November, file with the county auditor any complaint he may have to any assessment made against his property, which complaint shall contain a verified statement of the objections to the assessment and a copy of the assessment roll delivered to him by the assessor. The county auditor shall present the same to the county board of review at its next meeting.

Sec. 65. County board of review. The board of supervisors shall constitute a county board of review, and shall convene as such on the first Monday in June. The county auditor shall act as secretary of such board.

Sec. 66. Duties. The county board of review shall have the power to equalize the assessment of all property, or any class of property in the county.

Sec. 67. Hearing on complaints. The county board of review shall hear and determine all appeals from rulings by the assessor and all complaints which have been filed with the county auditor as provided in this act.

Sec. 68. Equalization of assessment. Upon the completion of its work the board of review shall order such changes in the assessment rolls, with respect to the equalization of the assessment of property, and upon appeals taken and complaints made, as it shall deem necessary to the end that all assessment of property and taxes levied thereon be made relatively just and uniform and in substantial compliance with the law. The secretary of the county board shall give notice in writing to any property owner whose assessment has been increased or who has appealed from the order of the assessor or filed a complaint with the said board, by mailing a copy of its order with respect to said property to said person or persons at the last known address.

Sec. 69. Appeal to district court. Any party aggrieved by the action of the county board of review may, within ten days from and after the date of mailing of said notice, appeal to the district court of his county by serving upon the county auditor and the assessor a notice of appeal, specifying the action appealed from and by filing within said time said notice together with proof of service thereof with the clerk of said court.

Sec. 70. Trial. The hearing of an appeal to the court shall be in equity, and the court shall determine de novo all questions arising before the county board of review which relate to the liability of the property to assessment or the amount thereof. Its decision shall be certified by the clerk of the court to the county assessor who shall correct the assessment books accordingly.

Sec. 71. Appeal to the state board of assessment and review. Said aggrieved party instead of appealing to the district court, may, on or before September 15th, appeal from the action of said board to the state board by serving upon the county auditor and the assessor a notice of appeal, specifying the action appealed from, and by filing with said state board of assessment and review within said time said notice together with proof of service thereof.

Sec. 72. Hearing by state board. Appeals to the state board shall be heard by said board, or by a member thereof, at its office or at a place designated by said board, beginning not later than the third Monday in August. The board shall give due notice of the time and place of said hearing and of any adjournment or continuance thereof. Said board shall by written order, direct the county assessor to make such changes in the assessment rolls as shall be necessary to comply with the decision of the board.

Sec. 73. Pending appeals. Pending appeals the assessor and county auditor shall proceed with their records on the basis of the assessments as fixed by the assessor or the county board of review.

Sec. 74. Abstract of assessment. Each county assessor shall, on or before the second Monday in July make and transmit to the state board of assessment and review, upon forms prescribed by said board, an abstract showing the assessment of all real and personal property in his county as corrected by the county board of review.

Sec. 75. Omitted property. Whenever the assessor acquires knowledge that property subject to taxation is withheld, overlooked, or for any cause is or has not been listed and assessed he shall at any time within

five years from the date on which such assessment should have been made, list and assess such property.

Sec. 76. Notice of intention to list. Before listing and assessing such omitted property for taxation, the assessor shall notify by registered mail the person, firm, corporation, administrator, or other person in whose name the property appears on the transfer books of the assessor or is to be assessed, to appear before him at his office within ten days from the mailing of said notice and show cause, if there be any, why such listing or assessment should not be made.

Sec. 77. Listing same. After such hearing the assessor shall make such correction, listing or assessment as in his judgment shall be proper and shall notify the delinquent taxpayer by registered mail of his action.

Sec. 78. Any party aggrieved by the action of the assessor may appeal to the district court in and for said county by serving notice of such appeal upon the assessor within ten days from the date when the registered notice, referred to in the preceding section, was mailed and by filing said notice of appeal within said time at the office of the clerk of said court.

Sec. 79. Decision final. If no appeal is taken the action of the assessor shall be final and he shall certify the assessment to the county treasurer who shall immediately transcribe and enter the same upon the tax list furnished to him by the county assessor.

Sec. 80. Collection of tax. Immediately after transcribing and entering said assessment on the tax list the treasurer shall make demand of the person, firm, corporation, or other party by whom the property should have been listed, or to whom it should have been assessed, or of the administrator or executor thereof, for the amount transcribed and entered on the tax list as a charge against the property in accordance with the assessment certified to him by the assessor, together with ten per cent interest thereon from the time such taxes would have been due and payable had such property been listed and assessed at the time and in the manner provided for by the law.

Sec. 81. Correction of assessment records. The county auditor or the county treasurer, upon discovering any error or mistake in the assessment records or tax list, shall at once notify the assessor who shall immediately investigate and if errors are found he shall correct the same or if the property is found which has been omitted from taxation he shall list and assess the same and certify the same to the treasurer who shall transcribe and enter the same on the tax list.

Sec. 82. Same. The county assessor shall, upon receipt of the certified copy of the proceedings of the state board of assessment and review relative to the equalization of assessments as provided by law, enter in the appropriate assessment books of his county all changes in the assessed valuations made by said board in such manner as to show in appropriate columns the total equalized valuation of personal property assessed against each person, and the total equalized valuation of each described tract of real estate contained in such assessment books, and shall, within fifteen days, certify to the correctness thereof, and deliver said books to the county auditor.

Sec. 83. Same. The county assessor shall, upon receipt from the

clerk of the court of a certified copy of an order of court, or upon receipt of an order from the county board of review or the state board of review, make such changes and corrections in the assessment rolls, assessment books, tax list, or other records as are necessary to conform to said orders and to make the assessment of any property affected thereby conform to all provisions of the law pertaining thereto.

Sec. 84. That section fifty-seven a four (57-a4) of chapter twenty (20), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting after the word "assessor" in line one (1) thereof, the following:

"shall collect such tax from every person subject thereto and";  
and by striking from line three (3) thereof, the words:  
"in his township".

Sec. 85. That section four hundred fourteen (414) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each" and inserting in lieu thereof the word "the"; and by striking from line three (3) thereof the word "district" and inserting in lieu thereof the word "county".

Sec. 86. That section four hundred sixteen (416) of the code of Iowa, 1927, be and the same is hereby amended by inserting after the word "any" in line one (1) thereof the word "deputy".

Sec. 87. That section four hundred thirty-two (432) of the code of Iowa, 1927, be and the same is hereby amended by striking from line twelve (12) thereof the word "assessors" and by inserting in lieu thereof the word "assessor".

Sec. 88. That section ten hundred sixty-five (1065) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines five (5) and six (6) thereof the words

"city, town and township assessors",  
and by inserting in lieu thereof the words  
"assessor and deputy assessors".

Sec. 89. That section ten hundred sixty-six (1066) of the code of Iowa, 1927, be and the same is hereby amended by inserting after the word "each" in line four (4) thereof, the following:

"those of county assessors not less than \$1000.00 each".

Sec. 90. That section fifteen hundred sixty-six (1566) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines two (2) and three (3) thereof the words

"of the city or town or township, as the case may be";  
and by striking from line eight (8) thereof the words  
"within said city or town or township".

Sec. 91. That section twenty-five hundred ninety-six (2596) of the code of Iowa, 1927, be and the same is hereby amended by striking from line three (3) thereof the words "township, town and city".

Sec. 92. That section thirty-seven hundred thirteen (3713) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines six (6), seven (7) and eight (8) thereof the following:

"the auditors of the several counties shall furnish the assessors with the proper blanks for taking such lists".

Sec. 93. That section forty-four hundred twenty-six (4426) of the code of Iowa, 1927, be and the same is hereby amended by striking all of said section and substituting in lieu thereof the following:

"The assessor shall, at the time of making assessments, record on suitable blanks furnished to him for that purpose by the secretary of the state board of education, the names, ages, sex and post-office address of all deaf or blind persons within the county.

"The county assessor shall forward to the secretary of the state board of education such returns within thirty days after the same are completed."

Sec. 94. That section fifty-one hundred thirty-three (5133) of the code of Iowa, 1927, be and the same is hereby amended by adding after the comma (,) after the word "engineer" in line five (5) thereof, the following: "county assessor".

Sec. 95. That section fifty-four hundred thirty-four (5434) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each", and by inserting in lieu thereof the word "the"; and by striking from line three (3) thereof the word "list", and by inserting in lieu thereof the words "cause to be listed"; and by striking therefrom all of said section after the period (.) after the word "thereof" in line seven (7).

Sec. 96. That section fifty-four hundred forty-three (5443) of the code of Iowa, 1927, be and the same is hereby amended by striking from line one (1) thereof the word "each", and by inserting in lieu thereof the word "the".

Sec. 97. That section fifty-four hundred fifty-six (5456) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines five (5) and six (6) thereof the following words "except warrants issued to pay fees of assessors".

Sec. 98. That section fifty-five hundred forty-three (5543) of the code of Iowa, 1927, be and the same is hereby amended by striking the comma (,) after the word "health" in line six (6) thereof, and inserting in lieu thereof a period (.); and by striking the rest and remainder of the said sentence.

Sec. 99. That section one (1), chapter one hundred sixty-two (162), Acts of the Forty-third General Assembly, be and the same is hereby amended by inserting after the word "mayor", and before the word "treasurer" in line four (4) thereof the word "and"; and also by striking from said line four (4) the words "and assessor".

Sec. 100. That section fifty-six hundred sixty-four (5664) of the code of Iowa, 1927, be and the same is hereby amended by repealing the same and by enacting in lieu thereof the following:

"Councilmen in cities of the first class shall be paid an amount prescribed by ordinance, not in excess of two hundred fifty dollars per annum, which shall be in full compensation for all services of such councilmen of every character connected with their official duties.

"In all other cities and towns they shall receive not to exceed one dollar each for every regular or special meeting; and in the aggregate not exceeding fifty dollars in any one year."

Sec. 101. That section sixty-five hundred twenty-eight (6528) of the code of Iowa, 1927, be and the same is hereby amended by striking from sub-division three (3) thereof the word "assessor".

Sec. 102. That section sixty-six hundred fifty-one (6651) of the code of Iowa, 1927, be and the same is hereby amended by striking from line six (6) thereof the following:

"an assessor".

Sec. 103. That section sixty-six hundred sixty-nine (6669) of the code of Iowa, 1927, be and the same is hereby amended by striking from paragraph five (5) thereof the words "assessor, board of review".

Sec. 104. That section sixty-seven hundred three (6703) of the code of Iowa, 1927, be and the same is hereby amended by adding after the word "treasurer" in line three and before the word "collector" in line four the following:

"and in such cities having a population of over fifty thousand a".

Sec. 105. That section sixty-seven hundred thirty-two (6732) of the code of Iowa, 1927, be and the same is hereby amended by adding thereto the following:

"Nothing herein contained shall be deemed to affect the procedure for the assessment of property and the equalization of assessments by the County Assessor".

Sec. 106. That section sixty-nine hundred seventy-three (6973) of the code of Iowa, 1927, be and the same is hereby amended by striking from lines three (3) and four (4) thereof the words "of the township or municipality wherein his warehouse is situated".

Sec. 107. That section seventy hundred seventeen (7017) of the code of Iowa, 1927, be and the same is hereby amended by striking from line five (5) thereof the words

"of the assessment district",

and by inserting in lieu thereof the words

"in the county".

Sec. 108. That section seventy hundred eighteen (7018) of the code of Iowa, 1927, be and the same is hereby amended by striking from line four (4) thereof the word "auditor", and by inserting in lieu thereof the word "assessor".

Sec. 109. That section seventy hundred twenty-seven (7027) of the code of Iowa, 1927, be and the same is hereby amended by striking from line ten (10) thereof the words

"of the assessment district",

and by inserting in lieu thereof the words

"in the county".

Sec. 110. That section seventy hundred twenty-eight (7028) of the code of Iowa, 1927, be and the same is hereby amended by striking from line nine (9) thereof the words

"assessment district of such assessor",

and by inserting in lieu thereof the word "county".

Sec. 111. That section seventy-one hundred nine (7109) of the code of Iowa, 1927, be and the same is hereby amended by adding after the



semicolon (;) and before the word "and" in line fourteen (14) thereof the following:

"provided, however, that in the assessment of real estate the assessor shall give primary consideration to its net rental value averaged over a period of five years".

Sec. 112. That section seventy-one hundred thirteen (7113) of the code of Iowa, 1927, be and the same is hereby amended by striking therefrom the word "perjury", and by inserting in lieu thereof the following: "misdemeanor".

Sec. 113. That section seventy-one hundred twenty (7120) as amended, of the code of Iowa, 1927, be and the same is hereby amended by striking from line two (2) thereof the word "each" and by inserting in lieu thereof the word "the"; and by striking from lines three (3) and four (4) thereof the words "his assessment district", and by inserting in lieu thereof the words "the county"; and by adding thereto,

"and such other data or information as may be required and provided for by the state board of assessment and review".

Sec. 114. That section seventy-one hundred forty (7140) of the code of Iowa, 1927, be and the same is hereby amended by striking therefrom lines five (5) to seven (7), inclusive.

Sec. 115. That section seventy-one hundred forty-two (7142) of the code of Iowa, 1927, be and the same is hereby amended by striking from line five (5) thereof the word "auditor", and by inserting in lieu thereof the word "assessor".

Sec. 116. Sections sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300) and seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), code, 1927, and section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly are each amended by striking therefrom the word "auditor" or "auditor's" as the

same may be wherever the same appears in said sections, and by inserting in lieu of said stricken words "assessor" or "assessor's" as the case may be.

Sec. 117. Wherever in the code reference is made to the transfer books in the office of the county auditor, the reference shall be deemed to mean the transfer books in the office of the county assessor, and the editor of the code is directed to make such correction.

Sec. 118. Section seventy-one hundred forty-eight (7148), code, 1927, is amended, revised and codified to read as follows:

"7148. Aggregate valuations certified. At the time of delivering the list to the treasurer, the assessor shall furnish to the county auditor a certified statement showing separately the aggregate full and taxable valuations of the real and personal property in the county, and also the aggregate amount of each separate tax as shown by the tax list; also to the state board of assessment and review a certified statement of the aggregate of each state tax in his county for the ensuing year."

Sec. 119. That section seventy-one hundred fifty-six (7156) of the code of Iowa, 1927, be and the same is hereby amended by striking from line two (2) thereof the word "he", and by inserting in lieu thereof the words "the treasurer".

Sec. 120. That section seventy-one hundred fifty-nine (7159) of the code of Iowa, 1927, be and the same is hereby amended by striking out all of said section and by enacting and substituting in lieu thereof the following:

"In all cases where real estate subject to taxation has not been assessed, the owner by himself, or agent, shall have the same done by the assessor and pay the taxes thereon; and if he fails to do so the assessor shall assess the same and the county treasurer shall collect the tax assessed as he does other taxes."

Sec. 121. That section seventy-one hundred sixty-four (7164) of the code of Iowa, 1927, be and the same is hereby amended by striking from line three (3) thereof the words "several boards" and by substituting in lieu thereof the words "county and state boards of review".

Sec. 122. Section seventy-two hundred nineteen (7219), code, 1927, is repealed and the following is enacted in lieu thereof, to-wit:

"7219. Enforcement of lien. If said property is being, or is about to be removed from the county, the assessor shall certify said fact to the county treasurer with a full description of the property as the same appears on the assessor's books, giving assessment district, where located, and the amount of said assessment, and the county treasurer shall thereupon proceed by distress to restrain the removal of said property and secure the lien of the tax due or to become due."

Sec. 123. That sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred sixty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred

ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty-six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), code of Iowa, 1927, and section fifty-seven a two (57-a2) chapter twenty (20) of the Acts of the Forty-third General Assembly, section twenty-eight (28), chapter two hundred five (205) of the Acts of the Forty-third General Assembly, be and the same are hereby repealed.

Sec. 124. Wherever the statutes provide that taxes or assessments shall be certified by any governmental agency of the County Auditor, and by said Auditor placed on the tax lists, said statutes shall be deemed to require such certification to the County Assessor, and the Code Editor is directed to correct the said statutes accordingly.

Sec. 125. The provision of this act shall not be in effect until the first day of January, 1932, except as to the provisions of Section forty-three (43) requiring the appointing board to appoint a county assessor prior to that date.

Sec. 126. The provisions of this act shall be severable, and in case any section, paragraph, sentence, or clause hereof shall be declared by a court of competent jurisdiction to be unconstitutional or void for any reason, such decision shall not invalidate any other provision herein contained.

Also amend the title by striking all of said title and inserting in lieu thereof the following:

An Act relating to taxation, and providing for property tax relief; by prescribing methods for the listing and assessment of property, and the equalization of assessments; and to provide for the levying, imposing, collecting, and paying of taxes on incomes; to provide rules and regulations for the enforcement of this act, and prescribing penalties for the violations thereof; to create the office of county assessor for the purpose of assisting in the administration and collection of said income tax and the equitable assessment of property; to provide for the selection

of county assessors, and defining their powers and duties; to constitute county boards of review and to prescribe their duties; to coordinate various statutes with this act; to repeal the law as it appears in sections four hundred fifteen (415), five hundred twenty-five (525), fifty-five hundred seventy-three (5573), fifty-six hundred fifty-six (5656), fifty-six hundred sixty-nine (5669), sixty-seven hundred two (6702), sixty-eight hundred sixty-eight (6868) to sixty-eight hundred seventy (6870), both inclusive, seventy hundred nineteen (7019), seventy-one hundred six (7106), seventy-one hundred seven (7107), seventy-one hundred eight (7108), seventy-one hundred ten (7110), seventy-one hundred eleven (7111), seventy-one hundred fourteen (7114), seventy-one hundred fifteen (7115), seventy-one hundred sixteen (7116), seventy-one hundred seventeen (7117), seventy-one hundred eighteen (7118), seventy-one hundred nineteen (7119), seventy-one hundred twenty-one (7121), seventy-one hundred twenty-two (7122), seventy-one hundred twenty-three (7123), seventy-one hundred twenty-four (7124), seventy-one hundred twenty-five (7125), seventy-one hundred twenty six (7126), seventy-one hundred twenty-seven (7127), seventy-one hundred twenty-eight (7128), seventy-one hundred twenty-nine (7129), seventy-one hundred thirty (7130), seventy-one hundred thirty-one (7131), seventy-one hundred thirty-two (7132), as amended, seventy-one hundred thirty-three (7133), as amended, seventy-one hundred thirty-four (7134), seventy-one hundred thirty-five (7135), seventy-one hundred thirty-six (7136), seventy-one hundred thirty-seven (7137), seventy-one hundred thirty-eight (7138), seventy-one hundred thirty-nine (7139), seventy-one hundred forty-nine (7149), seventy-one hundred fifty (7150), seventy-one hundred fifty-one (7151), seventy-one hundred fifty-two (7152), seventy-one hundred fifty-three (7153), seventy-one hundred fifty-four (7154), seventy-one hundred fifty-five (7155), seventy-one hundred fifty-seven (7157), seventy-one hundred fifty-eight (7158), all of the Code of Iowa, 1927, and section fifty-seven-a two (57-a2) chapter twenty (20) Acts of the Forty-third General Assembly, and section twenty-eight (28) chapter two hundred five (205) Acts of the Forty-third General Assembly; and to amend the law as it appears in sections four hundred fourteen (414), four hundred sixteen (416), four hundred thirty-two (432), ten hundred sixty-five (1065), ten hundred sixty-six (1066), fifteen hundred sixty-six (1566), sixteen hundred forty-seven (1647), sixteen hundred forty-eight (1648), sixteen hundred forty-nine (1649), twenty-five hundred ninety-six (2596), thirty-seven hundred thirteen (3713), forty-four hundred twenty-six (4426), fifty-one hundred thirty-three (5133), fifty-four hundred thirty-four (5434), fifty-four hundred forty-three (5443), fifty-four hundred fifty-six (5456), fifty-five hundred forty-three (5543), fifty-six hundred sixty-four (5664), sixty-two hundred twenty-seven (6227), sixty-two hundred seventy-seven (6277), sixty-two hundred seventy-eight b-one (6278-b1), sixty-two hundred seventy-eight b-two (6278-b2), sixty-two hundred seventy-nine (6279), sixty-two hundred eighty-nine (6289) to sixty-two hundred ninety-three (6293), inclusive, sixty-two hundred ninety-five (6295), sixty-two hundred ninety-six (6296), sixty-two hundred ninety-eight (6298), sixty-five hundred

twenty-eight (6528), sixty-six hundred fifty-one (6651), sixty-six hundred sixty-nine (6669), sixty-seven hundred three (6703), sixty-seven hundred thirty-two (6732), sixty-eight hundred sixty-seven (6867), sixty-nine hundred seventy-three (6973), seventy hundred seventeen (7017), seventy hundred eighteen (7018), seventy hundred twenty-seven (7027), seventy hundred twenty-eight (7028), seven thousand thirty-eight (7038), seven thousand thirty-nine (7039), seven thousand forty-four (7044), seven thousand forty-five (7045), seven thousand sixty-two (7062) to seven thousand sixty-four (7064), inclusive, seven thousand sixty-seven (7067), seven thousand seventy-six (7076), seven thousand eighty-five (7085) to seven thousand eighty-eight (7088), inclusive, seven thousand ninety-seven (7097), seven thousand ninety-eight (7098), seventy-one hundred nine (7109), seventy-one hundred thirteen (7113), seventy-one hundred twenty (7120), as amended, seventy-one hundred forty (7140), seventy-one hundred forty-two (7142), seventy-one hundred forty-three (7143), seventy-one hundred forty-five (7145), seventy-one hundred forty-six (7146), seventy-one hundred forty-eight (7148), seventy-one hundred fifty-six (7156), seventy-one hundred fifty-nine (7159), seventy-one hundred sixty-four (7164), seventy-two hundred nineteen (7219), seventy-two hundred thirty-eight (7238), seventy-three hundred (7300), seventy-three hundred three (7303), ten thousand one hundred sixteen (10116), ten thousand one hundred seventeen (10117), ten thousand one hundred nineteen (10119), ten thousand one hundred twenty-two (10122), ten thousand one hundred twenty-three (10123), ten thousand one hundred twenty-five (10125), and ten thousand one hundred twenty-six (10126), Code, 1927, and section fifty-seven-a four (57-a4), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section fifty-seven a-seven (57-a7), chapter twenty (20), Acts of the Forty-third (43rd) General Assembly, section one (1), chapter one hundred sixty-two (162), Acts of the Forty-third General Assembly, all relating to the listing and assessment of property for taxation.

Berry of Monroe raised the following point of order:

MR. SPEAKER: I object to the consideration of that part of House File No. 2 as amended by the Senate pertaining to county assessors and their appointment, duties and powers, and object to the consideration of sections forty-one (41) to one hundred twenty-four (124) inclusive of said bill as amended by the Senate, and also that part of section one hundred twenty-five (125) of said amended bill, reading as follows:

"except as to the provisions of section forty-three (43) requiring the appointing board to appoint a county assessor prior to that date".

I raise the point of order that above referred to sections of House File No. 2 as amended by the Senate cannot be considered by the House for the reason that the same have already been considered by the House, acted adversely upon by the House, and that said propositions have been tabled by the House.

The Chair ruled that the House bill to which the Senate amend-

ments were adopted having been entirely eliminated so far as the House was concerned there was but one amendment and therefore a division could not be taken.

The second request of the gentleman from Monroe could be accomplished in the same manner by amending the Senate amendments by striking the sections referred to and thus accomplish the desired purpose.

Allen of Pocahontas raised the point of order that Joint Rule No. 1 takes precedence over any House Rule and that Joint Rule No. 1 would make improper and contrary to the rules the action of the House in tabling the Allen motion to reconsider the vote by which Senate File No. 1 failed to pass the House.

The Chair held that the point of order raised by the gentleman from Pocahontas should have been raised before the House acted upon the Allen motion to reconsider and further that the point is not essential to the matter now before the House, it already having been held in order.

Kern of Polk offered the following amendment to the Senate amendment to House File No. 2 and moved its adoption:

Amend by striking sections forty-one (41) to one hundred twenty-five (125), inclusive, of the Senate amendments.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We the undersigned request a call of the House on the motion of the Junior gentleman from Polk:

O. J. DITTO,  
JAS. N. HAYES,  
ED RAWLINGS,  
HOWARD BALLEW.  
FRED C. NELSON.

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Mr. Miller, who, on motion, was excused.

Greene of Pottawattamie moved the previous question.

Motion prevailed.

On the question "Shall the amendment to the Senate amendments to House File No. 2 be adopted?" a roll call was demanded.

The ayes were, 75.

Aiken  
Augustine  
Babcock

Bair  
Ballew  
Beath

Berry  
Byers  
Craven

Davis  
Ditto  
Donlon

Drake of Keokuk	Hayes	Mayne	Shields
Drake of Muscatine	Hollingsworth	Mead	Short
Durant	Hook	Nelson of Cherokee	Simmer
Elliott	Hunt	Nelson of Story	Snyder
Ellsworth	Hush	O'Donnell	Stanzel
Fabritz	Kern	Osborn	Stiger
Felter	Koch	Paisley	Strachan
Figgins	Kohler	Pattison	Thiessen
Finnern	Langland	Peaco	Thompson
Forsling	Laughlin	Randall	Torgeson
Garrett	Lepley	Randolph	Van Buren
Gilmore	Long	Ratliff	Van Wert
Gissel	McDermott	Rawlings	Watts
Hansen of Malone	McLain	Reed	Wearin
Audubon	Mathews	Roe	Whiting
Hansen of Scott		Ryder	Mr. Speaker

The nays were, 32.

Allen	Helgason	Lamb	Reimers
Avery	Hesse	Lichty	Rutledge
Bonnstetter	Hollis	McCaulley	Rylander
Brown	Hopkins	McCreery	Sours
Dayton	Husted	Millhone	Tamisiea
Gallagher	Hutcheon	Morton	TePaske
Greaser	Johnson of Orr	Pendray	Wamstad
Greene	Marion		Witt
Hanson of Winnebago			

Absent or not voting, 1.

Miller

Amendment to Senate amendment to House File No. 2 adopted.

Torgeson of Worth offered the following amendment to the Senate amendments to House File No. 2 and moved its adoption:

Amend by striking in line twenty-eight (28) the word "one" and inserting in lieu thereof the words "two and one-half".

Ratliff of Henry moved the previous question on the amendment and the motion to concur.

Motion prevailed.

On the question "Shall the amendment to the Senate amendments be adopted?" a roll call was demanded.

The ayes were, 32.

Bonnstetter	Hanson of Winnebago	McCreery	Shields
Durant		Malone	Snyder
Felter	Helgason	Nelson of Story	Strachan
Forsling	Hook	Osborn	TePaske
Gissel	Hunt	Pendray	Thompson
Greaser	Hush	Rawlings	Torgeson
Hansen of Lamb		Reimers	Van Buren
Audubon	Langland	Roe	Wamstad
	Laughlin		Mr. Speaker

The nays were, 75.

Aiken	Ellsworth	Koch	Randall
Allen	Fabritz	Kohler	Randolph
Augustine	Figgins	Lepley	Ratliff
Avery	Finnern	Lichty	Reed
Babcock	Gallagher	Long	Rutledge
Bair	Garrett	McCauley	Ryder
Ballew	Gilmore	McDermott	Rylander
Beath	Greene	McLain	Short
Berry	Hansen of Scott	Mathews	Simmer
Brown	Hayes	Mayne	Sours
Byers	Hesse	Mead	Stanzel
Craven	Hollingsworth	Millhone	Stiger
Davis	Hollis	Morton	Tamisiea
Dayton	Hopkins	Nelson of	Thiessen
Ditto	Husted	Cherokee	Van Wert
Donlon	Hutcheon	O'Donnell	Watts
Drake of Keokuk	Johnson of	Orr	Wearin
Drake of	Marion	Paisley	Whiting
Muscatine	Kern	Pattison	Witt
Elliott		Peaco	

Absent or not voting, 1.

Miller

Amendment to Senate amendment lost.

Hesse of O'Brien offered the following amendment to the Senate amendments to House File No. 2 and moved its adoption:

Amend to subsection twelve (12) of section ten (10) of House File 2 as passed by the Senate, by striking all after the comma following the word "however" in line 86 down to the word "no" in line 89 substituting in lieu thereof the following:

"that such deduction shall not exceed the amount of the income on which an income tax was paid by such corporation under the provisions of this act upon the income represented by such dividends."

On the question "Shall the amendment to the Senate amendments to House File No. 2 be adopted?" a roll call was demanded.

The ayes were, 22.

Augustine	Elliott	Hopkins	Mayne
Babcock	Forsling	Johnson	Mead
Bair	Gallagher	of Marion	Millhone
Byers	Garrett	Koch	Van Wert
Craven	Greene	Lichty	Watts
Drake of Keokuk	Hesse	McCreery	

The nays were, 73.

Aiken	Beath	Dayton	Durant
Allen	Bonnstetter	Donlon	Fabritz
Avery	Brown	Drake	Felter
Ballew	Davis	of Muscatine	Figgins



Finnern	Kohler	Osborn	Short
Gilmore	Lamb	Paisley	Simmer
Gissel	Langland	Peaco	Sours
Greaser	Laughlin	Pendray	Stiger
Hansen of	Lepley	Randall	Strachan
Audubon	McCaulley	Randolph	TePaske
Hansen of Scott	McLain	Ratliff	Thiessen
Hanson of	Malone	Rawlings	Thompson
Winnebago	Mathews	Reed	Torgeson
Hayes	Morton	Reimers	Van Buren
Helgason	Nelson of	Roe	Wamstad
Hollingsworth	Cherokee	Rutledge	Wearin
Hook	Nelson of Story	Ryder	Whiting
Hush	O'Donnell	Rylander	Witt
Hutcheon	Orr	Shields	Mr. Speaker
Kern			

Absent or not voting, 13.

Berry	Hunt	McDermott	Snyder
Ditto	Husted	Miller	Stanzel
Ellsworth	Long	Pattison	Tamisiea
Hollis			

Amendment to Senate amendment to House File No. 2 lost.

Gallagher of Iowa asked unanimous consent to be excused from voting on Senate amendments to House File No. 2.

Objection was made.

Johnson of Marion moved that Mr. Gallagher be excused from voting on Senate amendments to House File No. 2.

On the question "Shall Mr. Gallagher be excused?" a roll call was demanded.

The ayes were, 59.

Allen	Hansen of Scott	Langland	Pattison
Babcock	Hanson of	Laughlin	Pendray
Berry	Winnebago	Lichty	Randolph
Bonnstetter	Hesse	Long	Rawlings
Byers	Hollingsworth	McCaulley	Reimers
Craven	Hollis	McCreery	Rutledge
Drake of Keokuk	Hook	McLain	Rylander
Elliott	Hopkins	Mathews	Shields
Fabritz	Hush	Mayne	Snyder
Finnern	Hutcheon	Mead	Stanzel
Forsling	Johnson of	Millhone	Stiger
Garrett	Marion	Morton	Strachan
Gilmore	Kern	Nelson of	Wearin
Greene	Koch	Cherokee	Witt
Hansen of	Kohler	Nelson of Story	Mr. Speaker
Audubon	Lamb	Osborn	

The nays were, 47.

Aiken	Durant	McDermott	Sours
Augustine	Ellsworth	Malone	Tamisiea
Avery	Felter	O'Donnell	TePaske
Bair	Figgins	Orr	Thiessen
Ballew	Gissel	Paisley	Thompson
Beath	Greaser	Peaco	Torgeson
Brown	Hayes	Randall	Van Buren
Davis	Helgason	Ratliff	Van Wert
Dayton	Hunt	Reed	Wamstad
Ditto	Husted	Roe	Watts
Donlon	Lepley	Ryder	Whiting
Drake of Muscatine		Short Simmer	

Absent or not voting, 2.

Gallagher                  Miller

House refused to excuse Mr. Gallagher.

McCaulley of Calhoun moved that the House concur in the Senate amendments to House File No. 2 and requested the House to vote "No."

On the question "Shall the House concur?" Rule 18 was invoked.

The ayes were, 37.

Aiken	Drake of	Kohler	Rutledge
Augustine	Muscatine	Laughlin	Ryder
Bair	Fabritz	Lepley	Short
Ballew	Finnern	Mayne	Simmer
Beath	Gilmore	Mead	Stanzel
Berry	Hansen of Scott	Osborn	Thiessen
Byers	Hayes	Randall	Van Wert
Ditto	Hook	Ratliff	Watts
Drake of Keokuk	Kern	Rawlings	Wearin
	Koch		Whiting

The nays were, 70.

Allen	Gallagher	Hush	Millhone
Avery	Garrett	Husted	Morton
Babcock	Gissel	Hutcheon	Nelson of
Bonnstetter	Greaser	Johnson of	Cherokee
Brown	Greene	Marion	Nelson of Story
Craven	Hansen of	Lamb	O'Donnell
Davis	Audubon	Langland	Orr
Dayton	Hanson of	Lichty	Paisley
Donlon	Winnebago	Long	Pattison
Durant	Helgason	McCaulley	Peaco
Elliott	Hesse	McCreery	Pendray
Ellsworth	Hollingsworth	McDermott	Randolph
Felter	Hollis	McLain	Reed
Figgins	Hopkins	Malone	Reimers
Forsling	Hunt	Mathews	Roe

Rylander  
Shields  
Snyder  
Sours

Stiger  
Strachan  
Tamisiea  
TePaske

Thompson  
Torgeson  
Van Buren

Wamstad  
Witt  
Mr. Speaker

Absent or not voting, 1.

Miller

House refuses to concur in Senate amendments as amended.

#### EXPLANATION OF VOTE BY GALLAGHER

Gallagher of Iowa filed the following explanation of vote:

On invocation of Rule No. 18, on the vote to concur in the Senate amendment to House File No. 2, as passed by the Senate, the Gentleman from Iowa voted "no" on condition that his vote would also include that portion of the bill stricken by the Junior Gentleman from Polk.

J. P. GALLAGHER.

Motion by Torgeson of Worth previously adopted the House adjourned until 7:30 p. m. this evening.

#### EVENING SESSION

House reconvened, Speaker Johnson in the chair.

#### REPORTS OF COMMITTEES

Hanson of Winnebago, from the sifting committee, submitted the following reports:

MR. SPEAKER: Your sifting committee to whom was referred Senate File No. 344, a bill for an act to amend Chapter two hundred twenty-nine (229) of the Acts of the Forty-Third General Assembly, relating to insurance other than life, and to permit insurance of buildings and other property against loss or damage caused by railroad equipment and motor vehicles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your sifting committee to whom was referred Senate File No. 358, a bill for an act to amend chapter seventy-eight (78), Code, 1927, relating to permits to sell cigarettes or cigarette papers and to

the tax relating thereto, and to provide for refunds of tax in certain 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 be amended as follows, and when so amended the bill do pass:

Amend by inserting after the word "municipality" in lines six (6), seventeen (17) and twenty-five (25), the words "or county".

H. N. HANSON, *Chairman*.

Report adopted.

### CONSIDERATION OF BILLS

Senate File No. 177, a bill for an act to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury called up the amendment filed by him, found in the Journal of March 23rd and moved its adoption.

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, 68.

Augustine	Greaser	Lichty	Roe
Avery	Hansen of	Long	Rutledge
Babcock	Audubon	McCauley	Rylander
Bair	Hanson of	McCreery	Shields
Ballew	Winnebago	McDermott	Simmer
Beath	Helgason	McLain	Snyder
Berry	Hollingsworth	Mathews	Sours
Bonnstetter	Hollis	Morton	Strachan
Donlon	Hook	Nelson of	TePaske
Drake of	Hopkins	Cherokee	Thiessen
Muscatine	Hush	Osborn	Thompson
Durant	Husted	Paisley	Torgeson
Ellsworth	Hutcheon	Pendray	Van Wert
Fabritz	Johnson of	Randall	Wamstad
Felter	Marion	Randolph	Watts
Finnern	Kohler	Ratliff	Whiting
Forsling	Langland	Rawlings	Witt
Garrett	Lepley	Reed	Mr. Speaker
Gissel			

The nays were 1.

Ryder

Absent or not voting, 39.

Aiken	Figgins	Lamb	Pattison
Allen	Gallagher	Laughlin	Peaco
Brown	Gilmore	Malone	Reimers
Byers	Greene	Mayne	Short
Craven	Hansen of Scott	Mead	Stanzel
Davis	Hayes	Millhone	Stiger
Dayton	Hesse	Miller	Tamisiea
Ditto	Hunt	Nelson of Story	Van Buren
Drake of Keokuk	Kern	O'Donnell	Wearin
Elliott	Koch	Orr	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 395, a bill for an act to amend section thirty-eight hundred ninety-nine (3899) of the code, 1927, and chapter one hundred ninety-four (194) of the code, 1927, relating to teacher training courses, was taken up for consideration.

Kern of Polk called up the amendment filed by Durant of Hancock, Morton of Wright, Hopkins of Guthrie and himself, found in the Journal of March 11th, and asked and obtained unanimous consent to have the amendment withdrawn.

TePaske of Sioux called up the amendment filed by him, found in the Journal of March 21st and offered the following amendment to the amendment, and moved its adoption:

Amend the original amendment by inserting between the words "from" and "line" in line two (2) the words "the end of".

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Kern of Polk offered the following amendment and moved its adoption:

Amend House File No. 395 as follows:

Insert after section one (1) the following "Sec. 2. That section thirty-nine hundred two (3902) of the code, 1927, be amended by striking from line one (1) the word "high" and insert the word "public".

Further amend by renumbering section two (2) as section three (3).

Amend the title by inserting after "(3899)" the following: "and thirty-nine hundred two (3902)".

Amendment adopted.

Hush of Montgomery moved the previous question.

Motion prevailed.

Durant 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?" Rule 18 was invoked.

The ayes were, 55.

Augustine	Hansen of	Lepley	Rutledge
Avery	Audubon	Lichty	Ryder
Babcock	Hanson of	Long	Rylander
Bair	Winnebago	McCaulley	Simmer
Beath	Hayes	McLain	Snyder
Bonnstetter	Helgason	Mathews	Sours
Donlon	Hollingsworth	Mead	Strachan
Drake of	Hollis	Morton	TePaske
Muscatine	Hopkins	Orr	Thiessen
Durant	Hush	Paisley	Thompson
Elliott	Hutcheon	Peaco	Torgeson
Ellsworth	Johnson of	Pendray	Wamstad
Fabritz	Marion	Randolph	Whiting
Forsling	Kern	Rawlings	Mr. Speaker
Gissel	Langland	Reimers	

The nays were, 26.

Ballew	Greaser	Nelson of	Roe
Berry	Hook	Cherokee	Shields
Craven	Husted	Nelson of Story	Short
Davis	Koch	Osborn	Van Wert
Felter	Kohler	Randall	Watts
Finnern	McCreery	Ratliff	Witt
Garrett	McDermott	Reed	

Absent or not voting, 27.

Aiken	Figgins	Lamb	Pattison
Allen	Gallagher	Laughlin	Stanzel
Brown	Gilmore	Malone	Stiger
Byers	Greene	Mayne	Tamisiea
Dayton	Hansen of Scott	Millhone	Van Buren
Ditto	Hesse	Miller	Wearin
Drake of Keokuk	Hunt	O'Donnell	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Whiting of Johnson moved that the vote by which House File No. 395 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 309, a bill for an act to regulate the buying for the market, or the transportation for hire by any means other than by railroad, of certain livestock, by requiring the making and preservation of record tickets thereof, and providing penalties for violations, was taken up for consideration, Rule 58 having been invoked.

Rutledge of Webster called up the amendment filed by Malone of Cass, found in the Journal of March 14th, and moved its adoption.

Amendment lost.

Hanson of Winnebago called up the amendment filed by him, found in the Journal of March 18th, and moved its adoption.

Hayes of Dubuque moved the previous question.

Motion prevailed.

Amendment adopted.

Reimers of Lyon moved that further action on House File No. 309 be deferred and that the bill retain its place on the calendar.

Motion prevailed.

Senate File No. 25, a bill for an act to repeal section four thousand two hundred thirty-one (4231) Code, 1927, relating to the non-employment of a teacher, and to enact a substitute therefor, with report of committee recommending passage, was taken up for consideration.

Rutledge 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, 79.

Augustine	Craven	Ellsworth	Greaser
Avery	Davis	Fabritz	Hanson of
Babcock	Ditto	Felter	Winnebago
Bair	Donlon	Finnern	Hayes
Beath	Drake of	Forsling	Helgason
Berry	Muscatine	Gallagher	Hesse
Bonnstetter	Durant	Garrett	Hollingsworth
Brown	Elliott	Gissel	Hollis

Hook	Lichty	Peaco	Strachan
Hopkins	McCaulley	Pendray	Tamisiea
Hush	McCreery	Randall	TePaske
Husted	McDermott	Ratliff	Thiessen
Hutcheon	McLain	Rawlings	Thompson
Johnson of Marion	Malone	Reed	Torgeson
Kern	Mathews	Reimers	Van Wert
Koch	Mead	Roe	Wamstad
Kohler	Morton	Rutledge	Watts
Langland	Nelson of Cherokee	Rylander	Wearin
Laughlin	Nelson of Story	Shields	Whiting
Lepley	Osborn	Short	Mr. Speaker
		Sours	

The nays were, 2.

Orr Paisley

Absent or not voting, 27.

Aiken	Gilmore	Long	Ryder
Allen	Greene	Mayne	Simmer
Ballew	Hansen of Audubon	Millhone	Snyder
Byers	Hansen of Scott	Miller	Stanzel
Dayton	Hunt	O'Donnell	Stiger
Drake of Keokuk	Lamb	Pattison	Van Buren
Figgins		Randolph	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rutledge of Webster moved that the vote by which Senate File No. 25 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 352, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review, providing for the making of reports by pipe line companies to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review to make rules and regulations relative to the making of reports and furnishing of information by said pipe line companies, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hush of Montgomery, the amendments proposed by the committee, found in the Journal of March 18th, were adopted.



Wearin of Mills called up the amendment filed by him, found in the Journal of February 25th, and offered the following amendment to the amendment and moved its adoption:

Amend the original amendment by adding to paragraph one (1) of the amendment the following: "by means of pipe lines, whether such pipe line be owned or leased, shall be taxed as herein provided."

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Wamstad of Mitchell offered the following amendment and moved its adoption:

Amend House File No. 352 by striking the word "gasoline" in line three (3) of section one (1) and substituting in lieu thereof the words "motor vehicle fuel".

Amendment adopted.

Hush 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, 76.

Augustine	Hanson of	McDermott	Rylander
Avery	Winnebago	McLain	Shields
Babcock	Helgason	Malone	Short
Bair	Hesse	Mathews	Simmer
Ballew	Hollingsworth	Mead	Snyder
Beath	Hollis	Morton	Sours
Berry	Hook	Nelson of Story	Strachan
Bonnstetter	Hopkins	Osborn	Tamisiea
Craven	Hush	Paisley	TePaske
Davis	Husted	Peaco	Thiessen
Donlon	Hutcheon	Pendray	Thompson
Durant	Koch	Randall	Torgeson
Fabritz	Kohler	Randolph	Van Wert
Felter	Langland	Ratliff	Wamstad
Finnern	Laughlin	Rawlings	Watts
Forsling	Lepley	Reed	Wearin
Gallagher	Lichty	Reimers	Whiting
Garrett	Long	Roe	Witt
Gissel	McCreery	Rutledge	Mr. Speaker
Greaser			

The nays were, 5.

Drake of	Elliott	Ellsworth	Orr
Muscatine		Hayes	

Absent or not voting, 27.

Aiken	Gilmore	Kern	Nelson of
Allen	Greene	Lamb	Cherokee
Brown	Hansen of	McCauley	O'Donnell
Byers	Audubon	Mayne	Pattison
Dayton	Hansen of Scott	Millhone	Ryder
Ditto	Hunt	Miller	Stanzel
Drake of Keokuk	Johnson of		Stiger
Figgins	Marion		Van Buren

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENTS FILED

Kern of Polk filed the following amendment to House File No. 534:

Amend House File No. 534 as follows: Amend sub-section (2) of section six (6) by striking out the word "first" in line nine (9) and inserting in lieu thereof the word "last", and by striking out the word "July" in line nine (9) and inserting in lieu thereof the word "December".

Further amend sub-section (b) of section six (6) by striking out the word "first" in line seventeen (17) and inserting in lieu thereof the word "last", and by striking out the word "July" in line seventeen (17) and inserting in lieu thereof the word "December".

TePaske of Sioux filed the following amendment to Senate File No. 297:

Amend Senate File No. 297 as follows:

1. By striking therefrom all of section two (2).
2. By renumbering the sections thereof in accordance with the above amendment.

Torgeson of Worth filed the following amendment to House File No. 11:

Amend House File No. Eleven (11) by striking from line thirty-three (33) of section one (1) the word "Fayette" and inserting in lieu thereof "Allamakee".

Amend further by striking from line seventy-one (71) of section one (1) the word "Allamakee" and inserting in lieu thereof the word "Fayette".

Tamisiea of Harrison filed the following amendment to House File No. 87:

1. Amend section seven (7) of House File No. 87 by inserting after the word "not" in the first line thereof, the words "affect or".

2. Amend section seven (7) of House File No. 87 by inserting after the word "land" in line four (4) of said section, the words "or for signs located upon the property where the goods advertised are manufactured or offered for sale."

On motion of McCaulley of Calhoun 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 3, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. P. B. Gray, pastor of the St. Paul's Methodist Church, Williamsburg, Iowa.

Journal of April 2nd corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Dayton of Washington, from voters of Washington county, favoring House File No. 547. Motor vehicles and transportation.

By Reed of Mahaska, from citizens of Mahaska county, favoring Senate File No. 133 as it passed the Senate, and opposing adding additional tax burden to the truck operator. Motor vehicles and transportation.

By Fabritz of Wapello, from citizens of Ottumwa, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Johnson of Dickinson, from the Iowa Public Health Association in their annual meeting, protesting any reductions of the askings of the State Board of Vocational Education, and increasing the special appropriation for the rehabilitation and vocational training of disabled persons; and protesting striking the request in the budget of the Board of Control of State Institutions for an appropriation for a nurses home at the state sanatorium at Oakdale. Appropriations.

## INTRODUCTION OF BILLS

House File No. 561, by committee on claims, a bill for an act to make an appropriation to Joseph Roy Collins.

Read first and second times and referred to committee on appropriations.

House File No. 562, by committee on claims, a bill for an act to make an appropriation to M. L. Haley.

Read first and second times and referred to committee on appropriations.

House File No. 563, by committee on claims, a bill for an act to make an appropriation to A. S. Christopher.

Read first and second times and referred to committee on appropriations.

House File No. 564, by committee on claims, a bill for an act to make an appropriation to Delpha Nelson.

Read first and second times and referred to committee on appropriations.

Unanimous consent having been granted, House File No. 565, by Bair of Buena Vista, a bill for an act to legalize the nomination of certain candidates nominated to fill certain city offices, and to legalize the city election of the City of Storm Lake, Iowa, held on the 30th day of March A. D. 1931, and to legalize the election of all elective officers receiving a majority of the votes cast at said election and declared elected as provided by law.

Read first and second times and referred to sifting committee.

## AMENDMENT TO SENATE FILE NO. 330 WITHDRAWN

Van Buren of Jones asked and obtained unanimous consent to withdraw his amendment to Senate File No. 330, filed on April 1st and found on page 1331 of the Journal.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on April 2nd, approved the following bills:

House Files Nos. 194, 236, 218, 136, 111, 105, 373, 338, 282, 280, 279, 248, 421.

### CONSIDERATION OF BILLS

House File No. 197, a bill for an act to amend chapter two hundred sixty-four (264) of the code, 1927, relating to general duties of county officers, deputies and clerks, with report of committee recommending passage, was taken up for consideration.

Fabritz 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, 75.

Augustine	Greene	Lichty	Reed
Babcock	Hansen of	Long	Reimers
Bair	Audubon	McCreery	Ryder
Ballew	Hansen of Scott	McLain	Rylander
Beath	Hesse	Malone	Shields
Berry	Hollingsworth	Mathews	Snyder
Bonnstetter	Hollis	Mayne	Stanzel
Brown	Hook	Mead	Strachan
Craven	Hopkins	Millhone	Tamisiea
Dayton	Hush	Morton	TePaske
Ditto	Husted	Nelson of	Thiessen
Donlon	Hutcheon	Cherokee	Thompson
Durant	Johnson of	O'Donnell	Torgeson
Ellsworth	Marion	Osborn	Van Buren
Fabritz	Koch	Paisley	Watts
Figgins	Kohler	Pattison	Wearin
Finnern	Langland	Pendray	Whiting
Garrett	Laughlin	Randall	Witt
Gilmore	Lepley	Randolph	Mr. Speaker
Gissel		Ratliff	

The nays were, 3.

Greaser	Rutledge	Sours
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Absent or not voting, 30.

Aiken	Elliott	Hunt	Peaco
Allen	Felter	Kern	Rawlings
Avery	Forsling	Lamb	Roe
Byers	Gallagher	McCaulley	Short
Davis	Hanson of	McDermott	Simmer
Drake of Keokuk	Winnebago	Miller	Stiger
Drake of	Hayes	Nelson of Story	Van Wert
Muscatine	Helgason	Orr	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. 11, a bill for an act to repeal chapter thirty-five a two (35-a2) of the Code, 1927, to apportion the State of Iowa into Senatorial Districts and to provide the time when State Senators shall be elected, with report of committee of the whole House recommending passage, was taken up for consideration.

Rylander of Marshall called up the amendment filed by him, found in the Journal of March 24th and moved its adoption.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 51.

Avery	Hansen of	Langland	Snyder
Ballew	Audubon	Lepley	Sours
Beath	Hanson of	Lichty	Stanzel
Berry	Winnebago	Long	Strachan
Brown	Helgason	McCreery	Tamisiea
Davis	Hesse	McLain	TePaske
Dayton	Hollingsworth	Mathews	Thompson
Durant	Hollis	Nelson of	Torgeson
Ellsworth	Hopkins	Cherokee	Van Buren
Felter	Hutcheon	Nelson of Story	Van Wert
Figgins	Johnson of	Pattison	Wamstad
Gallagher	Marion	Ratliff	Witt
Greaser	Koch	Rylander	Mr. Speaker
Greene	Lamb	Shields	

The nays were, 33.

Augustine	Fabritz	Malone	Rawlings
Babcock	Finnern	Mead	Reed
Bonnstetter	Garrett	O'Donnell	Ryder
Craven	Gilmore	Osborn	Short
Ditto	Gissel	Paisley	Thiessen
Donlon	Hook	Peaco	Watts
Drake of	Kohler	Pendray	Wearin
Muscatine	Laughlin	Randall	Whiting
Elliott		Randolph	

Absent or not voting, 24.

Aiken	Hansen of Scott	McCaulley	Orr
Allen	Hayes	McDermott	Reimers
Bair	Hunt	Mayne	Roe
Byers	Hush	Millhone	Rutledge
Drake of Keokuk	Husted	Miller	Simmer
Forsling	Kern	Morton	Stiger

Amendment adopted.

Torgeson of Worth called up the amendment filed by him, found in the Journal of April 2nd, and moved its adoption.

Amendment adopted.

Helgason of Emmet moved the previous question. Motion prevailed.

Torgeson of Worth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 43.

Avery	Hanson of	McCaulley	Rutledge
Ballew	Winnebago	McDermott	Rylander
Brown	Helgason	Malone	Snyder
Davis	Hesse	Mathews	Stanzel
Ditto	Hollingsworth	Morton	Stiger
Durant	Hollis	Nelson of	Strachan
Ellsworth	Hutcheon	Cherokee	TePaske
Finnern	Kern	O'Donnell	Thompson
Forsling	Langland	Randall	Torgeson
Gallagher	Lichty	Rawlings	Wamstad
Gissel	Long	Reimers	Mr. Speaker
Greaser			

The nays were, 56.

Augustine	Figgins	Lamb	Ratliff
Babcock	Garrett	Laughlin	Reed
Bair	Gilmore	Lepley	Ryder
Beath	Greene	McCreery	Shields
Berry	Hansen of	McLain	Short
Bonnstetter	Audubon	Mayne	Sours
Craven	Hansen of Scott	Mead	Tamisiea
Dayton	Hook	Millhone	Thiessen
Donlon	Hopkins	Nelson of Story	Van Buren
Drake of Keokuk	Hush	Osborn	Van Wert
Drake of	Husted	Paisley	Watts
Muscatine	Johnson of	Pattison	Wearin
Elliott	Marion	Peaco	Whiting
Fabritz	Koch	Pendray	Witt
Felter	Kohler	Randolph	

Absent or not voting, 9.

Aiken	Hayes	Miller	Roe
Allen	Hunt	Orr	Simmer
Byers			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Greene of Pottawattamie moved that the vote by which House File No. 11 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.



## HOUSE FILE NO. 399 PLACED ON CALENDAR

Brown of Polk, chairman of the committee on cities and towns, moved that the report of the committee recommending that House File No. 399 be indefinitely postponed be adopted.

Te Paske of Sioux moved the previous question.

Motion prevailed.

On the question "Shall the report of the committee be adopted?" a roll call was demanded.

The ayes were, 20.

Bair	Gilmore	McCaulley	Rutledge
Brown	Hansen of Scott	McLain	Rylander
Dayton	Johnson of	Mathews	Stiger
Drake of Keokuk	Marion	Nelson of Story	Watts
Fabritz	Kern	Paisley	Witt
Gallagher			

The nays were, 68.

Augustine	Hanson of	McDermott	Ryder
Avery	Winnebago	Malone	Shields
Babcock	Helgason	Mayne	Short
Beath	Hesse	Mead	Snyder
Bonnstetter	Hollingsworth	Morton	Sours
Craven	Hollis	Nelson of	Stanzel
Davis	Hook	Cherokee	Strachan
Ditto	Hopkins	O'Donnell	Tamisiea
Donlon	Hush	Osborn	TePaske
Durant	Husted	Pattison	Thiessen
Felter	Hutcheon	Peaco	Thompson
Figgins	Koch	Pendray	Torgeson
Garrett	Kohler	Randall	Van Buren
Gissel	Lamb	Randolph	Van Wert
Greaser	Langland	Ratliff	Wamstad
Hansen of	Laughlin	Rawlings	Wearin
Audubon	Lepley	Reed	Whiting
	McCreery	Reimers	Mr. Speaker

Absent or not voting, 20.

Aiken	Drake of	Greene	Millhone
Allen	Muscatine	Hayes	Miller
Ballew	Elliott	Hunt	Orr
Berry	Ellsworth	Lichty	Roe
Byers	Finnern	Long	Simmer
	Forsling		

Committee report rejected.

House File No. 399, a bill for an act granting power and authority to cities and towns, including cities acting under special charter and the board of trustees of municipal-owned utility plants to buy, sell, and dispose of electrical, gas, water, and

heating equipment, fixtures, appliances, and merchandise, and to furnish service for the same, was taken up for consideration, unanimous consent having been granted.

Brown of Polk offered the following amendments and moved their adoption:

Amend by inserting after the word "towns" in line one (1) of section one (1) the words "including cities acting under special charters."

Also, amend by striking section two (2).

Further, amend by renumbering section three (3) to read as section two (2).

Amendments adopted.

Brown of Polk offered the following amendment and moved its adoption:

Amend House File No. 399, by striking out the word "merchandise" in line six (6) of section one (1) and inserting in lieu thereof the following:

"such merchandise only as is incident to or connected with the operation of the electrical, gas, water and heating plants".

Rutledge of Webster offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking in line six (6) of the amendment the word "operation" and inserting in lieu thereof the word "installation".

Van Buren of Jones moved the previous question on all pending amendments and the main bill. Motion prevailed.

Amendment to the amendment lost.

Amendment by Brown of Polk adopted.

Finnern of Crawford moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Augustine  
Avery  
Babcock  
Beath  
Berry  
Bonnstetter

Brown  
Craven  
Davis  
Dayton  
Ditto  
Donlon

Durant  
Felter  
Figgins  
Finnern  
Garrett  
Gissel

Greaser  
Hansen of  
Audubon  
Hanson of  
Winnebago  
Hayes

Helgason	McCreery	Osborn	Sours
Hesse	McDermott	Pattison	Stanzel
Hollingsworth	McLain	Peaco	Strachan
Hollis	Malone	Pendray	Tamisiea
Hook	Mathews	Randolph	TePaske
Hopkins	Mayne	Ratliff	Thiessen
Husted	Mead	Rawlings	Thompson
Koch	Millhone	Reed	Torgeson
Kohler	Morton	Reimers	Van Buren
Lamb	Nelson of	Ryder	Van Wert
Langland	Cherokee	Rylander	Wamstad
Laughlin	Nelson of Story	Shields	Wearin
Lepley	O'Donnell	Short	Whiting
Lichty	Orr	Snyder	Mr. Speaker
Long			

The nays were, 13.

Bair	Gallagher	Johnson of	Stiger
Drake of Keokuk	Gilmore	Marion	Watts
Elliott	Hansen of Scott	Paisley	Witt
Fabritz		Rutledge	

Absent or not voting, 17.

Aiken	Drake of	Hunt	McCaulley
Allen	Muscatine	Hush	Miller
Ballew	Ellsworth	Hutcheon	Randall
Byers	Forsling	Kern	Roe
	Greene		Simmer

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ditto of Osceola moved that the vote by which House File No. 399 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 294, a bill for an act to establish and maintain a two year State Teacher's College at Tabor, Iowa, and to provide for the transfer of certain property to the State of Iowa for the use of said College, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Wearin of Mills, the amendment proposed by the committee, found in the Journal of March 13th, was adopted.

Wearin of Mills asked and obtained unanimous consent to have the amendment filed by him, found in the Journal of February 27th withdrawn.

Greene of Pottawattamie moved the previous question. Motion prevailed.

Torgeson of Worth moved to reconsider the vote by which the previous question was ordered. Motion lost.

Wearin 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, 46.

Augustine	Garrett	McDermott	Shields
Beath	Gissel	Malone	Short
Craven	Greene	Mayne	Stanzel
Drake of Keokuk	Hayes	Millhone	Stiger
Drake of Muscatine	Hook	Morton	TePaske
Durant	Hopkins	O'Donnell	Thiessen
Ellsworth	Hush	Paisley	Van Buren
Fabritz	Kern	Peaco	Van Wert
Figgins	Koch	Pendray	Watts
Finnern	Kohler	Rawlings	Wearin
Forsling	Langland	Reimers	Whiting
	Laughlin	Ryder	

The nays were, 48.

Avery	Hansen of Scott	Lichty	Randolph
Babcock	Hanson of	Long	Reed
Bair	Winnabago	McCaulley	Rutledge
Ballew	Helgason	McLain	Rylander
Berry	Hesse	Mathews	Snyder
Bonnstetter	Hollingsworth	Mead	Sours
Brown	Hollis	Nelson of	Tamisiea
Dayton	Husted	Cherokee	Thompson
Elliott	Hutcheon	Nelson of Story	Torgeson
Felter	Johnson of	Orr	Wamstad
Gallagher	Marion	Osborn	Witt
Gilmore	Lamb	Pattison	Mr. Speaker
Greaser	Lepley	Randall	

Absent or not voting, 14.

Aiken	Ditto	Hunt	Roe
Allen	Donlon	McCreery	Simmer
Byers	Hansen of	Miller	Strachan
Davis	Audubon	Ratliff	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Helgason of Emmet moved that the vote by which House File No. 294 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be tabled?" a roll call was demanded.

The ayes were, 53.

Avery	Hansen of Scott	Lichty	Randolph
Babcock	Hanson of	Long	Ratliff
Bair	Winnebago	McCaulley	Reed
Ballew	Helgason	McLain	Reimers
Berry	Hollingsworth	Mathews	Rutledge
Dayton	Hollis	Mead	Rylander
Durant	Hopkins	Morton	Snyder
Elliott	Husted	Nelson of	Sours
Felter	Hutcheon	Cherokee	Tamisiea
Forsling	Johnson of	Nelson of Story	Thompson
Gilmore	Marion	Orr	Torgeson
Gissel	Koch	Osborn	Van Wert
Greaser	Lamb	Pattison	Witt
Hansen of	Langland	Randall	Mr. Speaker
Audubon			

The nays were, 40.

Augustine	Finnern	Lepley	Short
Beath	Gallagher	Malone	Stanzel
Bonnstetter	Garrett	Millhone	Stiger
Brown	Greene	O'Donnell	TePaske
Craven	Hayes	Paisley	Thiessen
Ditto	Hook	Peaco	Van Buren
Drake of Keokuk	Hush	Pendray	Wamstad
Ellsworth	Kern	Rawlings	Watts
Fabritz	Kohler	Ryder	Wearin
Figgins	Laughlin	Shields	Whiting

Absent or not voting, 15.

Aiken	Donlon	Hunt	Miller
Allen	Drake of	McCreery	Roe
Byers	Muscatine	McDermott	Simmer
Davis	Hesse	Mayne	Strachan

Motion prevailed.

House File No. 344, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; to provide the funds for the construction, purchase and maintenance of such bridges; to provide the method of letting the contracts for the construction of such bridges; to authorize any county, township or city in the state to aid in the construction or purchase of such bridges and issue bonds for such purposes and providing for the submission of the same to the electors of such county, township or city; and providing for the operation of such a bridge as a toll bridge for a limited period after which such bridge shall forever be free, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by inserting in line three (3) of Section two (2) after the word "thereof" the words "or so much thereof as the highway commission may determine".

Millhone of Page moved the previous question on the amendment and the main bill. Motion prevailed.

Amendment adopted.

Short 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?" Rule 18 was invoked.

The ayes were, 58.

Aiken	Gilmore	Long	Short
Augustine	Gissel	McDermott	Simmer
Babcock	Greaser	Malone	Stanzel
Bair	Greene	Mayne	Stiger
Berry	Hanson of	Millhone	Tamisiea
Bonnstetter	Winnebago	Nelson of Story	TePaske
Craven	Hayes	O'Donnell	Thiessen
Davis	Hollingsworth	Peaco	Thompson
Donlon	Hollis	Pendray	Torgeson
Durant	Hook	Randolph	Wamstad
Elliott	Hutcheon	Rawlings	Watts
Fabritz	Kohler	Reimers	Wearin
Felter	Langland	Rutledge	Whiting
Forsling	Laughlin	Ryder	Mr. Speaker
Garrett	Lepley	Shields	

The nays were, 41.

Avery	Hansen of Scott	Lamb	Osborn
Ballew	Helgason	Lichty	Paisley
Beath	Hesse	McCaulley	Pattison
Brown	Hopkins	McCreery	Randall
Dayton	Hush	McLain	Ratliff
Drake of Keokuk	Husted	Mathews	Reed
Ellsworth	Johnson of	Mead	Rylander
Figgins	Marion	Morton	Snyder
Finnern	Kern	Nelson of	Sours
Gallagher	Koch	Cherokee	Van Wert
Hansen of		Orr	Witt
Audubon			

Absent or not voting, 9.

Allen	Drake of	Hunt	Strachan
Byers	Muscatine	Miller	Van Buren
Ditto		Roe	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Greene of Pottawattamie moved that the vote by which House File No. 344 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

On motion of Torgeson of Worth the House adjourned until 1:30 p. m. today.

### AFTERNOON SESSION

House reconvened, Speaker Johnson in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows: Bonnstetter of Kossuth for balance of the week, on request of Sours of Floyd; Hunt of Louisa for balance of the week, on request of Kern of Polk; Roe of Allamakee for the afternoon, on request of Hook of Taylor.

### 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. 309, a bill for an act relating to school elections.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 242, a bill for an act relating to the payment of license fees received under provisions of chapter two hundred eighty-five (285), into the township road fund.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 10, the budget bill.

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 grades of eggs.

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 relating to school funds.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 134, a bill for an act relating to the assessment of shares of stock of a mutual building and loan or savings and loan association.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 359, a bill for an act relating to school taxes for the general fund.

Also, that the Senate refuses to concur in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 133, a bill for an act relating to motor vehicles and traffic on highways.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 124, a bill for an act relating to fish, game, fur-bearing animals and protected birds.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 238, a bill for an act relating to state representative districts.

Also, that the Senate insists on its amendments to House File No. 2, relating to income tax and county assessor, and requests a conference committee. The President has appointed as members of said committee on the part of the Senate, Senators Patterson, Benson, Cooney and Moen.

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 the sale by game wardens of undesirable fish.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 152, a bill for an act relating to carrying concealed weapons by state officers and employees.

Also, that the Senate has concurred in House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File No. 151, a bill for an act relating to the carrying of firearms in motor vehicles.

Also, that the Senate has concurred in House amendment to the following bill in which the concurrence of the Senate was asked:



Senate File No. 155, a bill for an act relating to the possession of machine guns.

WALTER H. BEAM, *Secretary*.

SENATE AMENDMENTS TO HOUSE FILE NO. 124

1. In Section 2, line 4, strike word and figures "six (6)", and substitute in lieu thereof the word and figures "five (5)".

2. Amend line 5 sec. 2 by inserting after the word "Senate" the words "by a two-thirds vote of the members present in executive session".

3. Amend House File No. 124 by striking the word "three" in line five (5) Section two (2). Also amend by striking lines six (6), seven (7), and eight (8) of said Section and inserting in lieu thereof the following: "not more than three from one Zone, and".

4. Strike the House amendment in line nine (9) Section two (2).

5. Section 2, line 9, strike word "four" and substitute in lieu thereof the word "three".

6. Amend line ten (10) Section two (2) by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure four (4)".

7. Amend line twelve (12) of Section two (2) by striking the words "two for four (4) years and two" and substituting in lieu thereof the words "and three".

8. Amend line thirteen (13) Section two (2) by striking the word and figure "(6) years" and substituting in lieu thereof the words and figure "four (4) years".

9. Strike from section 2 the sentence beginning with the word "Thereafter" in line 15 and ending with the word "term" in line 18 and insert in lieu thereof the following: "Thereafter, during February in each odd-numbered year, beginning in 1933, two (2) or three (3) members, as the number to be appointed may be, shall be likewise appointed and approved for a full term."

10. Strike out House amendment to line eight (8) Section three (3).

11. Section 5, line 13, strike first word "Four" and substitute in lieu word "Three".

12. Amend Section six (6) by striking lines five (5), six (6), and seven (7) of said Section and inserting a period after the word "furniture".

13. Insert in line seven (7) Section ten (10) a period immediately following the word "Commission" and by striking therefrom the amendment to said line found in the House Journal of February 16.

14. Strike out the period immediately after the word "State" and insert in lieu thereof a semi-colon; and insert in line twelve (12) Section ten (10) "provided, however, the present State Fish and Game Warden shall serve his unexpired term to March 1, 1933."

15. Section 10, strike lines 23, 24, 25, and 26.

16. Amend line two (2) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden", and insert immediately following the word "employ" the following: "not to exceed fifty".

17. Amend line three (3) Section eleven (11) by striking the words "in such numbers as it deems necessary".

18. Amend lines five (5) and eleven (11) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".

19. Amend line eight (8) Section eleven (11) by striking the words and figures "One Thousand (\$1,000.00) Dollars" and inserting in lieu thereof the words and figures "Five Hundred (\$500.00) Dollars".

20. Amend line fifteen (15) of Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".

21. Section 11, add the following:

All appointments of deputy game wardens and other employes made after the taking effect of this act, shall be with the advice and approval of the commission; provided, however, that such approval shall not be required for the deputy game wardens now in the service.

22. Amend line five (5) Section fourteen (14) by striking the period following the word "Commission" and inserting in lieu thereof a comma and adding the following: "excepting as provided for in Sections ten (10) and eleven (11)".

#### SENATE AMENDMENT TO HOUSE FILE NO. 200

Amend by adding thereto the following:

"Further amend said section by striking the comma in line twenty-one and inserting in lieu thereof a period and striking the remainder of the paragraph."

## SENATE MESSAGES CONSIDERED

Senate File No. 309, a bill for an act to amend section three (3), chapter one hundred (100), acts of the forty-third (43rd) general assembly, relating to school elections.

Read first and second times and referred to sifting committee.

Senate File No. 242, a bill for an act to amend section five thousand five hundred eighty-five (5585) of the code, 1927, relating to the payment of license fees received under provisions of chapter two hundred eighty-five (285), into the township road fund.

Read first and second times and referred to sifting committee.

Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

Read first and second times and referred to committee on appropriations.

Senate File No. 281, a bill for an act to amend section thirty-one hundred twelve-b one (3112-b1) Code, 1927, relating to the grades of eggs; to establish retail grades of eggs; to establish optional grades for the purchase of eggs from producers; to provide rules and tolerances for the enforcement thereof.

Read first and second times and referred to sifting committee.

Senate File No. 279, a bill for an act to repeal the law as it appears in sections forty-three hundred seventeen (4317) and forty-four hundred three (4403) of the code, 1927, and to enact a substitute therefor, relating to school funds.

Read first and second times and referred to sifting committee.

Senate File No. 134, a bill for an act to repeal Sections seventy hundred fifteen (7015), seventy hundred sixteen (7016), seventy hundred seventeen (7017), and seventy hundred twenty (7020), of the Code of Iowa 1927, relating to the assessment of shares of stock of a mutual building and loan or savings and loan association; to provide for the assessment of the shares of stock of a mutual building and loan or savings and loan association against

said association, and to provide for the levy, imposition and collection of a tax on the shares of stock of all mutual building and loan or savings and loan associations doing business within the state in accordance with the provisions of chapter four hundred seventeen (417) of the Code of Iowa 1927.

Read first and second times and referred to sifting committee.

Senate File No. 359, a bill for an act to amend section four thousand three hundred eighty-six (4386) of the Code, 1927, relating to school taxes for the general fund.

Read first and second times and referred to sifting committee.

### CONSIDERATION OF SENATE AMENDMENTS

On request of Helgason of Emmet, unanimous consent having been given, House File No. 124, a bill for an act relating to Fish, Game, Fur-Bearing Animals and protected birds; Creating a Fish and Game Commission, prescribing its powers and duties, and transferring funds for the use of such Commission, with Senate amendments, was taken up and the amendments read and considered.

### SENATE AMENDMENTS TO HOUSE FILE NO. 124

1. In Section 2, line 4, strike the word and figures "six (6)", and substitute in lieu thereof the word and figures "five (5)".
2. Amend line 5 sec. 2 by inserting after the word "Senate" the words "by a two-thirds vote of the members present in executive session".
3. Amend House File No. 124 by striking the word "three" in line five (5) Section two (2). Also amend by striking lines six (6), seven (7), and eight (8) of said Section and inserting in lieu thereof the following: "not more than three from one Zone, and".
4. Strike the House amendment in line nine (9) Section two (2).
5. Section 2, line 9, strike word "four" and substitute in lieu thereof the word "three".
6. Amend line ten (10) Section two (2) by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".
7. Amend line twelve (12) of Section two (2) by striking the words "two for four (4) years and two" and substituting in lieu thereof the words "and three".

8. Amend line thirteen (13) Section two (2) by striking the word and figure "(6) years" and substituting in lieu thereof the words and figure "four (4) years".

9. Strike from section 2 the sentence beginning with the word "Thereafter" in line 15 and ending with the word "term" in line 18 and insert in lieu thereof the following: "Thereafter, during February in each odd-numbered year, beginning in 1933, two (2) or three (3) members, as the number to be appointed may be, shall be likewise appointed and approved for a full term."

10. Strike out House amendment to line eight (8) Section three (3).

11. Section 5, line 13, strike first word "Four" and substitute in lieu word "Three".

12. Amend Section six (6) by striking lines five (5), six (6), and seven (7) of said Section and inserting a period after the word "furniture".

13. Insert in line seven (7) Section ten (10) a period immediately following the word "Commission" and by striking therefrom the amendment to said line found in the House Journal of February 16.

14. Strike out the period immediately after the word "State" and insert in lieu thereof a semi-colon; and insert in line twelve (12) Section ten (10) "provided, however, the present State Fish and Game Warden shall serve his unexpired term to March 1, 1933."

15. Section 10, strike lines 23, 24, 25, and 26.

16. Amend line two (2) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden", and insert immediately following the word "employ" the following: "not to exceed fifty".

17. Amend line three (3) Section eleven (11) by striking the words "in such numbers as it deems necessary".

18. Amend lines five (5) and eleven (11) Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".

19. Amend line eight (8) Section eleven (11) by striking the words and figures "One Thousand (\$1,000.00) Dollars" and inserting in lieu thereof the words and figures "Five Hundred (\$500.00) Dollars".

20. Amend line fifteen (15) of Section eleven (11) by striking the word "Commission" and inserting in lieu thereof the word "Warden".

21. Section 11, add the following:

All appointments of deputy game wardens and other employes made after the taking effect of this act, shall be with the advice and approval of the commission; provided, however, that such approval shall not be required for the deputy game wardens now in the service.

22. Amend line five (5) Section fourteen (14) by striking the period following the word "Commission" and inserting in lieu thereof a comma and adding the following: "excepting as provided for in Sections ten (10) and eleven (11)".

Mr. Helgason moved that the House concur in the Senate amendments.

On the question "Shall the House concur?" Rule 18 was invoked.

The ayes were, 61.

Aiken	Gallagher	Langland	Ratliff
Augustine	Gilmore	Lepley	Rawlings
Avery	Greaser	Long	Reed
Bair	Hansen of Scott	McLain	Rylander
Ballew	Hanson of	Mathews	Short
Berry	Winnebago	Mayne	Snyder
Brown	Helgason	Millhone	Sours
Craven	Hesse	Morton	Stanzel
Davis	Hollingsworth	Nelson of	Stiger
Dayton	Hollis	Cherokee	TePaske
Donlon	Hopkins	Nelson of Story	Thiessen
Drake of Keokuk	Hutcheon	O'Donnell	Van Wert
Durant	Johnson of	Osborn	Wamstad
Fabritz	Marion	Pattison	Whiting
Felter	Koch	Randolph	Witt
Finnern	Kohler		Mr. Speaker
Forsling			

The nays were, 21.

Babcock	Hansen of	Malone	Randall
Elliott	Audubon	Mead	Ryder
Figgins	Hayes	Orr	Thompson
Gissel	Hook	Paisley	Watts
Greene	McCreery	Peaco	Wearin
	McDermott	Pendray	

Absent or not voting, 26.

Allen	Ellsworth	Laughlin	Shields
Beath	Garrett	Lichty	Simmer
Bonnstetter	Hunt	McCaulley	Strachan
Byers	Hush	Miller	Tamisiea
Ditto	Husted	Reimers	Torgeson
Drake of	Kern	Roe	Van Buren
Muscatine	Lamb	Rutledge	

House concurred in Senate amendments to House File No. 124.

Helgason of Emmet moved that the House reconsider the vote by which the House concurred in Senate amendments to House File No. 124, and that the motion to reconsider be laid on the table.

Mr. Helgason asked unanimous consent to have his motion withdrawn.

Objection was made.

Fabritz of Wapello moved that Mr. Helgason be permitted to withdraw his motion.

Motion prevailed and Mr. Helgason withdrew his motion.

#### HOUSE CONCURRENT RESOLUTION NO. 14 CONSIDERED

Forsling of Woodbury called up House Concurrent Resolution No. 14, relative to the Forty-fourth General Assembly adjourning, sine die, at twelve o'clock noon, Wednesday, April 15, found in the Journal of March 31st, and moved its adoption.

Elliott of Scott moved that further action on House Concurrent Resolution No. 14 be deferred.

Motion to defer action lost.

Elliott of Scott moved that further action be deferred until April 10th.

On the question "Shall action be deferred?" a roll call was demanded.

The ayes were, 44.

Augustine	Gissel	Koch	Pattison
Avery	Greaser	Kohler	Ratliff
Bair	Greene	Laughlin	Rawlings
Ballew	Hansen of Scott	Lepley	Reed
Brown	Helgason	McCreery	Ryder
Dayton	Hollingsworth	McDermott	Simmer
Ditto	Hollis	McLain	Sours
Donlon	Hopkins	Mayne	Tamisiea
Drake of Keokuk	Husted	Millhone	TePaske
Elliott	Johnson of	Morton	Van Buren
Fabritz	Marion	Orr	Witt
Gallagher			

The nays were, 51.

Babcock	Hanson of	Mathews	Rylander
Beath	Winnebago	Mead	Shields
Berry	Hayes	Nelson of	Short
Craven	Hesse	Cherokee	Snyder
Davis	Hook	Nelson of Story	Stanzel
Durant	Hutcheon	O'Donnell	Stiger
Felter	Kern	Osborn	Strachan
Figgins	Lamb	Paisley	Thiessen
Finnern	Langland	Peaco	Thompson
Forsling	Lichty	Pendray	Van Wert
Garrett	Long	Randall	Wamstad
Gilmore	McCaulley	Randolph	Watts
Hansen of	Malone	Reimers	Mr. Speaker
Audubon		Rutledge	

Absent or not voting, 13.

Aiken	Drake of	Hunt	Torgeson
Allen	Muscatine	Hush	Wearin
Bonnstetter	Ellsworth	Miller	Whiting
Byers		Roe	

Motion to defer until April 10th lost.

On the question "Shall House Concurrent Resolution No. 14 be adopted?" a roll call was demanded.

The ayes were, 58.

Aiken	Hansen of	McCaulley	Reimers
Augustine	Audubon	McDermott	Ryder
Babcock	Hanson of	Malone	Rylander
Bair	Winnebago	Mathews	Shields
Beath	Hayes	Mead	Short
Berry	Hollingsworth	Nelson of	Snyder
Craven	Hook	Cherokee	Stanzel
Donlon	Hopkins	Nelson of	Stiger
Durant	Hutcheon	Story	Strachan
Felter	Kern	O'Donnell	Thiessen
Figgins	Kohler	Osborn	Thompson
Finnern	Lamb	Paisley	Van Wert
Forsling	Langland	Peaco	Wamstad
Gallagher	Lepley	Pendray	Watts
Garrett	Lichty	Randall	Mr. Speaker
Gilmore	Long		

The nays were, 29.

Avery	Greaser	Laughlin	Randolph
Ballew	Greene	McCreery	Ratliff
Brown	Hansen of Scott	Mayne	Reed
Dayton	Helgason	Millhone	Sours
Ditto	Husted	Morton	Tamisiea
Drake of Keokuk	Johnson of	Orr	TePaske
Elliott	Marion	Pattison	Witt
Ellsworth	Koch		

Absent or not voting, 21.

Allen	Fabritz	McLain	Simmer
Bonnstetter	Gissel	Miller	Torgeson
Byers	Hesse	Rawlings	Van Buren
Davis	Hollis	Roe	Wearin
Drake of	Hunt	Rutledge	Whiting
Muscatine	Hush		

House concurrent resolution No. 14 adopted.

### CONSIDERATION OF BILLS

House File No. 552, a bill for an act to amend sections sixty-one hundred fifty-one-b one (6151-b1) and sixty-one hundred fifty-one-b two (6151-b2) code, 1927, as amended by chapter one



hundred eighty-three (183), acts of the forty-third (43rd) general assembly, relating to transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns, including cities and towns under special charter, so as to authorize the use of surplus funds for municipal improvements, with report of committee on cities and towns recommending passage, was taken up for consideration.

Fabritz 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, 76.

Augustine	Gissel	Langland	Reimers
Avery	Greene	Laughlin	Ryder
Babcock	Hansen of	Lepley	Rylander
Ballew	Audubon	Lichty	Short
Beath	Hansen of Scott	Long	Simmer
Berry	Hanson of	McCreery	Snyder
Brown	Winnebago	McLain	Sours
Craven	Hayes	Mayne	Stanzel
Dayton	Helgason	Millhone	Stiger
Ditto	Hesse	Morton	Strachan
Donlon	Hollingsworth	Nelson of Story	Tamisiea
Drake of Keokuk	Hollis	Orr	TePaske
Durant	Hook	Osborn	Thiessen
Ellsworth	Hopkins	Paisley	Thompson
Fabritz	Hutcheon	Pattison	Van Wert
Figgins	Johnson of	Peaco	Wamstad
Finnern	Marion	Pendray	Watts
Gallagher	Kern	Randall	Wearin
Garrett	Koch	Ratliff	Mr. Speaker
Gilmore	Kohler	Rawlings	

The nays were, 11.

Davis	Lamb	Mathews	Rutledge
Felter	McDermott	Mead	Shields
Greaser	Malone	Reed	

Absent or not voting, 21.

Aiken	Drake of	Husted	Randolph
Allen	Muscatine	McCaulley	Roe
Bair	Elliott	Miller	Torgeson
Bonnstetter	Forsling	Nelson of	Van Buren
Byers	Hunt	Cherokee	Whiting
	Hush	O'Donnell	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Fabritz of Wapello moved that the vote by which House File

No. 552 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 345, a bill for an act to amend section forty-three hundred fifty-six (4356), code, 1927, relating to publication of notice of school election, with report of committee recommending passage, was taken up for consideration.

Langland 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, 79.

Augustine	Greaser	McCauley	Rutledge
Avery	Greene	McCreery	Ryder
Babcock	Hansen of Scott	McDermott	Rylander
Beath	Helgason	McLain	Shields
Berry	Hesse	Malone	Short
Brown	Hollingsworth	Mathews	Simmer
Craven	Hollis	Millhone	Snyder
Davis	Hook	Morton	Sours
Dayton	Hopkins	Nelson of Story	Stanzel
Ditto	Husted	Osborn	Stiger
Donlon	Hutcheon	Paisley	Strachan
Drake of Keokuk	Johnson of	Pattison	Tamisiea
Durant	Marion	Peaco	TePaske
Elliott	Koch	Pendray	Thiessen
Ellsworth	Kohler	Randall	Thompson
Felter	Lamb	Randolph	Van Wert
Figgins	Langland	Ratliff	Wamstad
Gallagher	Lepley	Rawlings	Wearin
Gilmore	Lichty	Reed	Witt
Gissel	Long	Reimers	Mr. Speaker

The nays were, none.

Absent or not voting, 29.

Aiken	Finnern	Hunt	O'Donnell
Allen	Forsling	Hush	Orr
Bair	Garrett	Kern	Roe
Ballew	Hansen of	Laughlin	Torgeson
Bonnstetter	Audubon	Mayne	Van Buren
Byers	Hanson of	Mead	Watts
Drake of	Winnebago	Miller	Whiting
Muscatine	Hayes	Nelson of	
Fabritz		Cherokee	

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 repeal sections forty-nine hundred forty three (4943) to forty-nine hundred sixty (4960), inclusive, Code, 1927, to prohibit the operation of motor vehicles upon public highways by persons who are not licensed as operators, or as chauffeurs, to provide for the issuance of such licenses, to prohibit the issuance of such licenses to certain persons, to prescribe the conditions of such licenses, to fix and declare the liability of persons for the operation of motor vehicles, to require a report of convictions of violations of laws regulatory of motor vehicles, to provide for the revocation and suspension of such licenses, to declare certain acts relative to the subject matter of this chapter to be public offenses, to provide for the punishment of such acts, to fix the time when this act shall take effect, to amend section forty-nine hundred ninety-nine (4999), relating to the disposition of motor vehicles and other fees, and to provide that this enactment shall be a part of chapter two hundred fifty-one (251), Code, 1927, was taken up for consideration, having been substituted for House File No. 244.

Brown of Polk called up the amendment filed by him, found in the Journal of March 16th, and moved its adoption.

Amendment adopted.

Rutledge of Webster called up the amendment filed by him, found in the Journal of March 31st, and moved the adoption of paragraphs 1, 2, 3, and 4 of the amendment.

Paragraphs 1, 2, 3, and 4 of the amendment adopted.

Rutledge of Webster moved to amend paragraph 5 of the amendment by having the first line read as follows: "By striking all of subsection five (5)".

Amendment to paragraph five (5) adopted.

Paragraph 5 of the amendment, as amended, adopted.

Rutledge of Webster moved the adoption of paragraphs 6, 7, 8, 9, 10, 11, and 12 of the amendment.

Paragraphs 6, 7, 8, 9, 10, 11, and 12 of the amendment adopted.

Rutledge of Webster offered the following amendment and moved its adoption:

Amend Senate File No. 111, by adding in line three (3), subsection one

(1) of section five (5) after the word "years" the words "except that upon a written request of a parent or guardian a minors license may be issued to any person between the ages of fourteen (14) and sixteen (16) years to be valid only in going to and from school".

Amendment adopted.

Van Wert of Franklin offered the following amendment and moved its adoption:

Amend by striking from line four (4) of section six (6) the figures "18" and inserting in lieu thereof the figures "16".

Amendment adopted.

Nelson of Story offered the following amendment and moved its adoption:

Amend by striking all of section seven (7).

Amendment adopted.

Malone of Cass moved the previous question on the main bill.

Motion prevailed.

Rutledge 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?" Rule 18 was invoked.

The ayes were, 49.

Avery	Greene	McCaulley	Snyder
Babcock	Hansen of	McLain	Sours
Beath	Audubon	Mathews	Stanzel
Brown	Hollingsworth	Mayne	Stiger
Dayton	Hollis	Millhone	Strachan
Ditto	Johnson of	O'Donnell	Tamislea
Donlon	Marion	Peaco	TePaske
Drake of Keokuk	Kern	Randall	Thompson
Elliott	Koch	Ratliff	Wamstad
Fabritz	Kohler	Reed	Wearin
Felter	Langland	Rutledge	Whiting
Gallagher	Lichty	Rylander	Witt
Garrett	Long	Simmer	

The nays were, 46.

Aiken	Gissel	Lamb	Randolph
Augustine	Greaser	Lepley	Rawlings
Bair	Hansen of Scott	McCreery	Reimers
Ballew	Hanson of	McDermott	Ryder
Berry	Winnebago	Malone	Shields
Craven	Helgason	Mead	Short
Davis	Hesse	Morton	Thiessen
Durant	Hook	Nelson of Story	Torgeson
Figgins	Hopkins	Osborn	Van Wert
Finnern	Hush	Paisley	Watts
Forsling	Husted	Pattison	Mr. Speaker
Gilmore	Hutcheon	Pendray	

Absent or not voting, 13.

Allen	Ellsworth	Laughlin	Orr
Bonnstetter	Hayes	Miller	Roe
Byers	Hunt	Nelson of	Van Buren
Drake of		Cherokee	
Muscatine			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Hush of Montgomery moved that the vote by which Senate File No. 111 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Bair of Buena Vista moved that the House take up the House amendments to Senate File No. 133 immediately.

On the question "Shall the House amendment to Senate File No. 133 be immediately considered?" a roll call was demanded.

The ayes were, 55.

Aiken	Hansen of	McCreery	Ratliff
Augustine	Audubon	McDermott	Reed
Babcock	Hansen of Scott	McLain	Rutledge
Bair	Hanson of	Malone	Simmer
Beath	Winnebago	Mathews	Snyder
Berry	Helgason	Mayne	Stanzel
Dayton	Hollingsworth	Mead	Stiger
Drake of Keokuk	Hollis	Millhone	Strachan
Durant	Johnson of	Morton	Tamisiea
Elliott	Marion	Nelson of Story	TePaske
Fabritz	Kern	Peaco	Thiessen
Felter	Koch	Pendray	Torgeson
Forsling	Kohler	Randall	Witt
Gallagher	Lichty	Randolph	Mr. Speaker
Greaser	McCaulley		

The nays were, 18.

Ballew	Garrett	Lamb	Thompson
Brown	Hook	O'Donnell	Van Wert
Ditto	Hopkins	Osborn	Wamstad
Figgins	Husted	Ryder	Watts
Finnern	Hutcheon		

Absent or not voting, 35.

Allen	Gilmore	Lepley	Reimers
Avery	Gissel	Long	Roe
Bonnstetter	Greene	Miller	Rylander
Byers	Hayes	Nelson of	Shields
Craven	Hesse	Cherokee	Short
Davis	Hunt	Orr	Sours
Donlon	Hush	Paisley	Van Buren
Drake of	Langland	Pattison	Wearin
Muscatine	Laughlin	Rawlings	Whiting
Ellsworth			

Motion prevailed and House amendments to Senate File No. 133 were taken up for consideration.

#### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE FILE NO. 133

Bair of Buena Vista called up Senate File No. 133, relating to regulation of motor vehicles and traffic on highways, and moved that the House recede from its amendments to Senate File No. 133.

Hutcheon of Greene moved the previous question. Motion prevailed.

On the question "Shall the House recede?"

The ayes were, 26.

Augustine	Hansen of	Lamb	Reimers
Bair	Audubon	Lichty	Short
Donlon	Hesse	McCreery	Sours
Finnern	Hollis	McLain	Tamisiea
Gallagher	Hook	Osborn	Wamstad
Gissel	Hush	Pattison	Wearin
	Hutcheon	Pendray	Whiting

The nays were, 62.

Aiken	Davis	Felter	Hollingsworth
Avery	Dayton	Garrett	Hopkins
Babcock	Ditto	Gilmore	Johnson of
Ballew	Drake of Keokuk	Greaser	Marion
Beath	Durant	Hansen of Scott	Kern
Berry	Elliott	Hanson of	Koch
Brown	Ellsworth	Winnabago	Kohler
Craven	Fabritz	Helgason	Langland

Lepley	Nelson of Story	Reed	Strachan
McCaulley	O'Donnell	Rutledge	Thompson
McDermott	Paisley	Ryder	Torgeson
Malone	Peaco	Rylander	Van Buren
Mathews	Randall	Shields	Van Wert
Mayne	Randolph	Snyder	Watts
Mead	Ratliff	Stanzel	Witt
Morton	Rawlings	Stiger	Mr. Speaker

Absent or not voting, 20.

Allen	Forsling	Laughlin	Orr
Bonnstetter	Greene	Long	Roe
Byers	Hayes	Millhone	Simmer
Drake of	Hunt	Miller	TePaske
Muscatine	Husted	Nelson of	Thiessen
Figgins		Cherokee	

House insists on its amendments to Senate File No. 133.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

As a conference committee on House File No. 2, the Speaker appointed the following members: McCaulley of Calhoun, Nelson of Story, Hutcheon of Greene and Durant of Hancock.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 133

As a conference committee on Senate File No. 133, the Speaker appointed the following members: Bair of Buena Vista, Witt of Butler, Helgason of Emmet and Fabritz of Wapello.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 107, a bill for an act relative to defining the words "motor vehicle fuel".

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE NO. 107

Amend by striking amendment No. two (2) and inserting in lieu thereof the following:

"2. By adding at the end thereof the following:

"Sec. 4. That the law as it appears in section fifty hundred ninety-three-a five (5093-a5) of the Code, 1927, be and the same is hereby amended by striking the word "gasoline" in line seven (7) and inserting in lieu thereof the following: "motor vehicle fuel and/or of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act".

Sec. 5. That the law as it appears in section fifty hundred ninety-three-b one (5093-b1) of the Code, 1927, be and the same is hereby amended by striking from line fifteen (15) thereof the word "and" and substituting in lieu thereof a comma (,); by striking the period (.) from line fifteen (15) thereof and substituting in lieu thereof a comma (,) and inserting immediately after the word "consignee" in said line fifteen (15) the following: "the number of gallons of motor vehicle fuel and/or of any substance or material imported into the state for the purpose of manufacturing, mixing, blending or compounding motor vehicle fuels as defined in this act."

Further amend the House amendments to Senate File No. 107 by striking from line nine (9), amendment No. one (1), thereof, the word "as" and substituting in lieu thereof the words "to propel a", and by striking from the said line nine (9) the word "fuel".

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 151, 152 and 155.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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, 152 and 155.



## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on April 3rd, approved the following bills:

House Files Nos. 96, 422, 427, 209, 341, 307, 117, 177, 46, 189, 71, and 113.

Torgeson of Worth moved that when the House adjourn it be to reconvene at 7:30 p. m. this evening.

Short of Woodbury moved to amend the motion by changing the hour until 9:00 a. m. Saturday.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 39.

Avery	Helgason	McCaulley	Randall
Bair	Hesse	McCreery	Ratliff
Craven	Hollingsworth	Mathews	Reimers
Felter	Hutcheon	Mayne	Ryder
Finnern	Johnson of	Millhone	Short
Forsling	Marion	O'Donnell	Stiger
Gissel	Kern	Paisley	Thiessen
Greene	Kohler	Pattison	Wearin
Hansen of Scott	Lamb	Peaco	Whiting
Hanson of	Langland	Pendray	Mr. Speaker
Winnebago			

The nays were, 45.

Babcock	Gallagher	McDermott	Rylander
Ballew	Garrett	McLain	Simmer
Beath	Greaser	Malone	Snyder
Berry	Hansen of	Mead	Sours
Brown	Audubon	Morton	Stanzel
Davis	Hollis	Nelson of Story	Strachan
Dayton	Hook	Osborn	TePaske
Ditto	Hopkins	Randolph	Thompson
Donlon	Hush	Rawlings	Torgeson
Drake of Keokuk	Koch	Reed	Van Wert
Durant	Lepley	Rutledge	Watts
Ellsworth	Lichty		

Absent or not voting, 24.

Aiken	Elliott	Husted	Roe
Allen	Fabritz	Laughlin	Shields
Augustine	Figgins	Long	Tamisiea
Bonnstetter	Gilmore	Miller	Van Buren
Byers	Hayes	Nelson of	Wamstad
Drake of	Hunt	Cherokee	Witt
Muscatine		Orr	

Amendment lost.

Motion prevailed.

Watts of Van Buren moved that the House do now adjourn until 7:30 p. m. this evening.

On the question "Shall the House adjourn?" a roll call was demanded.

The ayes were, 49.

Aiken	Hansen of	Lamb	Reimers
Augustine	Audubon	Lepley	Rutledge
Babcock	Hansen of Scott	McCaulley	Ryder
Beath	Hesse	Malone	Rylander
Berry	Hollis	Mathews	Short
Brown	Hook	Mead	Simmer
Davis	Hopkins	Morton	Snyder
Dayton	Hush	Nelson of Story	Sours
Donlon	Hutcheon	Osborn	Stanzel
Durant	Johnson of	Peaco	TePaske
Ellsworth	Marion	Randall	Van Wert
Forsling	Kern	Randolph	Watts
Gallagher	Koch	Rawlings	

The nays were, 36.

Avery	Greaser	McDermott	Stiger
Bair	Greene	McLain	Strachan
Ballew	Helgason	Mayne	Tamisiea
Craven	Hollingsworth	Millhone	Thiessen
Drake of Keokuk	Kohler	O'Donnell	Thompson
Elliott	Langland	Paisley	Torgeson
Finnern	Lichty	Pattison	Wearin
Garrett	Long	Ratliff	Whiting
Gissel	McCreery	Reed	Mr. Speaker

Absent or not voting, 23.

Allen	Felter	Hunt	Pendray
Bonnstetter	Figgins	Husted	Roe
Byers	Gilmore	Laughlin	Shields
Ditto	Hanson of	Miller	Van Buren
Drake of	Winnebago	Nelson of	Wamstad
Muscatine	Hayes	Cherokee	Witt
Fabritz		Orr	

Motion prevailed and the House adjourned until 7:30 p. m. this evening.

## EVENING SESSION

The House reconvened, Speaker Johnson in the chair.

## REPORTS OF COMMITTEES

Van Buren of Jones, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, beg leave to report they have had the same 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 2 (page 1):

In lines 3 and 4 change the words and figures "Two hundred twenty-eight thousand five hundred twenty-five dollars (\$228,525.00)" and insert in lieu thereof the words and figures "Two hundred twenty-one thousand five hundred eighty-five dollars (\$221,585.00)".

In line 8 change "3,600.00" to "3,400.00".

In line 9 change "2,200.00" to "2,400.00".

Strike line 28.

In line 30 change "30,040.00" to "28,840.00".

In line 35 change "4,200.00" to "4,000.00".

In line 36 change "1,500.00" to "750.00".

In line 37 change "12,000.00" to "11,000.00".

In line 38 change "900.00" to "700.00".

In line 41 change "900.00" to "800.00".

In line 42 change "1,500.00" to "1,200.00".

In line 43 change "9,750.00" to "9,000.00".

In line 45 change "4,500.00" to "4,000.00".

In line 46 change "1,500.00" to "1,000.00".

In line 48 change "197,045.00" to "192,745.00".

In line 50 change "227,085.00" to "221,585.00".

Section 3 page 4.

In lines 3 and 4 strike the words and figures "Four hundred eighty-three thousand nine hundred fifty dollars (\$483,950.00)" and insert in lieu thereof the words and figures "Four hundred seventy-two thousand one hundred fifty dollars "(472,150.00)".

In line 9 change "3,600.00" to "3,300.00".

In line 33 change "170,900.00" to "170,600.00".

In line 41 change "6,250.00" to "5,000.00".

In line 43 change "4,250.00" to "3,250.00".

In line 45 change "6,250.00" to "5,250.00".

In line 49 change "4,000.00" to "3,000.00".

In line 51 change "6,250.00" to "5,250.00".

Strike line 57.

In line 81 change "483,950.00" to "472,150.00".

Sec. 4 (page 7).

In lines 3 and 4 strike the words and figures "Sixty-one thousand eight hundred twenty dollars (\$61,820.00)" and insert in lieu thereof the words and figures "Sixty-eight thousand eight hundred twenty dollars (\$68,820.00)".

Strike line 11.

In line 24 change "43,320.00" to "40,320.00".

In line 28 insert "contingent for assessing public utilities and moneys and credits 10,000.00".

In line 29 strike "18,500.00" and insert in lieu "\$28,500.00".

In line 32 change "61,820.00" to "68,500.00".

Sec. 6 (page 9).

In lines 3 and 4 strike the words and figures "Twenty-seven thousand seven hundred dollars (\$27,700.00)" and insert in lieu thereof the words and figures "Twenty-nine thousand one hundred dollars (\$29,100.00)".

Add line "9b" "Chief Clerk Municipal Accounting 2,100.00".

In line 14 change "1,600.00" to "1,400.00".

In line 19 change "24,200.00" to "26,100.00".

In line 21 change "2,500.00" to "2,000.00".

In line 24 change "3,500.00" to "3,000.00".

In line 27 change "27,700.00" to "29,100.00".

Sec. 8 (page 11).

In lines 3 and 4 strike the words and figures "Twenty-six thousand one hundred fifty dollars (\$26,150.00)" and insert in lieu thereof the words and figures "Twenty-three thousand two hundred fifty dollars (\$23,250.00)".

Strike line 10.

In line 16 change "22,400.00" to "20,000.00".

In line 19 change "1,000.00" to "500.00".

In line 22 change "3,750.00" to "3,250.00".

In line 25 change "26,150.00" to "23,250.00".

Sec. 9 (page 12).

In line 3 strike the words and figures "One Hundred forty thousand dollars (\$140,000.00)" and insert in lieu thereof the words and figures "One hundred ten thousand dollars (\$110,000.00)".

In line 8 change "100,000.00" to "80,000.00".

In line 10 change "40,000.00" to "30,000.00".

In line 12 change "140,000.00" to "110,000.00".

Sec. 10 (page 13).

In lines 3 and 4 strike the words and figures "One hundred forty-one thousand seven hundred twenty dollars (\$141,720.00)" and insert in lieu thereof the words and figures "One hundred thirty-five thousand seven hundred twenty dollars (\$135,720.00)".

In line 8 strike "12,600.00" and insert "12,000.00" and strike "4,200.00" and insert "4,000.00".

In line 10 change "4,000.00" to "3,600.00".

In line 12 change the figure "2" to "1" and change "4,000.00" to "2,500.00".

In line 23 change the figure "4" to "3" and "4,800.00" to "3,600.00".

In line 25 change the figure "8" to "7" and "10,500.00" to "9,240.00".

In line 29 change "65,150.00" to "60,150.00".

In line 33 change "15,000.00" to "14,000.00".

In line 40 change "26,950.00" to "25,950.00".

In line 41 change "92,100.00" to "86,100.00".

In line 62 change "141,720.00" to "135,720.00".

Sec. 11 (page 15).

In lines 3 and 4 strike the words and figures "Sixty-eight thousand seven hundred twenty dollars (\$68,720.00)" and insert in lieu thereof the words and figures "Fifty-eight thousand eight hundred thirty dollars (\$58,830.00)".

In line 13 change the figure "6" to "4" and "9,000.00" to "6,000.00".

In line 18 change the figure "8" to "6" and "9,600.00" to "7,200.00".

In line 20 change the figures "14" to "12" and "18,480.00" to "15,840.00".

Strike line 25.

In line 27 change "66,470.00" to "56,930.00".

In line 29 change "500.00" to "400.00".

In line 30 change "1,750.00" to "1,500.00".

In line 32 change "2,250.00" to "1,900.00".

In line 35 change "68,720.00" to "58,830.00".

Sec. 14 (page 19).

In lines 3 and 4 strike the words and figures "Two hundred thirty-four thousand fifty dollars (\$234,050.00)" and insert in lieu thereof the words and figures "Two hundred forty thousand eight hundred thirty dollars (\$240,830.00)".

In line 10 change "1,320.00" to "1,200.00".

Strike line 11.

In line 16 change "2,700.00" to "2,400.00".

In line 21 change "20,300.00" to "18,080.00".

In line 25 change "5,000.00" to "4,000.00".

In line 27 change "3,000.00" to "2,000.00".

Insert line "28b" "Office rent" "20,000.00".

Strike line 31.

Strike line 32.

In line 34 change "213,750.00" to "222,750.00".

In line 37 change "234,050.00" to "240,830.00".

Sec. 15 (page 20).

In lines 3 and 4 strike the words and figures "Eighty-eight thousand dollars (\$88,000.00)" and insert in lieu thereof the words and figures "Thirty-eight thousand dollars (\$38,000.00)".

Strike line 9.

In line 11 change "88,000.00" to "38,000.00".

Strike lines 12 and 13.

In line 16 change "88,000.00" to "38,000.00".

Sec. 17 (page 21).

In lines 3 and 4 strike the words and figures "Eighteen thousand five hundred fifty dollars (\$18,550.00)" and insert in lieu thereof the words and figures "Seventeen thousand five hundred fifty dollars (\$17,550.00)".

In line 16 change "4,300.00" to "3,300.00".

In line 20 change "8,450.00" to "7,450.00".

In line 23 change "18,550.00" to "17,550.00".

Sec. 18 (page 22).

In lines 3 and 4 strike the words and figures "Twenty-five thousand three hundred dollars (\$25,300.00)" and insert in lieu thereof the words and figures "Forty-five hundred dollars (\$4,500.00)".

In line 13 change "3,000.00" to "2,500.00".

In line 15 change "2,500.00" to "2,000.00".

Strike line 16.

Strike line 17.

In line 19 change "20,500.00" to "4,500.00".

In line 22 change "25,300.00" to "4,500.00".

Sec. 19 (page 23).

In lines 3 and 4 strike the words and figures "Twenty thousand seven hundred dollars (\$20,700.00)" and insert in lieu thereof the words and figures "Eighteen thousand nine hundred dollars (\$18,900.00)".

In line 9 change "1,800.00" to "1,500.00".

In line 14 change "16,600.00" to "16,300.00".

In line 16 change "1,350.00" to "900.00".

In line 17 change "250.00" to "200.00".

In line 18 change "1,500.00" to "1,000.00".

In line 19 change "1,000.00" to "500.00".

In line 21 change "4,100.00" to "2,600.00".

In line 24 change "20,700.00" to "18,900.00".

Sec. 21 (page 24).

In lines 3 and 4 strike the words and figures "One hundred thousand four hundred fifty dollars (\$100,450.00)" and insert in lieu thereof the words and figures "Ninety five thousand nine hundred fifty dollars (\$95,950.00)".

Strike line 15.

In line 26 change "41,200.00" to "38,200.00".

Strike line 29.

In line 30 change "1,500.00" to "1,200.00".

In line 34 change "20,200.00" to "18,700.00".

In line 36 change "61,400.00" to "56,900.00".

In line 73 change "100,450.00" to "95,950.00".

Sec. 22 (page 28).

In lines 3 and 4 strike the words and figures "Sixty-two thousand one hundred eighty-five dollars (\$62,185.00)" and insert in lieu thereof the words and figures "Forty-six thousand five hundred thirty-five (\$46,535.00)".

In line 25 change "2,500.00" to "1,500.00".

Strike line 29.

Strike lines "31, 32, 33, 34, 35, 36".

In line 38 change "16,925.00" to "3,675.00".

In line 38 change "34,665.00" to "21,415.00".

In line 64 change "3,600.00" to "2,400.00".

In line 78 change "62,185.00" to "46,535.00".

Sec. 23 (page 31).

In lines 3 and 4 strike the words and figures "Forty-one thousand two hundred dollars (\$41,200.00)" and insert in lieu thereof the words and figures "Thirty-six thousand dollars (\$36,000.00)".

In line 6 change "22,700.00" to "20,000.00".

In line 8 change "14,500.00" to "13,000.00".

In line 9 change "1,500.00" to "1,000.00".

In line 10 change "2,500.00" to "2,000.00".

In line 12 change "18,500.00" to "16,000.00".

In line 15 change "41,200.00" to "36,000.00".

Sec. 24 (page 32).

In lines 3 and 4 strike the words and figures "Thirty-six thousand nine hundred fifty dollars (\$36,950.00)" and insert in lieu thereof the words and figures "Thirty thousand five hundred fifty dollars (\$30,550.00)".

In line 25 change "3,500.00" to "2,600.00".

In line 26 change "10,000.00" to "7,500.00".

In line 27 change "4,500.00" to "1,500.00".

In line 30 change "18,300.00" to "11,900.00".

In line 33 change "36,950.00" to "30,550.00".

Sec. 25 (page 33).

In lines 3 and 4 strike the words and figures "Fifty-eight thousand three hundred twenty-five dollars (\$58,325.00)" and insert in lieu thereof the words and figures "Fifty-seven thousand eight hundred twenty-five dollars (\$57,825.00)".

In line 8 change "3,600.00" to "3,400.00".

In line 9 change "3,000.00" to "2,700.00".

In line 25 change "47,700.00" to "47,200.00".

In line 34 change "58,325.00" to "57,825.00".

Sec. 28 (page 36).

In lines 3 and 4 strike the words and figures "Twenty-five thousand nine hundred forty dollars (\$25,940.00)" and insert in lieu thereof the words and figures "Twenty-four thousand twenty dollars (\$24,020.00)".

In line 13 change "1,320.00" to "1,200.00".

In line 17 change "14,940.00" to "14,820.00".

In line 20 change "8,000.00" to "6,500.00".

In line 21 change "2,300.00" to "2,000.00".

In line 24 change "11,000.00" to "9,200.00".

In line 27 change "25,940.00" to "24,020.00".

Page 37.

In lines 3 and 4 strike the words and figures "Fifty-five thousand twenty dollars (\$55,020.00)" and insert in lieu thereof the words and figures "Fifty-three thousand seven hundred twenty (\$53,720.00)".



In line 15 change "1,800.00" to "1,500.00".

In line 18 change "17,200.00" to "16,900.00".

In line 20 change "6,000.00" to "5,500.00".

In line 22 change "23,200.00" to "22,400.00".

In line 59 change "2,000.00" to "1,500.00".

In line 64 change "55,020.00" to "53,720.00".

Sec. 31 (page 40).

In lines 3 and 4 strike the words and figures "Twenty thousand two hundred ten dollars (\$20,210.00)" and insert in lieu thereof the words and figures "Thirteen thousand nine hundred sixty dollars (\$13,960.00)".

Strike lines 14, 15 and 16.

In line 23 change "9,110.00" to "2,860.00".

In line 26 change "20,210.00" to "13,960.00".

Sec. 36 (page 44).

In lines 3 and 4 strike the words and figures "Seventeen thousand one hundred fifty dollars (\$17,150.00)" and insert in lieu thereof the words and figures "Fifteen thousand seven hundred fifty dollars (\$15,750.00)".

Strike line 13.

In line 16 change "13,600.00" to "12,400.00".

In line 18 change "600.00" to "400.00".

In line 19 insert "for 1931 only".

In line 20 insert "for 1931 only".

In line 21 insert "for 1931 only".

In line 26 change "3,550.00" to "3,350.00".

In line 29 change "17,150.00" to "15,750.00".

Sec. 38 (page 47).

In line 4 strike the words and figures "Thirty-eight thousand five hundred dollars (\$38,500.00)" and insert in lieu thereof the words and figures "Thirty-five thousand three hundred dollars (\$35,300.00)".

In line 8 change "5,000.00" to "4,000.00".

In line 10 change "10,800.00" to "9,600.00".

In line 16 change "29,000.00" to "26,800.00".

In line 18 change "5,500.00" to "5,000.00".

In line 19 change "4,000.00" to "3,500.00".

In line 21 change "9,500.00" to "8,500.00".

In line 24 change "38,500.00" to "35,300.00".

Sec. 42 (page 52).

In lines 3 and 4 strike the words and figures "Sixty-eight thousand

two hundred dollars (\$68,200.00)" and insert in lieu thereof the words and figures "Sixty-four thousand two hundred (\$64,200.00)".

In line 42 change the figure "2" to "1" and "\$4,000.00" to "2,400.00".

In line 44 change "12,100.00" to "10,500.00".

In line 47 change "8,500.00" to "6,000.00".

In line 49 change "10,000.00" to "7,500.00".

In line 53 change "22,100.00" to "18,000.00".

In line 63 change "68,200.00" to "64,200.00".

Sec. 46 (page 57).

In lines 3 and 4 strike the words and figures "One hundred thousand five hundred fifty-five dollars (\$100,555.00)" and insert in lieu thereof the words and figures "Eighty-eight thousand seven hundred ninety-five dollars (\$88,795.00)".

In line 13 change "1,650.00" to "1,500.00".

In line 54 change the figure "8" to "6" and "15,360.00" to "10,800.00".

In line 57 change the figure "3" to "2" and "3,600.00" to "2,400.00".

In line 59 change "31,860.00" to "26,100.00".

Strike lines 62 and 63.

In line 65 change "20,500.00" to "14,500.00".

In line 67 change "52,360.00" to "40,600.00".

In line 70 change "100,555.00" to "88,795.00".

Page 60.

In lines 3 and 4 strike the words and figures "Seven hundred fifty dollars (\$750.00)" and insert in lieu thereof the words and figures "Five hundred dollars (\$500.00)".

In line 7 change "750.00" to "500.00".

In line 10 change "750.00" to "500.00".

Strike Section 48 on pages 61 and 62.

Sec. 49 (page 62).

In lines 20, 21 and 22, page 63 strike the words and figures "Nine million one hundred forty-eight thousand one hundred seventy-eight dollars (\$9,148,178.00)" and insert in lieu thereof the words and figures "Eight million seven hundred fifty-five thousand one hundred seventy-eight dollars (\$8,755,178.00)".

In lines 30 and 31 strike the words and figures "Seven hundred forty-eight thousand two hundred sixty dollars (\$748,260.00)" and insert in lieu thereof the words and figures "Five hundred ninety-five thousand seven hundred sixty dollars (\$595,760.00)".

Strike line 35.

Strike line 36.

Strike line 39.

In line 41 change "156,500.00" to "6,000.00".

In line 43 change "748,260.00" to "595,760.00".

In lines 47 and 48 strike the words and figures "Seven hundred ninety-nine thousand two hundred seventy-eight dollars (\$799,278.00)" and insert in lieu thereof the words and figures "Eight hundred twenty-three thousand two hundred seventy-eight dollars (\$823,278.00)".

In line 50 change "739,278.00" to "763,278.00".

In line 54 change "799,278.00" to "823,278.00".

In lines 73 and 74 strike the words and figures "Seven hundred eighty-one thousand eight hundred ninety dollars (\$781,890.00)" and insert in lieu thereof the words and figures "Seven hundred seventy-eight thousand eight hundred ninety dollars (\$778,890.00)".

In line 81 change "6,000.00" to "3,000.00".

In line 83 change "61,000.00" to "58,000.00".

In line 85 change "781,890.00" to "778,890.00".

In lines 89 and 90 strike the words and figures "Seven hundred sixty-four thousand eight hundred sixty dollars (\$764,860.00)" and insert in lieu thereof the words and figures "Seven hundred forty-four thousand eight hundred sixty dollars (\$744,860.00)".

Strike line 94.

In line 96 change "764,860.00" to "744,860.00".

In lines 100 and 101 strike the words and figures "Eight hundred sixty-six thousand one hundred sixty-four dollars (\$866,164.00)" and insert in lieu thereof the words and figures "Eight hundred forty-one thousand one hundred sixty-four dollars (\$841,164.00)".

Strike line 106.

In line 108 change "150,000.00" to "125,000.00".

In line 110 change "866,164.00" to "841,164.00".

In lines 114 and 115 strike the words and figures "Two hundred fifty-six thousand seven hundred fifty dollars (\$256,750.00)" and insert in lieu thereof the words and figures "Two hundred twenty-six thousand seven hundred fifty dollars (\$226,750.00)".

In line 119 change "40,000.00" to "10,000.00".

In line 121 change "256,750.00" to "226,750.00".

In lines 125 and 126 strike the words and figures "Nine hundred seven thousand seven hundred fifty dollars (\$907,750.00)" and insert in lieu thereof the words and figures "Nine hundred thirty-seven thousand seven hundred fifty dollars (\$937,750.00)".

In line 128 change "826,750.00" to "856,750.00".

In line 138 change "907,750.00" to "937,750.00".

In lines 146 and 147 strike the words and figures "Eight hundred

twenty-two thousand eight hundred twenty dollars (\$822,820.00)" and insert in lieu thereof the words and figures "Eight hundred thirty-two thousand eight hundred twenty dollars (\$832,820.00)".

In line 149 change "737,820.00" to "767,820.00".

In line 152 change "55,000.00" to "30,000.00".

In line 154 change "85,000.00" to "65,000.00".

In line 156 change "822,820.00" to "832,820.00".

In lines 163 and 164 strike the words and figures "One hundred sixty-six thousand nine hundred dollars (\$166,900.00)" and insert in lieu thereof the words and figures "One hundred sixteen thousand nine hundred dollars (\$116,900.00)".

Strike line 168.

In line 173 change "166,900.00" to "116,900.00".

In lines 177 and 178 strike the words and figures "Six hundred twenty-eight thousand six hundred sixty dollars (\$628,660.00)" and insert in lieu thereof the words and figures "Five hundred twenty-three thousand six hundred sixty dollars (\$523,660.00)".

Strike line 182.

In line 183 change "10,000.00" to "5,000.00".

In line 186 change "113,000.00" to "8,000.00".

In line 188 change "628,660.00" to "523,660.00".

In lines 199 and 200 strike the words and figures "Four hundred eleven thousand eight hundred twenty dollars (\$411,820.00)" and insert in lieu thereof the words and figures "Three hundred seventy-nine thousand three hundred twenty dollars (\$379,320.00)".

Strike line 204.

In line 205 change "3,000.00" to "2,000.00".

Strike line 207.

In line 211 change "44,500.00" to "12,000.00".

In line 213 change "411,820.00" to "379,320.00".

In lines 217 and 218 strike the words and figures "Four hundred fourteen thousand seven hundred eighty dollars (\$414,780.00)" and insert in lieu thereof the words and figures "Three hundred eighty-two thousand seven hundred eighty dollars (\$382,780.00)".

Strike line 222.

In line 225 change "37,000.00" to "5,000.00".

In line 227 change "414,780.00" to "382,780.00".

In lines 231 and 232 strike the words and figures "One hundred ninety-eight thousand six hundred sixteen dollars (\$198,616.00)" and insert in lieu thereof the words and figures "One hundred ninety-one thousand six hundred sixteen dollars (\$191,616.00)".

In line 236 change "12,000.00" to "5,000.00".

In line 238 change "198,616.00" to "191,616.00".

In line 241 change "9,148,178.00" to "8,755,178.00".

Sec. 50, page 72.

In lines 9, 10 and 11 strike the words and figures "Fifteen million seven hundred eighty-three thousand four hundred seventy-three dollars and twenty cents (\$15,783,473.20)" and insert in lieu thereof the words and figures "Fourteen million forty-two thousand two hundred fifty-seven dollars and twenty cents (\$14,042,257.20)".

In lines 17 and 18 strike the words and figures "Five million six hundred twenty-nine thousand four hundred three dollars and twenty cents (\$5,629,403.20)" and insert in lieu thereof the words and figures "Four million five hundred ninety-eight thousand nine hundred three dollars and twenty cents (\$4,598,903.20)".

In line 20 change "200,000.00" to "180,000.00".

In line 21 change "1,010,076.00" to "910,076.00".

In line 22 change "3,533,400.00" to "3,000,000.00".

In line 23 strike "127,500.00" and insert "100,000.00".

In line 30 change "500,000.00" to "150,000.00".

In line 32 change "5,629,403.20" to "4,598,903.20".

In lines 35 and 36 strike the words and figures "Five million three hundred sixty-two thousand dollars (\$5,362,000.00)" and insert in lieu thereof the words and figures "Four million eight hundred twenty-five thousand eight hundred dollars (\$4,825,800.00)".

In line 55 change "5,362,000.00" to "4,825,800.00".

In lines 58 and 59 strike the words and figures "One million five hundred seventy-five thousand one hundred sixty dollars (\$1,575,160.00)" and insert in lieu thereof the words and figures "One million four hundred thirty-five thousand six hundred forty-four dollars (\$1,435,644.00)".

In line 71 change "1,575,160.00" to "1,435,644.00".

In lines 74 and 75 strike the words and figures "Four hundred ninety-seven thousand three hundred dollars (\$497,300.00)" and insert in lieu thereof the words and figures "Four hundred sixty-seven thousand three hundred dollars (\$467,300.00)".

In line 79 insert "roadways, walks and landscaping".

Strike line 80.

In line 82 change "479,300.00" to "467,300.00".

In lines 85 and 86 strike the words and figures "Two hundred fifty-four thousand five hundred dollars (254,500.00)" and insert in lieu thereof "Two hundred forty-nine thousand five hundred dollars (249,500.00)".

Strike line 94.

In line 97 change "254,500.00" to "249,500.00".

In line 137 change "15,783,473.20" to "14,042,257.20".

Sec. 51 page 78.

Amend lines five and six by striking the words "Governor and Director of the Budget" and inserting in lieu thereof the following: "committee on retrenchment and reform".

In line 4 strike "\$15.00" and insert in lieu thereof "\$17.50".

In line 5 strike "12.50" and insert in lieu thereof "15.00".

Sec. 54, page 80.

Strike line 10.

In line 12 strike "Fifty" and insert "Forty".

In line 15 strike the figure "2" and insert "1" and "2400.00" to "1200.00".

Sec. 56, page 81.

In line 10 change the figure "3" to "2" and "12,600.00" to "8,400.00".

In line 15 change "13" to "10" and "44,500.00" to "36,000.00".

Sec. 58. Amend to read "Railroad Commission—Motor Transportation Department".

Sec. 58. "Amend section 58 by striking lines 1, 2, 3 and 4 and inserting in lieu thereof the following: "On and after July 1, 1931, and until June 30, 1933 the compensation of employees in the Motor Carrier Division of the railroad commission shall not exceed the following amounts:

In line 14 strike "(2—not to exceed)" and insert "each 1500.00" and strike "3,300.00".

In line 16 strike "(10—not to exceed)" and insert "each 1800.00" and strike "18,000.00".

In line 17 strike "(2—not to exceed)" and insert "each 1200.00" and strike "6,000.00".

Sec. 60. In line 14 strike the figures "4" and insert "3" and strike "5,280.00" and insert "3,950.00".

Strike Section 72.

G. J. VAN BUREN, *Chairman.*

Report adopted.

SENATE FILE NO. 10 SUBSTITUTED FOR HOUSE FILE NO. 10

Van Buren of Jones asked and obtained unanimous consent to substitute Senate File No. 10 for House File No. 10.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, hereby request a call of the House on all bills considered at the night session April 3d, 1931.

FRANK W. ELLIOTT

GEO. A. KERN

GEO. H. MAYNE

W. E. LONG

A. H. AVERY

The roll was called to ascertain the absentees.

The roll call disclosed the following members present: Aiken, Augustine, Avery, Bair, Ballew, Beath, Berry, Brown, Davis, Dayton, Donlon, Drake of Keokuk, Durant, Elliott, Ellsworth, Felter, Finnern, Forsling, Gallagher, Garrett, Greaser, Greene, Hansen of Audubon, Hansen of Scott, Hanson of Winnebago, Hollingsworth, Hollis, Hook, Hopkins, Hush, Husted, Johnson of Marion, Kern, Koch, Kohler, Lamb, Langland, Lepley, Long, McCreery, McDermott, McLain, Malone, Mathews, Mayne, Mead, Morton, Nelson of Story, Osborn, Paisley, Pattison, Pendray, Randolph, Ratliff, Reed, Reimers, Rutledge, Ryder, Rylander, Shields, Simmer, Snyder, Sours, Stanzel, Strachan, Tamisiea, TePaske, Thiessen, Thompson, Torgeson, Van Buren, Van Wert, Wamstad, Watts, Wearin, Whiting, Mr. Speaker. 77.

The roll call disclosed the following members absent: Allen, Babcock, Bounstetter, Byers, Craven, Ditto, Drake of Muscatine, Fabritz, Figgins, Gilmore, Gissel, Hayes, Helgason, Hesse, Hunt, Hutcheon, Laughlin, Lichty, McCaulley, Millhone, Miller, Nelson of Cherokee, O'Donnell, Orr, Peaco, Randall, Rawlings, Roe, Short, Stiger, Witt. 31.

On motion, Allen, Byers, Miller, Hunt, Fabritz, and Roe were excused from the call of the House.

The Sergeant-at-arms was directed to procure the presence of the absentees.

Rutledge of Webster moved that the House proceed to the consideration of bills pending the arrival of the absentees.

Motion prevailed.

Shields of Clarke moved to reconsider the vote by which the call of the House failed to be raised.

Motion lost.

Mathews of Des Moines moved that the House do now adjourn until 9:00 a. m. Saturday.

Motion lost.

## HOUSE FILE NO. 479 INDEFINITELY POSTPONED

Forsling of Woodbury, chairman of the committee on judiciary, moved that the report of the committee recommending that House File No. 479 be indefinitely postponed be adopted.

Committee report adopted.

Mayne of Pottawattamie moved to reconsider the vote by which the committee report on House File No. 479 was adopted.

Hansen of Scott moved the previous question. Motion prevailed.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 23.

Augustine	Greene	Mayne	Stanzel
Berry	Hanson of	Paisley	Thiessen
Davis	Winnebago	Pendray	Thompson
Dayton	Hollingsworth	Reimers	Torgeson
Garrett	Hopkins	Rutledge	Wamstad
Greaser	Hush	Simmer	Wearin

The nays were, 45.

Avery	Hansen of	Long	Reed
Bair	Audubon	McCreery	Ryder
Beath	Hansen of Scott	McDermott	Rylander
Brown	Husted	McLain	Shields
Drake of Keokuk	Johnson of	Malone	Sours
Durant	Marion	Mathews	Tamisiea
Elliott	Kern	Mead	TePaske
Ellsworth	Koch	Morton	Van Buren
Felter	Kohler	Osborn	Van Wert
Finnern	Lamb	Pattison	Watts
Forsling	Langland	Randolph	Mr. Speaker
Gallagher	Lepley	Ratliff	

Absent or not voting, 40.

Aiken	Fabritz	Hutcheon	Peaco
Allen	Figgins	Laughlin	Randall
Babcock	Gilmore	Lichty	Rawlings
Ballew	Gissel	McCaulley	Roe
Bonnstetter	Hayes	Millhone	Short
Byers	Helgason	Miller	Snyder
Craven	Hesse	Nelson of	Stiger
Ditto	Hollis	Cherokee	Strachan
Donlon	Hook	Nelson of Story	Whiting
Drake of	Hunt	O'Donnell	Witt
Muscatine		Orr	

Motion to reconsider lost.

## CONSIDERATION OF BILLS

House File No. 412, a bill for an act to amend chapter four hundred thirty-two (432) code, 1927, so as to define the term "commodity of commerce" as used in sections ninety-eight hundred eighty-five (9885) and ninety-eight hundred eighty-six



(9886), thereof, with report of committee recommending passage, was taken up for consideration.

Wamstad of Mitchell moved that the bill be read a third time 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, 73.

Augustine	Hansen of Scott	McDermott	Shields
Avery	Hanson of	McLain	Simmer
Bair	Winnebago	Malone	Snyder
Beath	Hollingsworth	Mathews	Sours
Berry	Hollis	Mayne	Stanzel
Brown	Hook	Mead	Strachan
Davis	Hopkins	Morton	Tamisiea
Dayton	Hush	Nelson of Story	TePaske
Drake of Keokuk	Husted	Osborn	Thiessen
Durant	Johnson of	Paisley	Thompson
Elliott	Marion	Pattison	Torgeson
Ellsworth	Kern	Pendray	Van Buren
Felter	Koch	Randolph	Van Wert
Forsling	Kohler	Ratliff	Wamstad
Gallagher	Lamb	Reed	Watts
Garrett	Langland	Reimers	Wearin
Greaser	Lepley	Rutledge	Whiting
Greene	Long	Ryder	Mr. Speaker
Hansen of	McCreery	Rylander	
Audubon			

The nays were, 1.

Finnern

Absent or not voting, 34.

Aiken	Drake of	Hunt	O'Donnell
Allen	Muscatine	Hutcheon	Orr
Babcock	Fabritz	Laughlin	Peaco
Ballew	Figgins	Lichty	Randall
Bonnstetter	Gilmore	McCaulley	Rawlings
Byers	Gissel	Millhone	Roe
Craven	Hayes	Miller	Short
Ditto	Helgason	Nelson of	Stiger
Donlon	Hesse	Cherokee	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Wamstad of Mitchell moved that the vote by which House File No. 412 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 81, a bill for an act to amend chapter forty-four (44), Code, 1927, relating to the statute generally known as the absent voters law, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Shields of Clarke, the amendments proposed by the committee, found in the Journal of March 18th, were adopted.

Rutledge of Webster moved the previous question. Motion prevailed.

Shields of Clarke asked and obtained unanimous consent to have the amendment filed by him, found in the Journal of February 11th withdrawn.

Mr. Shields moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 43.

Beath	Hansen of	Long	Rutledge
Berry	Audubon	McDermott	Rylander
Donlon	Hanson of	McLain	Shields
Drake of Keokuk	Winnebago	Malone	Simmer
Durant	Hollis	Mead	Strachan
Ellsworth	Hook	Nelson of Story	Thompson
Felter	Hopkins	Osborn	Torgeson
Finnern	Hush	Pendray	Van Wert
Forsling	Koch	Randolph	Wamstad
Gallagher	Kohler	Reed	Whiting
Garrett	Lepley	Reimers	Mr. Speaker
Greaser			

The nays were, 33.

Aiken	Greene	Langland	Sours
Augustine	Hansen of Scott	McCreery	Stanzel
Avery	Hollingsworth	Mathews	Tamisiea
Bair	Husted	Mayne	TePaske
Ballew	Johnson of	Morton	Thiessen
Brown	Marion	Paisley	Van Buren
Davis	Kern	Pattison	Watts
Dayton	Lamb	Ratliff	Wearin
Elliott		Ryder	

Absent or not voting, 32.

Allen	Figgins	Laughlin	Peaco
Babcock	Gilmore	Lichty	Randall
Bonnstetter	Gissel	McCaulley	Rawlings
Byers	Hayes	Millhone	Roe
Craven	Helgason	Miller	Short
Ditto	Hesse	Nelson of	Snyder
Drake of	Hunt	Cherokee	Stiger
Muscatine	Hutcheon	O'Donnell	Witt
Fabritz		Orr	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Greene of Pottawattamie moved that the vote by which House

File No. 81 failed to pass the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 67, a bill for an act to require physicians or surgeons, osteopaths, osteopathic physicians, chiropractors or any other persons licensed or permitted under the laws of this state to practice any healing art, to report any cases treated or taken care of by them wherein there has been an injury of violence, for the purpose of permitting the law enforcing officers to apprehend any person who may have committed a crime and has been injured either in the perpetration thereof or in escaping arrest, and providing penalty for failure to report, with report of committee recommending passage, was taken up for consideration.

Long 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, 75.

Aiken	Greene	Long	Rylander
Augustine	Hansen of	McCreery	Shields
Avery	Audubon	McDermott	Simmer
Bair	Hansen of Scott	McLain	Snyder
Ballew	Hanson of	Malone	Sours
Beath	Winnebago	Mathews	Stanzel
Berry	Hollingsworth	Mayne	Strachan
Brown	Hollis	Mead	Tamislea
Davis	Hook	Morton	TePaske
Dayton	Hopkins	Nelson of Story	Thiessen
Donlon	Hush	Osborn	Thompson
Drake of Keokuk	Husted	Paisley	Torgeson
Durant	Johnson of	Pattison	Van Buren
Elliott	Marion	Pendray	Van Wert
Ellsworth	Koch	Randolph	Wamstad
Felter	Kohler	Ratliff	Watts
Finnern	Lamb	Reed	Wearin
Gallagher	Langland	Reimers	Whiting
Garrett	Lepley	Rutledge	Mr. Speaker
Greaser		Ryder	

The nays were, none.

Absent or not voting, 33.

Allen	Craven	Fabritz	Gissel
Babcock	Ditto	Figgins	Hayes
Bonnstetter	Drake of	Forsling	Helgason
Byers	Muscatine	Gilmore	Hesse

Hunt	McCaulley	O'Donnell	Roe
Hutcheon	Millhone	Orr	Short
Kern	Miller	Peaco	Stiger
Laughlin	Nelson of	Randall	Witt
Lichty	Cherokee	Rawlings	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Long of Cerro Gordo moved that the vote by which Senate File No. 67 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 296, a bill for an act to amend section eleven thousand forty-two (11042) of the code, 1927, relating to actions against public utilities, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Rutledge of Webster, the amendment proposed by the committee, found in the Journal of March 16th, was adopted.

Mr. Rutledge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aiken	Garrett	McCreery	Rylander
Augustine	Greaser	McDermott	Shields
Avery	Greene	McLain	Simmer
Bair	Hansen of Scott	Malone	Snyder
Ballew	Hollingsworth	Mathews	Sours
Beath	Hollis	Mayne	Stanzel
Berry	Hook	Mead	Strachan
Brown	Hopkins	Morton	Tamisiea
Davis	Hush	Nelson of Story	TePaske
Dayton	Husted	Osborn	Thiessen
Donlon	Johnson of	Paisley	Thompson
Drake of Keokuk	Marion	Pattison	Van Buren
Durant	Koch	Pendray	Van Wert
Elliott	Kohler	Randolph	Wamstad
Ellsworth	Lamb	Ratliff	Watts
Felter	Langland	Reed	Wearin
Finnern	Lepley	Reimers	Whiting
Forsling	Long	Rutledge	Mr. Speaker
Gallagher		Ryder	

The nays were, none.

Absent or not voting, 35.

Allen	Gilmore	Hutcheon	O'Donnell
Babcock	Gissel	Kern	Orr
Bonnstetter	Hansen of	Laughlin	Peaco
Byers	Audubon	Lichty	Randall
Craven	Hanson of	McCaulley	Rawlings
Ditto	Winnebago	Millhone	Roe
Drake of	Hayes	Miller	Short
Muscatine	Helgason	Nelson of	Stiger
Fabritz	Hesse	Cherokee	Torgeson
Figgins	Hunt		Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rutledge of Webster moved that the vote by which House File No. 296 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Speaker Pro Tempore Rutledge in the chair.

House File No. 37, a bill for an act to amend section six thousand thirty-three (6033), Code, 1927, as amended by chapter one hundred eighty-one (181) of the laws of the Forty-third General Assembly relating to interest and penalty on special assessments for stock improvements, with report of committee recommending passage, was taken up for consideration.

Hush of Montgomery offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 37, by striking the word "stock" in line five (5), and inserting in lieu thereof the word "street".

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, 77.

Aiken	Brown	Ellsworth	Greene
Augustine	Davis	Felter	Hansen of
Avery	Dayton	Finnern	Audubon
Bair	Donlon	Forsling	Hansen of Scott
Ballew	Drake of Keokuk	Gallagher	Hanson of
Beath	Durant	Garrett	Winnebago
Berry	Elliott	Greaser	Hollingsworth

Hollis	Long	Pendray	Strachan
Hook	McCreery	Randolph	Tamisiea
Hopkins	McDermott	Ratliff	TePaske
Hush	McLain	Reed	Thiessen
Husted	Malone	Reimers	Thompson
Johnson of	Mathews	Rutledge	Torgeson
Marion	Mayne	Ryder	Van Buren
Kern	Mead	Rylander	Van Wert
Koch	Morton	Shields	Wamstad
Kohler	Nelson of Story	Simmer	Watts
Lamb	Osborn	Snyder	Wearin
Langland	Paisley	Sours	Whiting
Lepley	Pattison	Stanzel	Mr. Speaker

The nays were, none.

Absent or not voting, 31.

Allen	Figgins	Laughlin	Orr
Babcock	Gilmore	Lichty	Peaco
Bonnstetter	Gissel	McCaulley	Randall
Byers	Hayes	Millhone	Rawlings
Craven	Helgason	Miller	Roe
Ditto	Hesse	Nelson of	Short
Drake of	Hunt	Cherokee	Stiger
Muscantine	Hutcheon	O'Donnell	Witt
Fabritz			

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Elliott of Scott moved that the House do now adjourn until 9:00 a. m. Saturday.

Motion lost.

House File No. 361, a bill for an act to amend section fourteen hundred three (1403) of the code, 1927, relating to workmen's compensation, 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, 77.

Aiken	Bair	Berry	Dayton
Augustine	Ballew	Brown	Donlon
Avery	Beath	Davis	Drake of Keokuk

Durant	Hook	Mathews	Simmer
Elliott	Hopkins	Mayne	Snyder
Ellsworth	Hush	Mead	Sours
Felter	Husted	Morton	Stanzel
Finnern	Johnson of	Nelson of Story	Strachan
Forsling	Marion	Osborn	Tamisiea
Gallagher	Kern	Paisley	TePaske
Garrett	Koch	Pattison	Thiessen
Greaser	Kohler	Pendray	Thompson
Greene	Lamb	Randolph	Torgeson
Hansen of	Langland	Ratliff	Van Buren
Audubon	Lepley	Reed	Van Wert
Hansen of Scott	Long	Reimers	Wamstad
Hanson of	McCreery	Rutledge	Watts
Winnebago	McDermott	Ryder	Wearin
Hollingsworth	McLain	Rylander	Whiting
Hollis	Malone	Shields	Mr. Speaker

The nays were, none.

Absent or not voting, 31.

Allen	Figgins	Laughlin	Orr
Babcock	Gilmore	Lichty	Peaco
Bonnstetter	Gissel	McCaulley	Randall
Byers	Hayes	Millhone	Rawlings
Craven	Helgason	Miller	Roe
Ditto	Hesse	Nelson of	Short
Drake of	Hunt	Cherokee	Stiger
Muscatine	Hutcheon	O'Donnell	Witt
Fabritz			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Berry of Monroe moved that the vote by which House File No. 361 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 367, a bill for an act to amend section thirteen hundred twenty (1320) of the code, 1927, relating to check weighmen at mines, 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, 70.

Aiken	Hanson of	McDermott	Shields
Augustine	Winnebago	McLain	Simmer
Avery	Hollingsworth	Mathews	Snyder
Bair	Hollis	Mayne	Sours
Ballew	Hook	Mead	Stanzel
Beath	Hopkins	Morton	Strachan
Berry	Hush	Nelson of Story	Tamisiea
Brown	Husted	Osborn	TePaske
Davis	Johnson of	Paisley	Thiessen
Dayton	Marion	Pattison	Thompson
Donlon	Kern	Pendray	Torgeson
Drake of Keokuk	Koch	Randolph	Van Buren
Durant	Kohler	Ratliff	Van Wert
Ellsworth	Lamb	Reed	Wamstad
Felter	Langland	Reimers	Watts
Gallagher	Lepley	Rutledge	Wearin
Garrett	Long	Ryder	Whiting
Greene	McCreery	Rylander	Mr. Speaker

The nays were, none.

Absent or not voting, 38.

Allen	Finnern	Hesse	O'Donnell
Babcock	Forsling	Hunt	Orr
Bonnstetter	Gilmore	Hutcheon	Peaco
Byers	Gissel	Laughlin	Randall
Craven	Greaser	Lichty	Rawlings
Ditto	Hansen of	McCaulley	Roe
Drake of	Audubon	Malone	Short
Muscatine	Hansen of Scott	Millhone	Stiger
Elliott	Hayes	Miller	Witt
Fabritz	Helgason	Nelson of	
Figgins		Cherokee	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Berry of Monroe moved that the vote by which House File No. 367 passed the House be reconsidered and that the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 108, a bill for an act to amend the law as it appears in chapter three hundred seventy-three (373) of the code of 1927 by inserting following section eighty hundred sixty-nine (8069) another section to be known as section eighty hundred sixty-nine a one (8069-a1), so as to provide that common carriers shall route intra-state shipments over the cheapest available routes where the shipper does not designate a particular route



for said shipment, was taken up for consideration, unanimous consent having been granted for its withdrawal from the sifting committee.

TePaske of Sioux moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Aiken	Garrett	Langland	Reimers
Augustine	Greaser	Lepley	Rutledge
Avery	Greene	Long	Ryder
Bair	Hansen of	McCreery	Rylander
Ballew	Audubon	McDermott	Simmer
Beath	Hansen of Scott	McLain	Snyder
Berry	Hanson of	Malone	Sours
Brown	Winnebago	Mathews	Stanzel
Davis	Hollis	Mayne	Strachan
Dayton	Hook	Mead	TePaske
Donlon	Hopkins	Morton	Thiessen
Drake of Keokuk	Hush	Nelson of Story	Thompson
Durant	Husted	Osborn	Torgeson
Elliott	Johnson of	Paisley	Van Wert
Ellsworth	Marion	Pattison	Wamstad
Felter	Kern	Pendray	Watts
Finnern	Koch	Randolph	Wearin
Forsling	Kohler	Ratliff	Whiting
Gallagher	Lamb	Reed	Mr. Speaker

The nays were, none.

Absent or not voting, 35.

Allen	Gilmore	Lichty	Randall
Babcock	Gissel	McCaulley	Rawlings
Bonnstetter	Hayes	Millhone	Roe
Byers	Helgason	Miller	Shields
Craven	Hesse	Nelson of	Short
Ditto	Hollingsworth	Cherokee	Stiger
Drake of	Hunt	O'Donnell	Tamisiea
Muscatine	Hutcheon	Orr	Van Buren
Fabritz	Laughlin	Peaco	Witt
Figgins			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Kern of Polk moved that the House do now adjourn until 9:00 a. m. Saturday.

Reed of Mahaska moved as a substitute that the House adjourn at 9:40 this evening.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 21.

Augustine	Hanson of	McLain	Shields
Avery	Winnebago	Malone	Tamisiea
Ballew	Hollingsworth	Mayne	TePaske
Finnern	Hopkins	Morton	Torgeson
Greene	Husted	Reed	Mr. Speaker
	Lepley	Rutledge	

The nays were, 50.

Bair	Hansen of	McCreery	Simmer
Berry	Audubon	Mathews	Snyder
Brown	Hansen of Scott	Mead	Sours
Dayton	Hollis	Nelson of Story	Stanzel
Donlon	Hook	Osborn	Strachan
Drake of Kokuk	Johnson of	Paisley	Thiessen
Durant	Marion	Pattison	Thompson
Ellsworth	Kern	Pendray	Van Buren
Felter	Koch	Randolph	Van Wert
Forsling	Kohler	Ratliff	Wamstad
Gallagher	Lamb	Reimers	Watts
Garrett	Langland	Ryder	Wearin
Greaser	Long	Rylander	Whiting

Absent or not voting, 37.

Aiken	Elliott	Hutcheon	Orr
Allen	Fabritz	Laughlin	Peaco
Babcock	Figgins	Lichty	Randall
Beath	Gilmore	McCaulley	Rawlings
Bonnstetter	Gissel	McDermott	Roe
Byers	Hayes	Millhone	Short
Craven	Helgason	Miller	Stiger
Davis	Hesse	Nelson of	Witt
Ditto	Hunt	Cherokee	
Drake of	Hush	O'Donnell	
Muscatine			

Motion to substitute lost.

On the question "Shall the House adjourn?" a roll call was demanded.

The ayes were, 36.

Avery	Ellsworth	Hanson of	Koch
Bair	Felter	Winnebago	Langland
Berry	Forsling	Hopkins	McDermott
Davis	Garrett	Hush	Mathews
Dayton	Hansen of	Johnson of	Paisley
Donlon	Audubon	Marion	Pattison
Drake of Keokuk	Hansen of Scott	Kern	Pendray

Ratliff  
Ryder  
Shields

Simmer  
Snyder  
Stanzel

Strachan  
Thiessen  
Wamstad

Wearin  
Whiting

The nays were, 40.

Augustine  
Ballew  
Beath  
Brown  
Durant  
Elliott  
Finnern  
Gallagher  
Greaser  
Greene

Hollingsworth  
Hollis  
Hook  
Husted  
Kohler  
Lamb  
Lepley  
Long  
McCreery  
McLain

Malone  
Mayne  
Mead  
Morton  
Nelson of Story  
Osborn  
Randolph  
Reed  
Reimers  
Rutledge

Rylander  
Sours  
Tamisiea  
TePaske  
Thompson  
Torgeson  
Van Buren  
Van Wert  
Watts  
Mr. Speaker

Absent or not voting, 32.

Aiken  
Allen  
Babcock  
Bonnstetter  
Byers  
Craven  
Ditto  
Drake of  
Muscatine

Fabritz  
Figgins  
Gilmore  
Gissel  
Hayes  
Helgason  
Hesse  
Hunt  
Hutcheon

Laughlin  
Lichty  
McCaulley  
Millhone  
Miller  
Nelson of  
Cherokee  
O'Donnell

Orr  
Peaco  
Randall  
Rawlings  
Roe  
Short  
Stiger  
Witt

Motion to adjourn lost.

Senate File No. 142, a bill for an act to amend section thirty-five (35), chapter one hundred (100), acts of the forty-third (43) general assembly, relating to schools and school districts, with report of committee recommending passage, was taken up for consideration.

Brown 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, 66.

Avery  
Bair  
Ballew  
Beath  
Brown  
Donlon  
Drake of Keokuk  
Durant  
Elliott  
Ellsworth

Felter  
Finnern  
Forsling  
Gallagher  
Garrett  
Greaser  
Greene  
Hansen of  
Audubon  
Hansen of Scott

Hanson of  
Winnebago  
Hollingsworth  
Hook  
Hopkins  
Johnson of  
Marion  
Kern  
Koch  
Kohler

Lamb  
Langland  
Lepley  
Long  
McCreery  
McDermott  
McLain  
Mathews  
Mayne  
Mead

Morton	Reed	Sours	Torgeson
Nelson of Story	Reimers	Stanzel	Van Burn
Osborn	Rutledge	Strachan	Van Wert
Paisley	Ryder	Tamisiea	Wamstad
Pattison	Rylander	TePaske	Watts
Pendray	Simmer	Thiessen	Wearin
Randolph	Snyder	Thompson	Mr. Speaker
Ratliff			

The nays were, 1.

Augustine

Absent or not voting, 41.

Aiken	Fabritz	Hutcheon	Orr
Allen	Figgins	Laughlin	Peaco
Babcock	Gilmore	Lichty	Randall
Berry	Gissel	McCaulley	Rawlings
Bonnstetter	Hayes	Malone	Roe
Byers	Helgason	Millhone	Shields
Craven	Hesse	Miller	Short
Davis	Hollis	Nelson of	Stiger
Dayton	Hunt	Cherokee	Whiting
Ditto	Hush	O'Donnell	Witt
Drake of	Husted		
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 553, a bill for an act to legalize the action of the board of supervisors of Appanoose County in transferring nineteen thousand dollars (\$19,000.00) from the state insane fund to the paupers' fund by resolution upon March 14, 1931, with report of committee on judiciary recommending passage, was taken up for consideration.

Ballew 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, 68.

Augustine	Drake of Keokuk	Greaser	Hook
Avery	Durant	Greene	Hopkins
Bair	Elliott	Hansen of	Hush
Ballew	Ellsworth	Audubon	Husted
Beath	Felter	Hansen of Scott	Johnson of
Brown	Finnern	Hanson of	Marion
Davis	Forsling	Winnebago	Kern
Dayton	Gallagher	Hollingsworth	Koch
Donlon	Garrett	Hollis	Lamb

Langland	Osborn	Rylander	Torgeson
Lepley	Paisley	Shields	Van Buren
McCreery	Pattison	Simmer	Van Wert
McDermott	Pendray	Sours	Wamstad
McLain	Randolph	Stanzel	Watts
Mathews	Ratliff	Strachan	Wearin
Mayne	Reed	Tamisiea	Whiting
Mead	Reimers	TePaske	Mr. Speaker
Morton	Rutledge	Thompson	

The nays were, 1.

Thiessen

Absent or not voting, 39.

Aiken	Figgins	Lichty	Orr
Allen	Gilmore	Long	Peaco
Babcock	Gissel	McCaulley	Randall
Berry	Hayes	Malone	Rawlings
Bonnstetter	Helgason	Millhone	Roe
Byers	Hesse	Miller	Ryder
Craven	Hunt	Nelson of	Short
Ditto	Hutcheon	Cherokee	Snyder
Drake of	Kohler	Nelson of Story	Stiger
Musactine	Laughlin	O'Donnell	Witt
Fabritz			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ballew of Appanoose moved that the vote by which House File No. 553 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your Steering Committee recommends that the following bills be considered by the House in the order in which they are listed:

House File No. 394.....	Calendar No. 153
Senate Joint Resolution No. 5.....	Calendar No. 24
House File No. 361.....	Calendar No. 131
Senate File No. 146.....	Calendar No.
House File No. 468.....	Calendar No. 104
House File No. 233.....	Calendar No. 17
House Joint Resolution No. 6.....	Calendar No. 79
House File No. 371.....	Calendar No. 108
Senate File No. 289.....	Calendar No. 63
Senate File No. 291.....	Calendar No. 65
House File No. 367.....	Calendar No. 168

Senate File No. 297.....	Calendar No.	4
Senate File No. 250.....	Calendar No.	
Senate File No. 41.....	Calendar No.	139
Senate File No. 290.....	Calendar No.	29
House File No. 445.....	Calendar No.	64
Senate File No. 344.....	Calendar No.	
Senate File No. 367.....	Calendar No.	
House File No. 555.....	Calendar No.	
Senate File No. 192.....	Calendar No.	

S. R. TORGESON, *Chairman*.

Report adopted.

On motion of Bair of Buena Vista the House adjourned until  
9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, APRIL 4, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Eric Philip Swan, pastor of the Union Park Methodist Episcopal Church, Des Moines.

Journal of April 3rd corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Figgins of Union for the day, on request of Millhone of Page; Greene of Pottawattamie for the day, on request of Mayne of Pottawattamie; Roe of Allamakee for the day, on request of Watts of Van Buren; McLain of Poweshiek for the day, on request of Morton of Wright; Berry of Monroe for the day, on request of Reed of Mahaska; Craven of Jasper for the day, on request of Garrett of Wayne; Rawlings of Monona for the day, on request of Ditto of Osceola.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Dayton of Washington, from bakers and operators of Shenandoah and bakers of Des Moines, protesting Senate File No. 158. Agriculture.

By Figgins of Union, from citizens of Thayer and Afton, asking for a regulation of trucks and motor busses. Motor vehicles and transportation.

By Greaser of Benton, from business and professional men of Belle Plaine, favoring House Files Nos. 352 and 353, and opposing Senate File No. 264. Ways and means.

By Tanisica of Harrison, from citizens of Woodbine, opposing

cutting the appropriation for vocational education. Appropriations.

#### SPECIAL ORDERS MADE

Van Buren of Jones asked and obtained unanimous consent to have Senate File No. 10 substituted for House File No. 10, and made a special order for Monday, April 6th, at 10:00 a. m.

Johnson of Marion moved that Senate Joint Resolution No. 5, be made a special order for Tuesday, April 7th, at 10:00 a. m., or immediately following the disposition of Senate File No. 10.

Motion prevailed.

Stiger of Tama moved that Senate File No. 146 be made a special order for Thursday, April 9th, at 10:00 a. m.

Motion prevailed.

#### SENATE FILE NO. 279 SUBSTITUTED FOR HOUSE FILE NO. 394

Torgeson of Worth asked and obtained unanimous consent to have Senate File No. 279 substituted for House File No. 394.

#### CONSIDERATION OF BILLS

Senate File No. 279, a bill for an act to repeal the law as it appears in sections forty-three hundred seventeen (4317) and forty-four hundred three (4403) of the code, 1927, and to enact a substitute therefor, relating to school funds, was taken up for consideration.

Torgeson of Worth moved that the bill be read a third time 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, 63.

Aiken	Drake of Keokuk	Hansen of	Hook
Avery	Durant	Audubon	Hopkins
Ballew	Felter	Hanson of	Hutcheon
Beath	Forsling	Winnebago	Johnson of
Davis	Garrett	Helgason	Marion
Dayton	Gilmore	Hesse	Kohler
Ditto	Gissel	Hollingsworth	Lamb
Donlon	Greaser	Hollis	Langland



Lepley	Pattison	Ryder	TePaske
Long	Peaco	Rylander	Thiessen
McDermott	Pendray	Short	Thompson
Malone	Randall	Snyder	Torgeson
Millhone	Randolph	Sours	Van Buren
Morton	Ratliff	Stiger	Whiting
Nelson of Story	Reed	Strachan	Witt
Osborn	Reimers	Tamisiea	Mr. Speaker
Paisley	Rutledge		

The nays were, 19.

Augustine	Finnern	McCreery	Stanzel
Babcock	Hush	Mathews	Van Wert
Bair	Husted	Mayne	Watts
Brown	Kern	Mead	Wearin
Elliott	Koch	O'Donnell	

Absent or not voting, 26.

Allen	Ellsworth	Hunt	Nelson of
Berry	Fabritz	Laughlin	Cherokee
Bonnstetter	Figgins	Lichty	Orr
Byers	Gallagher	McCaulley	Rawlings
Craven	Greene	McLain	Roe
Drake of	Hansen of Scott	Miller	Shields
Muscatine	Hayes		Simmer
			Wamstad

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Torgeson of Worth moved that the vote by which Senate File No. 279 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 309, a bill for an act to regulate the buying for the market, or the transportation for hire by any means other than by railroad, of certain livestock, by requiring the making and preservation of record tickets thereof, and providing penalties for violations, was taken up for consideration, Rule 58 having been invoked.

Hutcheon of Greene and Forsling of Woodbury offered the following amendment to House File No. 309 and moved its adoption:

Amend House File No. 309 by striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Any person or corporation engaged in the business of buying livestock for the market shall keep such records regarding time of purchase, name and residence of seller and description of the livestock

purchased as may be determined by the department of agriculture. Such records shall be open to inspection of peace officers at reasonable times.

"Sec. 2. Any person or corporation failing to keep such record or refusing to offer the same for inspection when requested at a reasonable time by a peace officer, shall be guilty of a misdemeanor and punished by a fine not exceeding One Hundred Dollars (\$100.00)."

Amendment adopted.

Hanson of Winnebago moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 69.

Augustine	Hansen of Scott	McCaulley	Ryder
Babcock	Hanson of	McDermott	Rylander
Bair	Winnebago	Malone	Short
Beath	Helgason	Mathews	Simmer
Dayton	Hesse	Mayne	Snyder
Ditto	Hollingsworth	Mead	Sours
Donlon	Hollis	Millhone	Stiger
Drake of Keokuk	Hook	Morton	Strachan
Durant	Hush	Nelson of Story	TePaske
Felter	Husted	O'Donnell	Thiessen
Finnern	Hutcheon	Osborn	Thompson
Forsling	Johnson of	Pattison	Van Wert
Gallagher	Marion	Peaco	Wamstad
Garrett	Kohler	Pendray	Wearin
Gilmore	Lamb	Randolph	Whiting
Gissel	Langland	Reed	Witt
Greaser	Lepley	Reimers	Mr. Speaker
Hansen of	Long	Rutledge	
Audubon			

The nays were, 4.

Avery	Davis	Randall	Ratliff
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Absent or not voting, 35.

Aiken	Elliott	Koch	Paisley
Allen	Ellsworth	Laughlin	Rawlings
Ballew	Fabritz	Lichty	Roe
Berry	Figgins	McCreery	Shields
Bonnstetter	Greene	McLain	Stanzel
Brown	Hayes	Miller	Tamisiea
Byers	Hopkins	Nelson of	Torgeson
Craven	Hunt	Cherokee	Van Buren
Drake of	Kern	Orr	Watts
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House.

Hanson of Winnebago offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 309 to read as follows:

“an act to require buyers of livestock to keep certain records, providing for inspection of such records by peace officers, and fixing a penalty for violation thereof.”

Amendment adopted, and the title as amended was agreed to.

Hanson of Winnebago moved that the vote by which House File No. 309 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### CONFERENCE COMMITTEE ON HOUSE FILE NO. 2 EXCUSED

On request of McCaulley of Calhoun, the conference committee on House File No. 2 was excused.

#### CONSIDERATION OF BILLS

House File No. 468, a bill for an act to legalize the proceedings relating to an election held in the town of Traer, Iowa, on the proposition of establishing and constructing a municipal swimming pool and issuing bonds for such purpose and levying an annual tax for the payment of such bonds and validating the subsequent proceedings pursuant to said election and declaring said bonds enforceable obligations of said city, with report of committee recommending passage, was taken up for consideration.

Stiger 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, 71.

Augustine	Elliot	Hansen of Scott	Johnson of
Avery	Ellsworth	Hanson of	Marion
Babcock	Felter	Winnebago	Koch
Bair	Finnern	Helgason	Kohler
Beath	Gallagher	Hesse	Lamb
Brown	Garrett	Hollingsworth	Langland
Davis	Gilmore	Hollis	Lepley
Dayton	Gissel	Hopkins	Long
Donlon	Hansen of	Hush	McCreery
Drake of Keokuk	Audubon	Husted	McDermott

Malone	Peaco	Sours	Van Buren
Mathews	Pendray	Stanzel	Van Wert
Mayne	Randolph	Stiger	Wamstad
Mead	Ratliff	Strachan	Watts
Millhone	Reed	TePaske	Wearin
Morton	Reimers	Thiessen	Whiting
Osborn	Ryder	Thompson	Witt
Paisley	Simmer	Torgeson	Mr. Speaker
Pattison	Snyder		

The nays were, none.

Absent or not voting, 37.

Aiken	Durant	Kern	Orr
Allen	Fabritz	Laughlin	Randall
Ballew	Figgins	Lichty	Rawlings
Berry	Forsling	McCaulley	Roe
Bonnstetter	Greaser	McLain	Rutledge
Byers	Greene	Miller	Rylander
Craven	Hayes	Nelson of	Shields
Ditto	Hook	Cherokee	Short
Drake of	Hunt	Nelson of Story	Tamisiea
Muscatine	Hutcheon	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. 233, a bill for an act to amend section twenty-seven hundred sixty-six (2766), twenty-seven hundred eighty-one (2781), and twenty-eight hundred five (2805), and to repeal sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred (2800), twenty-eight hundred and one (2801) and twenty-eight hundred and two (2802) of the code, 1927, and to enact a substitute in lieu thereof relating to the licensing of veterinarians and to the revocation of license to practice veterinary medicine, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Johnson of Marion, the amendment proposed by the committee, found in the Journal of February 25th, was adopted.

Johnson of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Augustine	Brown	Drake of Keokuk	Forsling
Avery	Ditto	Elliott	Gallagher
Babcock	Donlon	Ellsworth	Garrett

Gilmore	Johnson of	Millhone	Sours
Gissel	Marion	Morton	Stanzel
Greaser	Koch	Osborn	Stiger
Hansen of Scott	Kohler	Paisley	Strachan
Hanson of	Lamb	Pattison	Tamisiea
Winnebago	Langland	Peaco	Thiessen
Helgason	Lepley	Pendray	Thompson
Hesse	Long	Randolph	Torgeson
Hollingsworth	McCreery	Ratliff	Van Buren
Hollis	McDermott	Reed	Wearin
Hook	Malone	Reimers	Whiting
Hopkins	Mathews	Rutledge	Witt
Hush	Mayne	Rylander	Mr. Speaker
Husted	Mead		

The nays were, 6.

Davis	Hansen of	Randall	Van Wert
Finnern	Audubon	TePaske	

Absent or not voting, 38.

Aiken	Drake of	Kern	Orr
Allen	Muscatine	Laughlin	Rawlings
Bair	Durant	Lichty	Roe
Ballew	Fabritz	McCaulley	Ryder
Beath	Felter	McLain	Shields
Berry	Figgins	Miller	Short
Bonnstetter	Greene	Nelson of	Simmer
Byers	Hayes	Cherokee	Snyder
Craven	Hunt	Nelson of Story	Wamstad
Dayton	Hutcheon	O'Donnell	Watts

So the bill having received a constitutional majority was declared to have passed the House.

Johnson of Marion offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 233 by striking in line one (1) the following words and figures: "twenty-seven hundred sixty-six (2766).

Amendment adopted, and the title as amended was agreed to.

Johnson of Marion moved that the vote by which House File No. 233 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House Joint Resolution No. 6, a joint resolution providing for the appointment of a special corporation committee for the purpose of proposing legislation to make the corporation laws of Iowa comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the general assembly of the state of

Iowa, and providing an appropriation therefor, with report of committee recommending passage, was taken up for consideration.

Brown of Polk moved the previous question.

Motion prevailed.

Tamisiea of Harrison 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, 57.

Aiken	Hanson of	McCreery	Snyder
Avery	Winnebago	Mathews	Stanzel
Bair	Hesse	Mayne	Stiger
Brown	Hollingsworth	Millhone	Strachan
Ditto	Hollis	Morton	Tamisiea
Donlon	Hopkins	Osborn	TePaske
Drake of Keokuk	Hush	Paisley	Thiessen
Elliott	Husted	Pattison	Torgeson
Ellsworth	Johnson of	Peaco	Van Buren
Forsling	Marion	Randolph	Wamstad
Gallagher	Kern	Ratliff	Wearin
Garrett	Koch	Reimers	Whiting
Gilmore	Lamb	Rutledge	Witt
Gissel	Langland	Ryder	Mr. Speaker
Greaser	Long	Short	

The nays were, 23.

Augustine	Finnern	Malone	Rylander
Babcock	Hansen of Scott	Mead	Sours
Beath	Helgason	O'Donnell	Thompson
Davis	Hook	Pendray	Van Wert
Dayton	Kohler	Randall	Watts
Felter	McDermott	Reed	

Absent or not voting, 28.

Allen	Durant	Hutcheon	Nelson of
Ballew	Fabritz	Laughlin	Cherokee
Berry	Figgins	Lepley	Nelson of Story
Bonnstetter	Greene	Lichty	Orr
Byers	Hansen of	McCaulley	Rowlings
Craven	Audubon	McLain	Roe
Drake of	Hayes	Miller	Shields
Muscatine	Hunt		Simmer

So the joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

Tamisiea of Harrison moved that the vote by which House

Joint Resolution No. 6 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 371, a bill for an act to amend section fourteen hundred seventy-nine (1479) of the code, 1927, relating to workmen's compensation, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury, the amendment proposed by the committee, found in the Journal of March 16th, was adopted.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by inserting in line eight (8) of section one (1) after the word "award" the words "or decision".

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, 75.

Aiken	Hansen of Scott	McCreery	Rylander
Avery	Hanson of	Malone	Short
Babcock	Winnebago	Mathews	Snyder
Bair	Helgason	Mayne	Sours
Beath	Hesse	Mead	Stanzel
Brown	Hollingsworth	Millhone	Stiger
Davis	Hollis	Morton	Strachan
Dayton	Hook	O'Donnell	Tamisiea
Ditto	Hopkins	Osborn	TePaske
Drake of Keokuk	Hush	Paisley	Thiessen
Elliott	Johnson of	Pattison	Thompson
Ellsworth	Marion	Peaco	Torgeson
Felter	Kern	Pendray	Van Buren
Finnern	Koch	Randall	Van Wert
Forsling	Kohler	Ratliff	Wamstad
Gallagher	Lamb	Reed	Watts
Garrett	Langland	Reimers	Wearin
Gilmore	Lepley	Rutledge	Witt
Gissel	Long	Ryder	Mr. Speaker
Greaser			

The nays were, none.

Absent or not voting, 33.

Allen	Durant	Hutcheon	Nelson of Story
Augustine	Fabritz	Laughlin	Orr
Ballew	Figgins	Lichty	Randolph
Berry	Greene	McCaulley	Rawlings
Bonnstetter	Hansen of	McDermott	Roe
Byers	Audubon	McLain	Shields
Craven	Hayes	Miller	Simmer
Donlon	Hunt	Nelson of	Whiting
Drake of	Husted	Cherokee	
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPEAKER PRO TEMPORE RUTLEDGE IN THE CHAIR

Senate File No. 289, a bill for an act to amend Section seven thousand two (7002) of the Code, 1927, and to amend Section twenty-three (23), Chapter thirty (30), of the Acts of the 43rd General Assembly, to clarify the law relating to the deduction of real estate of Banks for purposes of taxation and prohibiting any offset against Surplus and Undivided Profits for losses, was taken up for consideration, having been substituted for House File No. 444.

Reed of Mahaska moved the previous question.

Motion prevailed.

Torgeson of Worth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Aiken	Finnern	Hopkins	Malone
Augustine	Gallagher	Hush	Mathews
Avery	Garrett	Husted	Mayne
Babcock	Gilmore	Johnson of	Mead
Bair	Gissel	Marion	Morton
Beath	Greaser	Kern	O'Donnell
Brown	Hansen of Scott	Koch	Paisley
Davis	Hanson of	Kohler	Pattison
Dayton	Winnebago	Lamb	Peaco
Ditto	Helgason	Langland	Pendray
Drake of Keokuk	Hesse	Lepley	Randall
Elliott	Hollingsworth	Long	Randolph
Ellsworth	Hollis	McCreery	Reed
Felter		McDermott	Reimers



Rutledge	Sours	TePaske	Van Wert
Ryder	Stanzel	Thiessen	Wamstad
Rylander	Stiger	Thompson	Wearin
Short	Strachan	Torgeson	Witt
Snyder	Tamisiea	Van Buren	

The nays were, 1.

Osborn

Absent or not voting, 35.

Allen	Fabritz	Laughlin	Orr
Ballew	Figgins	Lichty	Ratliff
Berry	Forsling	McCaulley	Rawlings
Bonnstetter	Greene	McLain	Roe
Byers	Hansen of	Millhone	Shields
Craven	Audubon	Miller	Simmer
Donlon	Hayes	Nelson of	Watts
Drake of	Hook	Cherokee	Whiting
Muscatine	Hunt	Nelson of Story	Mr. Speaker
Durant	Hutcheon		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 41, a bill for an act to amend section fifty-eight hundred thirty-five (5835) of the Code, 1927, relating to municipal bands to provide for municipal appropriation of funds, with report of committee recommending passage, was taken up for consideration.

#### SPEAKER JOHNSON IN THE CHAIR

McCreery of Linn moved that further action on Senate File No. 41 be deferred.

Reed of Mahaska moved the previous question.

Motion prevailed.

On the question "Shall action be deferred?" a roll call was demanded.

The ayes were, 35.

Augustine	Hanson of	Kern	Stanzel
Avery	Winnebago	Koch	Tamisiea
Babcock	Helgason	McCreery	Thompson
Bair	Hollingsworth	McDermott	Van Buren
Beath	Hollis	Malone	Van Wert
Brown	Hopkins	Mead	Wamstad
Davis	Hush	Pattison	Wearin
Gallagher	Johnson of	Ryder	Whiting
Gilmore	Marion	Snyder	Witt
Greaser			

The nays were, 35.

Aiken	Hook	Nelson of Story	Short
Dayton	Lamb	O'Donnell	Stiger
Ditto	Langland	Osborn	Strachan
Drake of Keokuk	Lepley	Paisley	TePaske
Ellsworth	Long	Peaco	Thiessen
Felter	Mathews	Pendray	Torgeson
Finnern	Mayne	Randall	Watts
Forsling	Millhone	Ratliff	Mr. Speaker
Hansen of Scott	Morton	Reed	

Absent or not voting, 38.

Allen	Elliott	Hunt	Orr
Ballew	Fabritz	Husted	Randolph
Berry	Figgins	Hutcheon	Rawlings
Bonnstetter	Garrett	Kohler	Reimers
Byers	Gissel	Laughlin	Roe
Craven	Greene	Lichty	Rutledge
Donlon	Hansen of	McCaulley	Rylander
Drake of	Audubon	McLain	Shields
Muscatine	Hayes	Miller	Simmer
Durant	Hesse	Nelson of	Sours
		Cherokee	

Motion to defer action lost.

Brown of Polk moved the previous question.

Motion prevailed.

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, 57.

Aiken	Hanson of	Millhone	Snyder
Avery	Winnebago	Nelson of Story	Sours
Bair	Hesse	O'Donnell	Stiger
Beath	Hollingsworth	Osborn	Strachan
Davis	Hollis	Paisley	TePaske
Ditto	Hopkins	Pattison	Thiessen
Durant	Koch	Peaco	Torgeson
Finnern	Kohler	Pendray	Van Buren
Forsling	Lamb	Ratliff	Van Wert
Gallagher	Langland	Reed	Wamstad
Garrett	Lepley	Reimers	Wearin
Gilmore	Long	Rutledge	Whiting
Gissel	McDermott	Ryder	Witt
Hansen of	Mathews	Rylander	Mr. Speaker
Audubon	Mayne	Short	

The nays were, 23.

Babcock	Greaser	Hutcheon	Morton
Brown	Hansen of Scott	Johnson of	Randall
Dayton	Helgason	Marion	Randolph
Elliott	Hook	McCreery	Stanzel
Ellsworth	Hush	Malone	Thompson
Felter	Husted	Mead	Watts

Absent or not voting, 28.

Allen	Drake of Keokuk	Hunt	Nelson of
Augustine	Drake of	Kern	Cherokee
Ballew	Muscatine	Laughlin	Orr
Berry	Fabritz	Lichty	Rawlings
Bonnstetter	Figgins	McCaulley	Roe
Byers	Greene	McLain	Shields
Craven	Hayes	Miller	Simmer
Donlon			Tamisica

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

Hesse of O'Brien, 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. 25.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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:

Senate File No. 25.

Pattison of Jefferson, Paisley of Lee, Hopkins of Guthrie, and Nelson of Story, offered the following motion to reconsider:

MR. SPEAKER: We move to take from the table the motion to reconsider the vote by which Senate File No. 111 failed to pass the House.

Rutledge of Webster moved that further action on the motion be deferred.

Motion prevailed.

#### AMENDMENT FILED

Kern of Polk filed the following amendment to Senate File No. 291:

Amend Senate File No. 291 as follows:

Strike all of section one (1) and insert in lieu thereof the following:

Section 1. That section eleven (11) chapter ten (10) of the acts of the forty-third (43rd) general assembly be amended by inserting in line one (1) thereof after the word "dealer" the following: "except state and savings banks, trust companies and national banks subject to the jurisdiction of the banking department of Iowa or the banking department of the Federal government,"

Amend the title to read as follows:

An Act to amend section eleven (11) chapter ten (10) of the acts of the forty-third (43rd) general assembly, relating to the registration of dealers engaged in the business of selling securities.

Bair of Buena Vista moved that the House do now adjourn until 9:00 a. m. Monday.

Rutledge of Webster moved to amend by changing the hour to 10:00 a. m. Monday.

Torgeson of Worth moved as a substitute for all pending motions that the House adjourn until 1:30 p. m. today.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 33.

Babcock	Hook	Osborn	TePaske
Dayton	Hopkins	Paisley	Thompson
Donlon	Hush	Peaco	Torgeson
Drake of Keokuk	Husted	Pendray	Van Buren
Ellsworth	Koch	Randolph	Van Wert
Finnern	Langland	Ratliff	Wamstad
Garrett	Lepley	Sours	Watts
Greaser	Mead	Tamisiea	Mr. Speaker
Helgason			

The nays were, 48.

Avery	Hansen of	Lamb	Randall
Bair	Audubon	Long	Reimers
Beath	Hansen of Scott	McCaulley	Rutledge
Brown	Hanson of	McCreery	Ryder
Davis	Winnebago	McDermott	Rylander
Durant	Hesse	Malone	Short
Elliott	Hollingsworth	Mathews	Snyder
Felter	Hollis	Mayne	Stanzel
Forsling	Hutcheon	Millhone	Stiger
Gallagher	Johnson of	Morton	Thiessen
Gilmore	Marion	Nelson of Story	Wearin
Gissel	Kern	O'Donnell	Whiting
	Kohler	Pattison	Witt

Absent or not voting, 27.

Aiken	Ditto	Hunt	Orr
Allen	Drake of	Laughlin	Rawlings
Augustine	Muscatine	Lichty	Reed
Ballew	Fabritz	McLain	Roe
Berry	Figgins	Miller	Shields
Bonnstetter	Greene	Nelson of	Simmer
Byers	Hayes	Cherokee	Strachan
Craven			

Motion to substitute lost.

Amendment lost.

McCaulley of Calhoun moved to amend by making the hour 9:30 a. m. Monday.

Amendment adopted.

Motion, as amended, prevailed and the House adjourned until 9:30 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 6, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. A. W. Armstrong, M. A. Historian Des Moines Conference, Methodist Church, Perry, Iowa.

Journal of April 4th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Augustine of Ringgold for the day, on request of Lepley of Grundy; Witt of Butler for the day, on request of Koch of Bremer; Morton of Wright for the day, on request of Millhone of Page; Stiger of Tama for the day, on request of Reimers of Lyon; Roe of Allamakee for the day, on request of Watts of Van Buren; Bair of Buena Vista for the day, on request of Matthews of Des Moines; Craven of Jasper for the day, on request of Garrett of Wayne.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Felter of Warren, from citizens of Indianola, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Garrett of Wayne, from citizens of Wayne county, opposing the county assessor plan. Tax revision.

By Hanson of Winnebago, from citizens of Buffalo Center, favoring appropriating funds for vocational education. Appropriations.

By Pattison of Jefferson, from citizens of Jefferson county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Ratliff of Henry, from citizens of Hillsboro, favoring a regulation of trucks and motor busses; and from the Henry County Farmers' Union and Legislative Committee, favoring making bovine tuberculin testing optional, favoring the replacement income tax bill, favoring making unstamped taxable obligations non-collectible, taxation of all State property for local purposes, and reduction of salaries and expenses of state, county, municipal and school officers and employes. Motor vehicles and transportation, and animal industry.

### REPORTS OF COMMITTEES

McCaulley of Calhoun, from the committee on tax revision, submitted the following reports:

MR. SPEAKER: Your committee on tax revision has introduced to the House, House File No. 570, a bill for an act to amend section sixty-nine hundred ninety-six (6996), Code of 1927, providing for the taxation of corporations organized under the provisions of section sixty-nine hundred ninety-four (6994), Code of 1927, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

MARION R. MCCAULLEY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on tax revision has introduced to the House, House File No. 571, a bill for an act to repeal section 7012 of the Code of 1927, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

MARION R. MCCAULLEY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on tax revision has introduced to the House, House File No. 572, a bill for an act to amend section seventy-one hundred fifty-five, Code of 1927, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

MARION R. MCCAULLEY, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on tax revision has introduced to the House, House File No. 573, a bill for an act to amend section 6966, Code of 1927, providing for the assessment of Grain, Ice and Coal Dealers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

MARION R. MCCAULLEY, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on tax revision has introduced to the House, House File No. 574, a bill for an act to amend section 6953, Code of 1927, relating to the taxation of real and 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 do pass.

MARION R. MCCAULLEY, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on tax revision has introduced to the House, House File No. 575, a bill for an act to amend section 6988, Code of 1927, providing for the deduction of indebtedness in the assessment of moneys and credits, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

MARION R. MCCAULLEY, *Chairman.*

Report adopted.

Hanson of Winnebago, from the sifting committee, submitted the following report :

MR. SPEAKER: Your sifting committee, to whom was referred Senate File No. 345, a bill for an act to amend section nine thousand ten (9010) of the Code of Iowa, 1927, relating to unlawful combinations of insurance companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

H. N. HANSON, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 566, by committee on claims, a bill for an act to make an appropriation to Paul T. Tissler.



Read first and second times and referred to committee on appropriations.

House File No. 567, by committee on claims, a bill for an act to make an appropriation to Martin McCarthy.

Read first and second times and referred to committee on appropriations.

House File No. 568, by committee on claims, a bill for an act to make an appropriation to Fred Hill, Mrs. Victoria Hill and to Laura E. Hill, minor.

Read first and second times and referred to committee on appropriations.

House File No. 569, by committee on claims, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore.

Read first and second times and referred to committee on appropriations.

House File No. 570, by committee on tax revision, a bill for an act to amend Section sixty-nine hundred sixty-five (6965) Code of 1927, providing for the assessment of Grain, Ice and Coal Dealers.

Read first and second times and referred to sifting committee.

House File No. 571, by committee on tax revision, a bill for an act to repeal section seven thousand twelve (7012) of the Code of 1927.

Read first and second times and referred to sifting committee.

House File No. 572, by committee on tax revision, a bill for an act to amend section seventy-one hundred fifty-five (7155) Code of 1927.

Read first and second times and referred to sifting committee.

House File No. 573, by committee on tax revision, a bill for an act to amend section sixty-nine hundred ninety-six (6996), Code of 1927, providing for the taxation of corporations organized under the provisions of section sixty-nine hundred ninety-four (6994), Code of 1927.

Read first and second times and referred to sifting committee.

House File No. 574, by committee on tax revision, a bill for an act to amend Section sixty-nine hundred fifty-three (6953), Code of 1927, relating to the taxation of real and personal property.

Read first and second times and referred to sifting committee.

House File No. 575, by committee on tax revision, a bill for an act to amend section sixty-nine hundred eighty-eight (6988), Code of 1927, providing for the deduction of indebtedness in the assessment of moneys and credits.

Read first and second times and referred to sifting committee.

#### CONSIDERATION OF BILLS

Senate File No. 345, a bill for an act to amend section nine thousand ten (9010) of the Code of Iowa, 1927, relating to unlawful combinations of insurance companies, with report of sifting committee recommending passage, was taken up for consideration.

Kern 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, 67.

Avery	Greaser	Lepley	Rutledge
Babcock	Hansen of Scott	Lichty	Ryder
Byers	Helgason	Long	Rylander
Davis	Hesse	McCaulley	Shields
Dayton	Hollingsworth	McLain	Simmer
Ditto	Hollis	Mathews	Snyder
Drake of	Hook	Mayne	Sours
Muscatine	Hopkins	Mead	Tamisiea
Durant	Hush	Millhone	Thiessen
Elliott	Hutcheon	Osborn	Thompson
Ellsworth	Johnson of	Pattison	Torgeson
Fabritz	Marion	Peaco	Van Buren
Figgins	Kern	Pendray	Van Wert
Finnern	Koch	Randolph	Watts
Gallagher	Kohler	Ratliff	Wearin
Garrett	Langland	Rawlings	Whiting
Gilmore	Laughlin	Reed	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 41.

Aiken	Drake of Keokuk	Lamb	Paisley
Allen	Felter	McCreery	Randall
Augustine	Forsling	McDermott	Reimers
Bair	Greene	Malone	Roe
Ballew	Hansen of	Miller	Short
Beath	Audubon	Morton	Stanzel
Berry	Hanson of	Nelson of	Stiger
Bonnstetter	Winnebago	Cherokee	Strachan
Brown	Hayes	Nelson of Story	TePaske
Craven	Hunt	O'Donnell	Wamstad
Donlon	Husted	Orr	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 344, a bill for an act to amend Chapter two hundred twenty-nine (229) of the Acts of the Forty-Third General Assembly, relating to insurance other than life, and to permit insurance of buildings and other property against loss or damage caused by railroad equipment and motor vehicles, with report of sifting committee recommending passage, was taken up for consideration.

Tamisiea of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 62.

Avery	Gallagher	Langland	Rawlings
Babcock	Garrett	Lepley	Reed
Beath	Gilmore	Long	Rutledge
Byers	Gissel	McDermott	Ryder
Davis	Greaser	McLain	Rylander
Dayton	Hansen of Scott	Mathews	Simmer
Ditto	Helgason	Mayne	Snyder
Donlon	Hesse	Mead	Tamisiea
Drake of Keokuk	Hollingsworth	Millhone	TePaske
Drake of	Hollis	Nelson of	Thiessen
Muscatine	Hopkins	Cherokee	Thompson
Durant	Hush	Osborn	Torgeson
Elliott	Hutcheon	Pattison	Van Buren
Ellsworth	Kern	Pendray	Watts
Figgins	Koch	Randolph	Whiting
Finnern	Kohler	Ratliff	Mr. Speaker

The nays were, 2.

Laughlin                      Wearin

Absent or not voting, 44.

Aiken	Greene	Lichty	Reimers
Allen	Hansen of	McCaulley	Roe
Augustine	Audubon	McCreery	Shields
Bair	Hanson of	Malone	Short
Ballew	Winnebago	Miller	Sours
Berry	Hayes	Morton	Stanzel
Bonnstetter	Hook	Nelson of Story	Stiger
Brown	Hunt	O'Donnell	Strachan
Craven	Husted	Orr	Van Wert
Fabritz	Johnson of	Paisley	Wamstad
Felter	Marion	Peaco	Witt
Forsling	Lamb	Randall	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The hour having arrived for special order, Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, was taken up for consideration, having been substituted for House File No. 10.

Van Buren of Jones moved that the House resolve itself into a committee of the whole for the consideration of Senate File No. 10.

Motion prevailed and the House resolved itself into a committee of the whole.

Brown of Polk moved that the committee of the whole do now arise.

Motion prevailed.

House reconvened, Speaker Johnson in the chair.

#### REPORT OF COMMITTEE

Helgason of Emmet, from the committee on roads and highways, submitted the following report:

MR. SPEAKER: Your committee on roads and highways has introduced to the House, House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county pri-

mary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system.

The roads and highway committee recommends to the House that the bill do pass.

E. O. HELGASON, *Acting Chairman.*

Report adopted.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

MR. SPEAKER: We, the undersigned members of the Conference Committee to which has been referred House File No. 2, beg leave to report that after due consideration we find ourselves unable to agree.

G. W. PATTERSON, *Chairman.*

T. E. MOEN,

M. D. COONEY,

C. A. BENSON,

*On the part of the Senate.*

MARION R. MCCAULLEY, *Chairman.*

W. E. S. HUTCHEON,

FRED W. NELSON,

S. B. DURANT,

*On the part of the House.*

Report adopted.

## REPORT OF STEERING COMMITTEE

MR. SPEAKER: Your Steering Committee recommends to the House that an evening session be had on Monday, April 6th at 7:30 o'clock for the consideration of the following Claims Bills:

House File 319

House File 323

House File 351

House File 390

House File 408

House File 409

House File 410

House File 411

House File 518

House File 517

House File 540

House File 541

House File 542

House File 543

House File 544

House File 545

House File 551

Senate File 251

and that a full attendance of the House membership be requested as it requires a two-thirds majority to pass any Claim bill.

Further, the committee recommends that on the evening of Tuesday, April 7th, there be no session of the House.

S. R. TORGESON, *Chairman*.

Report adopted.

#### ADDITIONAL COPIES OF BILLS ORDERED PRINTED

Elliott of Scott asked and obtained unanimous consent to have five hundred additional copies of House File No. 368 printed, as passed by the House.

Wearin of Mills asked and obtained unanimous consent to have one hundred additional copies of House File No. 57 printed, as passed 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. 482, a bill for an act to legalize the payment of funds by Johnson County, Iowa, from the court expense funds.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 354, a bill for an act to authorize the issuance of a patent to certain lands in Clayton county, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 381, a bill for an act relative to construction or maintenance of certain structures near public entrance of state parks.

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 relating to sewage systems.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 293, a bill for an act relating to actions for damages on account of personal injuries or death to women.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 366, a bill for an act defining the term "semi-trailer".

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 15, relative to the death of Knute Rockne.

WALTER H. BEAM, *Secretary*.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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 it has examined and finds correctly enrolled:

House Files Nos. 124, 238, 354, and 482.

G. H. HESSE,  
*Acting Chairman House Committee.*

M. D. COONEY,  
*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 bills:

House Files Nos. 124, 238, 354 and 482.

#### SENATE CONCURRENT RESOLUTION NO. 15

*Whereas*, By the untimely and lamentable death of Knute K. Rockne, the people of the United States have sustained the loss of one of the greatest exponents of gentlemanly sportsmanship, and one of the outstanding advocates of clean living, fair play and courage to the youth of the country, and

*Whereas*, Knute K. Rockne has drawn the friendship and admiration, not only of sport loving people, but of all who believe in the development of these human qualities

*Therefore, Be It Resolved by the Senate, the House concurring*, That we deplore his tragic death, and that we extend to his sorrowing family the sincere sympathy of the General Assembly and of the people of the State of Iowa.

*Be It Further Resolved*, That an engrossed copy of this resolution be forwarded to his bereaved family.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 15

Unanimous consent having been obtained for the immediate consideration of Senate Concurrent Resolution No. 15, Ditto of Osceola moved its adoption.

On the question "Shall the resolution be adopted?" a roll call was demanded.

The ayes were, 80.

Avery	Gissel	Koch	Rawlings
Babcock	Greaser	Kohler	Reed
Bair	Greene	Langland	Reimers
Beath	Hansen of	Lepley	Rutledge
Berry	Audubon	Lichty	Ryder
Bonnstetter	Hansen of Scott	Long	Rylander
Brown	Hanson of	McCaulley	Shields
Byers	Winnebago	McLain	Short
Davis	Hayes	Mathews	Snyder
Ditto	Helgason	Mead	Sours
Donlon	Hesse	Millhone	Stanzel
Drake of Keokuk	Hollingsworth	Nelson of Story	Strachan
Drake of	Hollis	O'Donnell	TePaske
Muscatine	Hook	Orr	Thiessen
Durant	Hunt	Osborn	Thompson
Elliott	Hush	Paisley	Torgeson
Ellsworth	Husted	Peaco	Van Buren
Figgins	Hutcheon	Pendray	Van Wert
Finnern	Johnson of	Randall	Wearin
Forsling	Marion	Randolph	Whiting
Gallagher	Kern	Ratliff	Mr. Speaker

The nays were, none.

Absent or not voting, 28.

Aiken	Garrett	Malone	Roe
Allen	Gilmore	Mayne	Simmer
Augustine	Hopkins	Miller	Stiger
Ballew	Lamb	Morton	Tamisiea
Craven	Laughlin	Nelson of	Wamstad
Dayton	McCreery	Cherokee	Watts
Fabritz	McDermott	Pattison	Witt
Felter			

Motion prevailed and Senate Concurrent Resolution No. 15 was adopted.

#### SENATE MESSAGES CONSIDERED

Senate File No. 381, a bill for an act prohibiting the erection, construction or maintenance of certain structures and the carrying on of certain business for commercial gain within two hundred (200) yards of a public entrance to a State Park, declaring same to constitute a nuisance and providing punishment for violations.

Read first and second times and referred to sifting committee.

Senate File No. 327, a bill for an act to provide for the financing in any city or town of the management, construction, maintenance, and operation of main sanitary sewers, intercepting sanitary



sewers, outfall or outlet sanitary sewers, sanitary pumping stations, and sanitary sewage treatment of purifying works by a system of sewer rentals.

Read first and second times and referred to sifting committee.

Senate File No. 293, a bill for an act to repeal the law as it appears in section ten thousand four hundred sixty-two (10462), ten thousand four hundred sixty-three (10463) and ten thousand four hundred sixty-four (10464) of the code, 1927, relating to actions for damages on account of personal injuries or death to women, and to enact a substitute therefor.

Read first and second times and referred to sifting committee.

Senate File No. 366, a bill for an act to amend Section Four Thousand Eight Hundred Sixty-Three (4863), Chapter Two Hundred Fifty-One (251), the Code of 1927, to define the terms "semi-trailer" and "truck tractor" and also to provide for the licensing of a semi-trailer, and to amend the Code of 1927 by adding Section Four Thousand Nine Hundred Thirteen-A (4913-A), providing for annual license fees for truck tractors.

Read first and second times and referred to sifting committee.

#### INTRODUCTION OF BILL

House File No. 576, by committee on roads and highways, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,00.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system.

Read first and second times.

Johnson of Marion moved that House File No. 576 be made a special order for Wednesday, April 8th, at 10:00 a. m., or immediately after the disposition of Senate File No. 10. Also, that House File No. 576 be referred to a committee of the whole House.

Shields of Clarke raised the point of order that it requires a two-thirds vote to keep from referring the bill to the sifting committee.

Speaker held the point of order well taken.

On the question "Shall House File No. 576 be referred to a committee of the whole House, and be made a special order?" a roll call was demanded.

The ayes were, 61.

Avery	Greene	Lamb	Orr
Babcock	Hansen of	Langland	Osborn
Bair	Audubon	Laughlin	Pattison
Ballew	Hansen of Scott	Lepley	Randall
Brown	Hayes	Lichty	Randolph
Byers	Helgason	Long	Ratliff
Ditto	Hesse	McCaulley	Reed
Drake of	Hollingsworth	McDermott	Rutledge
Keokuk	Hollis	McLain	Ryder
Drake of	Hopkins	Malone	Rylander
Muscatine	Hunt	Mathews	Simmer
Durant	Husted	Mead	Snyder
Elliott	Hutcheon	Millhone	Sours
Fabritz	Johnson of	Nelson of	Tamisiea
Gallagher	Marion	Cherokee	Wearin
Gilmore	Kern	Nelson of Story	Whiting
Greaser	Koch		

The nays were, 34.

Beath	Finnern	Paisley	Thiessen
Berry	Forsling	Peaco	Thompson
Bonnstetter	Gissel	Rawlings	Torgeson
Craven	Hanson of	Reimers	Van Buren
Davis	Winnebago	Shields	Van Wert
Donlon	Hook	Short	Wamstad
Ellsworth	Hush	Stanzel	Watts
Felter	Kohler	Strachan	Mr. Speaker
Figgins	O'Donnell	TePaske	

Absent or not voting, 13.

Aiken	Garrett	Miller	Roe
Allen	McCreery	Morton	Stiger
Augustine	Mayne	Pendray	Witt
Dayton			

Motion by Johnson of Marion lost and House File No. 576 was referred to sifting committee.

## MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which Senate File No. 41 passed the House.

J .P. GALLAGHER.

Greene of Pottawattamie moved that the House do now adjourn until 6:00 p. m. today.

Ratliff of Henry moved as a substitute that the House do now adjourn until 8:30 a. m. Tuesday.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 50.

Avery	Greaser	Lichty	Peaco
Babcock	Greene	Long	Randall
Bair	Hansen of	McCaulley	Ratliff
Ballew	Audubon	McLain	Ryder
Byers	Hayes	Mathews	Rylander
Craven	Helgason	Millhone	Snyder
Davis	Hollingsworth	Nelson of	Sours
Ditto	Hollis	Cherokee	Stanzel
Drake of	Hunt	Nelson of Story	Thiessen
Muscatine	Hutcheon	O'Donnell	Van Wert
Ellsworth	Koch	Osborn	Watts
Felter	Kohler	Paisley	Wearin
Figgins	Laughlin	Pattison	Whiting
Gilmore			

The nays were, 37.

Berry	Hanson of	Lamb	Shields
Bonnstetter	Winnebago	Langland	Simmer
Brown	Hesse	Lepley	Strachan
Donlon	Hook	McDermott	Tamisiea
Durant	Hopkins	Malone	TePaske
Elliott	Hush	Mead	Thompson
Finnern	Husted	Orr	Torgeson
Gallagher	Johnson of	Randolph	Van Buren
Gissel	Marion	Rawlings	Wamstad
	Kern	Reed	Mr. Speaker

Absent or not voting, 21.

Aiken	Fabritz	Mayne	Roe
Allen	Forsling	Miller	Rutledge
Augustine	Garrett	Morton	Short
Beath	Hansen of Scott	Pendray	Stiger
Dayton	McCreery	Reimers	Witt
Drake of Keokuk			

Motion prevailed and the substitution was made.

Substitute motion adopted, and the House adjourned until 8:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, APRIL 7, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Henry McCraven, Des Moines.

Journal of April 6th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Morton of Wright indefinitely, on request of Reed of Mahaska; Dayton of Washington for the day, on request of Snyder of Hamilton; Roe of Allamakee for the day, on request of Watts of Van Buren; Aiken of Ida for the day, on request of Torgeson of Worth.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Drake of Muscatine, from citizens of Fruitland township, Muscatine county, opposing Senate File No. 372. Horticulture and forestry.

By Mathews of Des Moines, from citizens of Des Moines county, favoring House File No. 352 and Senate File No. 264; and opposing the licensing of operators of portable mills. Ways and means, and commerce and trade.

By McLain of Poweshiek, from citizens of Montezuma, opposing the licensing of operators of portable mills. Commerce and trade.

By Nelson of Story, from citizens of Story county, favoring a gross income tax to displace the various present forms of taxation. Tax revision.

By Ratliff of Henry, from citizens of Henry county, favoring

a regulation of trucks and motor busses. Motor vehicles and transportation.

Van Buren of Jones moved that the House do now resolve itself into a committee of the whole for further consideration of Senate File No. 10.

Motion prevailed.

On motion of Byers of Linn the committee of the whole arose.

House reconvened, Speaker Johnson 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. 420, a bill for an act relating to supplements to books of annotations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 412, a bill for an act providing for the payment of postage, equipment, supplies and printing, used by the gasoline license tax department.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 236, a bill for an act relating to teachers' certificates.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 361, a bill for an act relating to the registration of graves of soldiers and sailors of the United States Army and Navy.

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 relating to adult wards and their guardians.

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 16, memorializing the Congress of the United States to pass a bill similar to the Shipstead-Mansfield bill

for the adequate financing and speedy completion of the river and harbor projects heretofore adopted by Congress.

Also, that 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 relating to the fixing of rates for private consumers in cases of municipally owned waterworks.

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 relating to the driving of motor vehicles upon the highways.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 407, a bill for an act limiting the size of fish when using licensed nets or seines.

Also, that the Senate has concurred in House amendment to Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File No. 328, a bill for an act relating to school census.

Also, that the Senate has passed the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution No. 6, relative to appointment of a special corporation committee for the purpose of proposing legislation relative to the corporation laws of Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 131, a bill for an act relating to the general duties of health officers of the local board of health.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 290, a bill for an act relating to the improvement of secondary roads so as to provide for the improvement of county line secondary roads.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 415, a bill for an act relating to civil service.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 129, a bill for an act relative to venereal diseases, and the duties of the state and local boards of health.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 147, a bill for an act relating to isolation of persons having communicable diseases.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 527, a bill for an act relating to county teachers institutes.

Also, that the Senate requests a new conference committee to consist of five members from each house on House File No. 2, relating to Income Tax, and the President has appointed as members of the committee on the part of the Senate Senators Clark of Linn, Stevens, Blackford, Irwin, and Knudson.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 170, a bill for an act relating to the labeling of commercial feeds and stock tonics.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 170

Amend Section 1 by striking out the word "ash" as it appears in line 4 of said section and insert in lieu thereof the following: "the actual per cent of added mineral matter".

Amend Section 2 in line 4 by inserting after the word "shells" as it appears secondly in said line the following: "or poultry limestone".

Also by inserting after the word "shells" as it appears in line 6 thereof the following: "or ingredients".

#### SENATE CONCURRENT RESOLUTION NO. 16

A Concurrent Resolution memorializing the Congress of the United States to pass a bill similar to the Shipstead-Mansfield bill for the adequate financing and speedy completion of the river and harbor projects heretofore adopted by Congress.

*Whereas*, Congress has recognized the economic necessity of a trade outlet to tidewater for the land-locked states of the midwest, and by the Act of July 3, 1930, has adopted projects for channels on the upper Mississippi and Missouri rivers which border Iowa for seven hundred fifty miles, but has made no adequate provision for financing their construction so that the resulting benefits may be enjoyed by the present generation, and

*Whereas*, The Special Board of United States Engineers assigned to

the survey of these river channels, have found and reported that "industries have not located in this area because transportation costs, both on raw material and finished products, have been so high as to dictate their location elsewhere", and "the grain producer has had little choice but to sell at one price to the one market," and

*Whereas*, These conditions, now aggravated by a nation-wide depression, suggest the immediate employment of labor and industry in the construction of public and reproductive works, and

*Whereas*, The Shipstead-Mansfield bill, provided for an internal loan to supplement annual budget appropriations for the adequate financing of all river and harbor projects already adopted by Congress, thus affecting a material saving in the primary cost of these works, hastening the date of their completion and beneficial enjoyment, and providing immediate employment for the idle labor, idle industry and idle capital,

*Now, Therefore Be It Resolved*, By the Senate of the State of Iowa, the House of Representatives concurring, that the Congress of the United States be memorialized and urgently requested to enact into law a bill of similar purport to the Shipstead-Mansfield bill, and that our representatives in Congress be urged to support it and use all honorable means to procure its passage.

*Be It Further Resolved*, That a copy of this resolution attested by the proper officers of both houses, be sent to the President of the United States, the Secretary of War, the presiding officers of the Senate and House of Representatives, and to each United States Senator and member of Congress from the State of Iowa.

Unanimous consent having been obtained for the immediate consideration of the resolution, Donlon of Palo Alto moved its adoption.

Motion prevailed and Senate Concurrent Resolution No. 16 was adopted.

#### SENATE MESSAGES CONSIDERED

Senate File No. 420, a bill for an act to amend section two hundred sixty-five-a one (265-a1), Code, 1927, relating to supplements to books of annotations.

Read first and second times and referred to sifting committee.

Senate File No. 412, a bill for an act to amend the law as it appears in section fifty hundred ninety-three a eleven (5093-a11) of the code, 1927, so as to provide for the payment of postage, equipment, supplies and printing, used by the gasoline license tax department, out of the gasoline fees.



Read first and second times and referred to sifting committee.

Senate File No. 236, a bill for an act to amend sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred seventy-seven (3877), code, 1927, relating to teachers' certificates.

Read first and second times and referred to sifting committee.

Senate File No. 361, a bill for an act to amend Chapter 134, Acts of the 43rd General Assembly, relating to the registration of graves of soldiers and sailors of the United States Army and Navy and to provide appropriation therefor.

Read first and second times and referred to committee on appropriations.

Senate File No. 149, a bill for an act to amend Chapter five hundred forty-one (541) of the Code of 1927, relating to adult wards and their guardians, and providing for procedure to file, prosecute and establish claims against guardians of adult wards.

Read first and second times and referred to sifting committee.

Senate File No. 239, a bill for an act to amend section sixty-one hundred eighty (6180), Code, 1927, relating to the fixing of rates for private consumers in cases of municipally owned water-works acquired and operated under and pursuant to Chapter three hundred fourteen (314), Code, 1927.

Read first and second times and referred to sifting committee.

Senate File No. 295, a bill for an act to amend the law as it appears in section two (2) of chapter one hundred twenty-eight (128) of the acts of the forty-third general assembly relating to the driving of motor vehicles upon the highways.

Read first and second times and referred to sifting committee.

Senate File No. 407, a bill for an act to amend section fifteen (15) of chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, limiting the size of fish when using licensed nets or seines.

Read first and second times and referred to sifting committee.

## SECOND CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

As a second conference committee on House File No. 2, on the part of the House, the Speaker appointed the following mem-

bers: Johnson of Marion, Ditto of Osceola, TePaske of Sioux, Strachan of Humboldt, Greaser of Benton.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 67, 108, 142, 279, 289, 344, and 345.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 67, 108, 142, 279, 289, 344, and 345.

#### BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 7th day of April, 1931, sent to the governor for his approval:

House Files Nos. 124, 238, 354, 482.

G. H. HESSE, *Acting Chairman.*

Report adopted.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on April 4th, approved the following bills:

House Files Nos. 190, 223, 271, 172, 530, 365, 184, and 52.

Van Buren of Jones moved that the House do now resolve itself into a committee of the whole for further consideration of Senate File No. 10, and that when the House reconvenes that it reconvene at 9:00 a. m. Wednesday.

Motion prevailed.

On motion of Elliott of Scott, the committee of the whole arose.

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, APRIL 8, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. J. L. Ralston, pastor of the Trinity M. E. Church, Lake City, Iowa.

Journal of April 7th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Dayton of Washington for the day, on request of Snyder of Hamilton.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Davis of Delaware, from residents of Delaware county, opposing the licensing of portable mills. Commerce and trade.

By Durant of Hancock, from citizens of Hancock county, opposing a tobacco tax. Ways and means.

By Hunt of Louisa, from citizens of Wapello, opposing cutting off the appropriation for rehabilitation service of the state board of vocational education. Appropriations.

By Nelson of Story, from citizens of Iowa, opposing a tobacco tax. Ways and means.

By Snyder of Hamilton, from the legislative committee for mutual insurance in Iowa, opposing House File No. 252 and Senate File No. 231. Insurance.

By Whiting of Johnson, from citizens of Johnson county, opposing a tobacco tax. Ways and means.

By Reed of Mahaska, from citizens of Wright, Iowa, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rutledge of Webster, from citizens of Fort Dodge, opposing a tobacco tax. Ways and means.

By Berry of Monroe, from citizens of Melrose, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By McCreery of Linn, from citizens of Linn county, opposing a tobacco tax. Ways and means.

By Osborn of Decatur, from citizens of Lamoni, favoring appropriating funds for vocational education; and from citizens of Decatur and Pleasanton, favoring a regulation of trucks and motor busses. Appropriations, and motor vehicles and transportation.

#### 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. 264, a bill for an act relating to licensing of pipe line companies.

Also, that the Senate insists on its amendment to the following bill:

House File No. 121, a bill for an act providing legal help in court actions to which the state highway commission is a party. The Senate requests a conference committee and the President has appointed, on the part of the Senate, Senators Clark of Marion, Bennett, Topping and Cooney.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 411, a bill for an act to amend chapter one hundred twenty-nine (129) Acts of the 43rd General Assembly relating to the regulation of motor trucks, and to provide date when unexpended balances of the fees on motor trucks shall be credited to the general 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. 388, a bill for an act to make an appropriation to

Hamiel and Mather, attorneys at law, and Edwin B. Wilson, attorney at law.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 347, a bill for an act to amend Chapter 6, Acts of the 43rd General Assembly, regulating the issuing of shares of stock of corporations without par value.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 382, a bill for an act to make an appropriation to the Iowa Bridge Company and the Olson Construction Company for damages growing out of contracts to build bridges, under the Iowa State Highway Commission.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 87, a bill for an act relating to special assessments for the improvement of secondary roads.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 391, a bill for an act relating to junior colleges and amending section forty-two hundred sixty-seven b-one (4267 b1), Code, 1927.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 392, a bill for an act to amend section twenty-five hundred forty-five (2545) Code, 1927, relating to the practice of podiatry.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 276, a bill for an act to make an appropriation for the expenses incurred in the election contest of Hattendorf vs. Ditto.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 468, a bill for an act relating to an election held in the town of Traer, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 267, a bill for an act relating to teachers' examinations.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 265, a bill for an act to make an appropriation for the expenses incurred in the election contest of Maneor vs. Berry.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 288, a bill for an act relating to state aid to short courses in counties where no county or district fairs are held.

Also, that the Senate has concurred in the House amendment to the following bill in which the concurrence of the House is asked:

Senate File No. 177, a bill for an act to make it a felony for any person, firm, or corporation to engage in the transportation into this State of intoxicating liquor, and to provide a punishment therefor.

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 death of Mrs. Ed. H. Campbell.

WALTER H. BEAM, *Secretary*.

SENATE CONCURRENT RESOLUTION NO. 17 CONSIDERED  
MRS. ED. H. CAMPBELL MEMORIAL

SENATE CONCURRENT RESOLUTION NO. 17

*Be It Resolved by the Senate, the House concurring,* That the word of the death of the wife of Congressman Ed. H. Campbell of the Eleventh Congressional District and a former member of this General Assembly, is received with deep sorrow on the part of the members of the Forty-fourth General Assembly;

That we extend to Congressman Campbell; to his son, Ed. Jr.; to the members of the family of Mrs. Campbell; and to her many friends, our most sincere regret and expression of condolence at this hour of great bereavement;

That the President of the Senate and the Speaker of the House name a committee to procure and send a suitable floral tribute as a token of our profound sympathy at the passing of the wife of a former member of this General Assembly.

LEW MACDONALD.

O. P. BENNETT.

B. M. STODDARD.

T. E. MOEN.

L. T. QUIRK.

Unanimous consent having been obtained for the immediate consideration of the concurrent resolution, TePaske of Sioux moved its adoption.

Motion prevailed and the concurrent resolution was adopted. The Speaker appointed as members of such committee: TePaske of Sioux, Berry of Monroe and Forsling of Woodbury.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 288

In line two of sub-section 1-b of Section 2, by striking out after the word "first" the words "of each" and inserting in lieu thereof the words "of the preceding".

Also to amend in line four of Section 3 by striking out the word "eighty" and inserting in lieu thereof the word "sixty", and at the end of line five, by striking out the word "six" and inserting in lieu thereof the word "four".

#### SENATE MESSAGES CONSIDERED

Senate File No. 392, a bill for an act to amend section twenty-five hundred forty-five (2545), Code 1927, relating to the practice of podiatry.

Read first and second times and referred to sifting committee.

Senate File No. 391, a bill for an act relating to junior colleges and amending section forty-two hundred sixty-seven b-one (4267 b1), Code, 1927.

Read first and second times and referred to sifting committee.

Senate File No. 87, a bill for an act to amend, revise, and codify sections forty-seven hundred forty-five (4745), forty-seven hundred forty-five-a one (4745-a1), forty-seven hundred forty-six (4746), to forty-seven hundred fifty-three (4753), inclusive, and forty-seven hundred fifty-three-a one (4753-a1) to forty-seven hundred fifty-three-a nine (4753-a9), inclusive, all of the Code, 1927, relating to special assessments for the improvement of secondary roads.

Read first and second times and referred to sifting committee.

Senate File No. 382, a bill for an act to make an appropriation to the Iowa Bridge Company and the Olson Construction Company for damages growing out of contracts to build bridges, under the Iowa State Highway Commission.

Read first and second times and referred to committee on appropriations.

Senate File No. 347, a bill for an act to amend Chapter 6, Acts of the Forty-third General Assembly, regulating the issuing of shares of stock of corporations without par value.



Read first and second times and referred to sifting committee.

Senate File No. 388, a bill for an act to make an appropriation to Hamiel and Mather, attorneys at law, and Edwin B. Wilson, attorney at law.

Read first and second times and referred to sifting committee.

Senate File No. 411, a bill for an act to amend chapter one hundred twenty-nine (129) Acts of the Forty-third General Assembly relating to the regulation of motor trucks, and to provide date when unexpended balances of the fees on motor trucks shall be credited to the general fund of the state.

Read first and second times and referred to committee on appropriations.

Senate File No. 264, a bill for an act to provide for the licensing of pipe line companies engaged in the business of owning or operating lines for the transportation or transmission of gas, gasoline, oils, or motor fuels within or through this state; providing a permit fee and an annual occupation tax therefor; providing for the regulation of the construction, location and inspection of pipe lines; providing for the right of eminent domain and regulating the use of such right; providing that the board of railroad commissioners shall have supervision over pipe lines, and providing for the fixing of property security and responsibility by pipe line companies for the protection of persons sustaining damage by them; fixing jurisdiction in the district court of the county where any controversy arises involving said pipe lines, and providing a method of service of notice of suit against pipe line companies; and amending section forty-eight hundred fifty-eight (4858), of the code, 1927, relating to grants for the use of highways by certain pipe lines outside of cities and towns.

Read first and second times and referred to sifting committee.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 121

As a conference committee on House File No. 121, the Speaker appointed the following members: Forsling of Woodbury, Wamstad of Mitchell, Kern of Polk, and Reimers of Lyon.

On motion of Van Buren of Jones the House resolved itself into a committee of the whole.

On motion of Elliott of Scott the committee of the whole arose.

House reconvened, Speaker Johnson in the chair.

#### SOUTHERN WONDERS JUBILEE SINGERS ENTERTAIN HOUSE

Kern of Polk announced the presence of the Southern Wonders Jubilee Singers and that they were ready to entertain the House at this time, and moved that a committee of one be appointed to escort them to the front of the House Chamber.

Motion prevailed, and the Speaker appointed Mr. Kern to escort them to the front of the House Chamber where they rendered several selections.

Randall of Lucas moved that the House do now recess until 1:15 p. m. today.

Motion prevailed.

#### AFTERNOON SESSION

On motion of Van Buren of Jones the House resolved itself into a committee of the whole.

On motion of Elliott of Scott, the committee of the whole arose.

House reconvened, Speaker Johnson in the chair.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 527, 147, 129, 328, 415, 290, and 131.

House Joint Resolution No. 6.

Senate File No. 177.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 527, 147, 129, 328, 415, 290, and 131.

House Joint Resolution No. 6.

Senate File No. 177.

## RESOLUTION

Simmer of Wapello offered the following resolution:

*Whereas*, The Honorable S. L. Graham who was a member of the House of Representatives from Wapello County in the Thirty-ninth, Fortieth, Fortieth Extra, and Forty-first General Assemblies, died October 13, 1930, at Ottumwa, Iowa; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That the Speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Simmer moved its adoption.

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Simmer of Wapello, Hansen of Scott and Forsling of Woodbury.

## HOUSE FILE WITHDRAWN

Wearin of Mills asked and obtained unanimous consent to have House File No. 457 withdrawn from the sifting committee and from further consideration of the House.

## AMENDMENT FILED

MR. SPEAKER: We move to amend Senate File No. 10, as passed by the Senate, by striking out all of Section Nineteen-a (19-a).

LEROY SHIELDS

WALLACE M. SHORT

W. J. McLAIN

E. R. BROWN

J. A. GALLAGHER

CHAS. S. HOOK

VICTOR FELTER

GEO. A. KERN

S. F. RANDOLPH

I. M. REED

CAROLYN C. PENDRAY

ELLET LEFLEY

F. D. MEAD

J. L. RANDALL

HOMER HUSH

W. E. S. HUTCHEON

S. B. DURANT

P. H. DONLON

THORE THOMPSON

A. H. BONNSTETTER

G. H. HESSE

J. E. CRAVEN

OVE T. ROE

On motion of Kern of Polk, 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 9, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Earnest B. Mounsey, pastor of the Christ Episcopal Church, Waterloo, Iowa.

Journal of April 8th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Johnson of Marion, from citizens of Marion county, favoring adoption of the gross income tax or gross sales tax, or tax relief. Tax revision.

By Greaser of Benton, from teachers of Iowa, favoring the certification bill. Schools and textbooks.

## BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 9th day of April, 1931, sent to the governor for his approval:

House Files Nos. 527, 147, 129, 328, 415, 290, and 131.

House Joint Resolution No. 6.

C. J. ORR, *Chairman.*

Report adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on April 8th, approved the following bills:

House Files Nos. 124, 354, and 482.

## REPORT FILED BY THE COMMITTEE OF THE WHOLE

MR. SPEAKER: The committee of the whole, to which was referred Senate File No. 10, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the bill be amended as follows, and when so amended, the bill do pass:

Amend Senate File No. 10 as follows:

Amend Section Two (2) as follows:

1. By striking from lines three (3) and four (4), the words and figures: "the sum of Two hundred twenty-two thousand five hundred seventy-five dollars (\$222,575.00)" and inserting in lieu thereof the following: "the sum of Two hundred twenty-one thousand three hundred twenty-five dollars (\$221,325.00)".

2. By striking the figures "9,750.00" in line forty-three (43) and inserting in lieu thereof the figures "9,000.00".

3. By striking the figures "1,000.00" in line forty-six (46) and inserting in lieu thereof the figures "500.00".

4. By striking the figures "\$192,495.00" in line forty-eight (48) and inserting in lieu thereof the figures "\$191,245.00".

5. By striking the figures "\$221,135.00" in line fifty (50) and inserting in lieu thereof the figures "\$219,885.00".

6. By striking the figures "\$222,575.00" in line fifty-eight (58) and inserting in lieu thereof the figures "\$221,325.00".

Amend Section Three (3) as follows:

1. By striking from lines three (3) and four (4), the words and figures: "the sum of Four hundred eighty-three thousand six hundred fifty dollars (\$483,650.00)" and inserting in lieu thereof the following: "the sum of Four hundred seventy-seven thousand one hundred fifty dollars (\$477,150.00)".

2. By striking the figures "\$6,250.00" in line forty-one (41) and inserting in lieu thereof the figures "\$5,000.00".

3. By striking the figures "\$4,250.00" in line forty-three (43) and inserting in lieu thereof the figures "\$3,250.00".

4. By striking the figures "\$6,250.00" in line forty-five (45) and inserting in lieu thereof the figures "\$5,250.00".

5. By striking the figures "\$4,000.00" in line forty-nine (49) and inserting in lieu thereof the figures "\$3,000.00".

6. By striking the figures "\$6,250.00" in line fifty-one (51) and inserting in lieu thereof the figures "\$5,250.00".

7. By striking the figures "\$6,250.00" in line fifty-seven (57) and inserting in lieu thereof the figures "\$5,000.00".

8. By striking the figures "\$483,650.00" in line eighty-one (81) and inserting in lieu thereof the figures "\$477,150.00".

Amend Section Four (4) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Ninety thousand two hundred twenty dollars (\$90,220.00)", and inserting in lieu thereof the following: "the sum of Eighty-four thousand three hundred twenty dollars (\$84,320.00)".

2. By striking the figures "2,400.00" in line eleven (11) and inserting in lieu thereof the figures "1,800.00".

3. By striking the figures "1,500.00" in line fifteen (15) and inserting in lieu thereof the figures "1,200.00".

4. By striking the figures "\$46,720.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$45,820.00".

5. By striking the figures "25,000.00" in line twenty-five-a (25a) and inserting in lieu thereof the figures "20,000.00".

6. By striking the figures "\$43,500.00" in line twenty-nine (29) and inserting in lieu thereof the figures "\$38,500.00".

7. By striking the figures "\$90,220.00" in line thirty-two (32) and inserting in lieu thereof the figures "\$84,320.00".

Amend Section Six (6) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Thirty thousand two hundred dollars (\$30,200.00)" and inserting in lieu thereof the following: "the sum of Twenty-nine thousand four hundred dollars (\$29,400.00)".

2. By striking the figures "2,400.00" in line nine-a (9a) and inserting in lieu thereof the figures "2,100.00".

3. By striking the figures "\$26,700.00" in line nineteen (19) and inserting in lieu thereof the figures "\$26,400.00".

4. By striking the figures "\$2,500.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$2,000.00".

5. By striking the figures "\$3,500.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$3,000.00".

6. By striking the figures "\$30,200.00" in line twenty-seven (27) and inserting in lieu thereof the figures "\$29,400.00".

Amend Section Nine (9) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of One Hundred thirty thousand dollars (\$130,000.00)" and inserting in lieu thereof the following: "the sum of One hundred ten thousand dollars (\$110,000.00)".

2. By striking the figures "\$100,000.00" in line eight (8) and inserting in lieu thereof the figures "\$80,000.00".

3. By striking the figures "\$130,000.00" in line twelve (12) and inserting in lieu thereof the figures "\$110,000.00".

Amend Section Eleven (11) as follows:

1. By striking from lines three (3) and four (4), the words and figures: "the sum of Sixty thousand six hundred eighty dollars (\$60,680)" and inserting in lieu thereof the following: "the sum of Fifty-eight thousand eight hundred thirty dollars (\$58,830.00)".

2. By striking all of line twenty-five (25).

3. By striking the figures "\$58,430.00" in line twenty-seven (27) and inserting in lieu thereof the figures "\$56,930.00".

4. By striking the figures "\$500.00" in line twenty-nine (29) and inserting in lieu thereof the figures "\$400.00".

5. By striking the figures "1,750.00" in line thirty (30) and inserting in lieu thereof the figures "1,500.00".

6. By striking the figures "\$2,250.00" in line thirty-two (32) and inserting in lieu thereof the figures "\$1,900.00".

7. By striking the figures "\$60,680.00" in line thirty-five (35) and inserting in lieu thereof the figures "\$58,830.00".

Amend Section Twelve (12) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Three hundred seventy-four thousand dollars (\$374,000.00)" and inserting in lieu thereof the following: "the sum of Three hundred sixty-four thousand dollars (\$364,000.00)".

2. By striking the figures "\$30,000.00" in line ten (10) and inserting in lieu thereof the figures "\$20,000.00".

3. By striking the figures "\$374,000.00" in line fourteen (14) and inserting in lieu thereof the figures "\$364,000.00".

Amend Section Fourteen (14) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Two hundred forty-eight thousand nine hundred

dollars (\$248,900.00)" and inserting in lieu thereof the following: "the sum of Two hundred forty-one thousand six hundred thirty dollars (\$241,630.00)".

2. By striking the figures "1,320.00" in line ten (10) and inserting in lieu thereof the figures "1,200.00".

3. By striking the figures "2,550.00" in line sixteen (16) and inserting in lieu thereof the figures "2,400.00".

4. By striking the figures "\$20,150.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$19,880.00".

5. By striking the figures "5,000.00" in line twenty-five (25) and inserting in lieu thereof the figures "4,000.00".

6. By striking the figures "3,000.00" in line twenty-seven (27) and inserting in lieu thereof the figures "2,000.00".

7. By striking all of line thirty-two (32).

8. By striking the figures "\$228,750.00" in line thirty-four (34) and inserting in lieu thereof the figures "\$221,750.00".

9. By striking the figures "\$248,900.00" in line thirty-seven (37) and inserting in lieu thereof the figures "\$241,630.00".

Amend Section Seventeen (17) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Seventeen thousand five hundred fifty dollars (\$17,550.00)" and inserting in lieu thereof the following: "the sum of Seventeen thousand three hundred fifty dollars (\$17,350.00)".

2. By striking the figures "3,750.00" in line seventeen (17) and inserting in lieu thereof the figures "3,550.00".

3. By striking the figures "\$7,450.00" in line twenty (20) and inserting in lieu thereof the figures "\$7,250.00".

4. By striking the figures "\$17,550.00" in line twenty-three (23) and inserting in lieu thereof the figures "\$17,350.00".

Amend Section Nineteen (19) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Twenty thousand seven hundred dollars (\$20,700.00)" and inserting in lieu thereof the following: "the sum of Nineteen thousand seven hundred dollars (\$19,700.00)".

2. By striking the figures "\$1,350.00" in line sixteen (16) and inserting in lieu thereof the figures "\$900.00".

3. By striking the figures "250.00" in line seventeen (17) and inserting in lieu thereof the figures "200.00".

4. By striking the figures "1,000.00" in line nineteen (19) and inserting in lieu thereof the figures "500.00".



5. By striking the figures "\$4,100.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$3,100.00".

6. By striking the figures "\$20,700.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$19,700.00".

Amend Section Twenty-five (25) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Fifty-eight thousand three hundred twenty-five dollars (\$58,325.00)" and inserting in lieu thereof the following: "the sum of Fifty-six thousand eight hundred twenty-five dollars (\$56,825.00)".

2. By striking the figures "\$5,000.00" in line seven (7) and inserting in lieu thereof the figures "\$4,000.00".

3. By striking the figures "\$3,600.00" in line eight (8) and inserting in lieu thereof the figures "\$3,400.00".

4. By striking the figures "3,000.00" in line nine (9) and inserting in lieu thereof the figures "\$2,700.00".

5. By striking the figures "\$47,700.00" in line twenty-five (25) and inserting in lieu thereof the figures "\$46,200.00".

6. By striking the figures "\$58,325.00" in line thirty-four (34) and inserting in lieu thereof the figures "\$56,825.00".

Amend Section Thirty-six (36) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Seventeen thousand one hundred fifty dollars (\$17,150.00)" and inserting in lieu thereof the following: "the sum of Sixteen thousand five hundred dollars (\$16,500.00)".

2. By striking the figures "\$600.00" in line eighteen (18) and inserting in lieu thereof the figures "\$400.00".

3. By striking all of lines nineteen (19) and twenty (20).

4. By striking the figures "\$3,550.00" in line twenty-six (26) and inserting in lieu thereof the figures "\$2,900.00".

5. By striking the figures "\$17,150.00" in line twenty-nine (29) and inserting in lieu thereof the figures "\$16,500.00".

Amend Section Thirty-eight (38) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Forty-one thousand one hundred twenty dollars (\$41,120.00)" and inserting in lieu thereof the following: "the sum of Thirty-one thousand two hundred twenty dollars (\$31,220.00)".

2. By striking the figures "\$5,000.00" in line eight (8) and inserting in lieu thereof the figures "\$4,000.00".

3. By striking the figures "10,800.00" in line ten (10) and inserting in lieu thereof the figures "9,600.00".

4. By striking all of lines thirteen (13) and fourteen (14).
5. By striking the figures "\$32,120.00" in line sixteen (16) and inserting in lieu thereof the figures "\$22,720.00".
6. By striking the figures "4,000.00" in line nineteen (19) and inserting in lieu thereof the figures "3,500.00".
7. By striking the figures "\$9,000.00" in line twenty-one (21) and inserting in lieu thereof the figures "\$8,500.00".
8. By striking the figures "\$41,120.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$31,220.00".

Amend Section Forty-two (42) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Forty-six thousand eight hundred dollars (\$46,800.00)" and inserting in lieu thereof the following: "the sum of Sixty-four thousand eight hundred dollars (\$64,800.00)".
2. By striking all of line thirty-five-a (35a) and inserting in lieu thereof the following:

"36

#### REAL ESTATE BOARD

(See page 76 Budget Report)

37 For Salaries: (e)

38	Secretary .....	\$ 3,000.00
39	Chief Investigator .....	2,400.00
40	Chief Clerk .....	1,500.00
41	Stenographer .....	1,200.00
42	Investigator .....	2,400.00

43

44 \$10,500.00

45 For Miscellaneous Purposes: (f)

46	Traveling Expenses .....	\$ 1,500.00
47	Additional Help and Other Expenses.....	6,000.00

48

49 \$ 7,500.00

52

53 Total Real Estate Board.....\$18,000.00"

3. By striking the figures "\$46,800.00" in line sixty-three (63) and inserting in lieu thereof the figures "\$64,800.00".

Amend Section Forty-six (46) as follows:

1. By striking from lines three (3) and Four (4) the words and figures: "the sum of Ninety-nine thousand four hundred forty-five dollars (\$99,445.00)" and inserting in lieu thereof the following: "the sum of Ninety-eight thousand two hundred forty-five dollars (\$98,245.00)".

2. By striking all of line fifty-seven (57) and inserting in lieu thereof the following:

"57 Assistant Order Clerks (2—not to exceed).....2,400.00".

3. By striking the figures "\$30,900.00" in line fifty-nine (59) and inserting in lieu thereof the figures "\$29,700.00".

4. By striking the figures "\$51,400.00" in line sixty-seven (67) and inserting in lieu thereof the figures "\$50,200.00".

5. By striking the figures "\$99,445.00" in line seventy (70) and inserting in lieu thereof the figures "\$98,245.00".

Amend Section Forty-seven (47) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Seven hundred fifty dollars (\$750.00)" and inserting in lieu thereof the following: "the sum of Five hundred dollars (\$500.00)".

2. By striking the figures "\$750.00" in line seven (7) and inserting in lieu thereof the figures "\$500.00".

3. By striking the figures "\$750.00" in line ten (10) and inserting in lieu thereof the figures "\$500.00".

Amend Section Forty-eight (48) as follows:

1. By striking from lines three (3) and four (4) the words and figures: "the sum of Forty thousand four hundred eighty-six dollars and forty-five cents (\$40,486.45)" and inserting in lieu thereof the following: "the sum of Fifty-one thousand seven hundred eighty-six dollars and forty-five cents (\$51,786.45)".

2. By striking all of line thirteen (13).

3. By striking the figures "\$10,410.00" in line seventeen (17) and inserting in lieu thereof the figures: "\$9,510.00".

4. By striking the figures "\$5,800.00" in line nineteen (19) and inserting in lieu thereof the figures "\$5,500.00".

5. By inserting in line twenty (20): "Vocational training 12,500.00".

6. By striking the figures "\$5,800.00" in line twenty-two (22) and inserting in lieu thereof the figures "\$18,000.00".

7. By striking the figures "\$16,210.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$27,510.00".

8. By striking the figures "\$40,486.45" in line forty (40) and inserting in lieu thereof the figures "\$51,786.45".

Amend Section Forty-nine (49) as follows:

1. By striking from lines twenty (20), twenty-one (21) and twenty-two (22) the words and figures: "the sum of Eight million nine hundred

twenty-nine thousand six hundred seventy-eight dollars (\$8,929,678.00)" and inserting in lieu thereof the following: "the sum of Eight million nine hundred thousand one hundred seventy-eight dollars (\$8,900,-178.00)".

2. By striking from lines thirty (30) and thirty-one (31) the words and figures: "the sum of Seven hundred forty-seven thousand seven hundred sixty dollars (\$747,760.00)" and inserting in lieu thereof the following: "the sum of Seven hundred forty-five thousand seven hundred sixty dollars (\$745,760.00)".

3. By striking all of line thirty-nine (39).

3-a. By striking the figures "\$156,000.00" in line forty-one (41) and inserting in lieu thereof the figures "\$154,000.00".

4. By striking the figures "\$747,760.00" in line forty-three (43) and inserting in lieu thereof the following: "\$745,760.00".

5. By striking from lines forty-seven (47) and forty-eight (48) the words and figures: "the sum of Seven hundred sixty-three thousand two hundred seventy-eight dollars (\$763,278.00)" and inserting in lieu thereof the following: "the sum of Eight hundred twenty-three thousand two hundred seventy-eight dollars (\$823,278.00)".

6. By inserting the following:

"51 For Special Purposes:

52 Cottage for boys of school division..... 60,000.00

53

54

\$823,278.00"

7. By striking from lines seventy-three (73) and seventy-four (74) the words and figures: "the sum of Seven hundred eighty-one thousand eight hundred ninety dollars (\$781,890.00)" and inserting in lieu thereof the following: "the sum of Seven hundred seventy-eight thousand eight hundred ninety dollars (\$778,890.00)".

8. By striking the figures "6,000.00" in line eighty-one (81) and inserting in lieu thereof the figures "3,000.00".

9. By striking the figures "\$61,000.00" in line eighty-three (83) and inserting in lieu thereof the figures "\$58,000.00".

10. By striking the figures "\$781,890.00" in line eighty-five (85) and insertitng in lieu thereof the figures "\$778,890.00".

11. By striking from lines eighty-nine (89) and ninety (90) the words and figures: "the sum of Seven hundred sixty-four thousand eight hundred sixty dollars (\$764,860.00)" and inserting in lieu thereof the following: "the sum of Seven hundred forty-four thousand eight hundred sixty dollars (\$744,860.00)".

12. By striking all of line ninety-four (94).

13. By striking the figures "\$764,860.00" in line ninety-six (96) and inserting in lieu thereof the figures "\$744,860.00".

14. By striking from lines one hundred (100) and one hundred one (101) the words and figures: "the sum of Eight hundred sixty-six thousand one hundred sixty-four dollars (\$866,164.00)" and inserting in lieu thereof the following: "the sum of Eight hundred forty-one thousand one hundred sixty-four dollars (\$841,164.00)".

15. By striking all of line one hundred six (106).

16. By striking the figures "\$150,000.00" in line one hundred eight (108) and inserting in lieu thereof the figures "\$125,000.00".

17. By striking the figures "\$866,164.00" in line one hundred ten (110) and inserting in lieu thereof the figures "\$841,164.00".

18. By striking from lines one hundred forty-six (146) and one hundred forty-seven (147) the words and figures: "the sum of Eight hundred fifty-two thousand eight hundred twenty dollars (\$852,820.00)" and inserting in lieu thereof the following: "the sum of Eight hundred twenty-seven thousand eight hundred twenty dollars (\$827,820.00)".

19. By striking the figures "55,000.00" in line one hundred fifty-two (152) and inserting in lieu thereof the figures "30,000.00".

20. By striking the figures "\$85,000.00" in line one hundred fifty-four (154) and inserting in lieu thereof the figures "\$60,000.00".

21. By striking the figures "\$852,820.00" in line one hundred fifty-six (156) and inserting in lieu thereof the figures "\$827,820.00".

22. By striking from lines one hundred seventy-seven (177) and one hundred seventy-eight (178) the words and figures: "the sum of Five hundred twenty-eight thousand six hundred sixty dollars (\$528,660.00)" and inserting in lieu thereof the following: "the sum of Five hundred twenty-three thousand six hundred sixty dollars (\$523,660.00)".

23. By striking the figures "10,000.00" in line one hundred eighty-three (183) and inserting in lieu thereof the figures "5,000.00".

23a. By striking the figures "\$13,000.00" in line one hundred eighty-six (186) and inserting in lieu thereof the figures "\$8,000.00".

24. By striking the figures "\$528,660.00" in line one hundred eighty-eight (188), and inserting in lieu thereof the figures "\$523,660.00".

25. By striking from lines one hundred ninety-nine (199) and two hundred (200) the words and figures: "the sum of Three hundred eighty-one thousand eight hundred twenty dollars (\$381,820.00)" and inserting in lieu thereof the following: "the sum of Three hundred seventy-nine thousand three hundred twenty dollars (\$379,320.00)".

26. By striking the figures "3,000.00" in line two hundred five (205) and inserting in lieu thereof the figures "2,000.00".

27. By striking all of line two hundred seven (207).
28. By striking the figures "\$14,500.00" in line two hundred eleven (211) and inserting in lieu thereof the figures "\$12,000.00".
29. By striking the figures "\$381,820.00" in line two hundred thirteen (213) and inserting in lieu thereof the figures "\$379,320.00".
30. By striking from lines two hundred thirty-one (231) and two hundred thirty-two (232) the words and figures: "the sum of One hundred ninety-eight thousand six hundred sixteen dollars (\$198,616.00)" and inserting in lieu thereof the following: "the sum of One hundred ninety-one thousand six hundred sixteen dollars (\$191,616.00)".
31. By striking the figures "12,000.00" in line two hundred thirty-six (236) and inserting the figures "5,000.00".
32. By striking the figures "198,616.00" in line two hundred thirty-eight (238) and inserting in lieu thereof the figures (\$191,616.00)".
33. By striking the figures "9,148,178.00" in line two hundred forty-one (241) and inserting in lieu thereof the figures "\$8,900,178.00".

Amend Section Fifty (50) as follows:

1. By striking from lines nine (9), ten (10) and eleven (11) the words and figures: "the sum of Fourteen million seven hundred sixty-six thousand nine hundred ten dollars (\$14,766,910.00)" and inserting in lieu thereof the words and figures "the sum of Fourteen million one hundred fifty-six thousand eight hundred fifty-seven dollars and twenty cents (\$14,156,857.20)".
2. By striking in lines seventeen and eighteen (17 and 18) the words and figures "the sum of Five million two hundred fifty thousand dollars (\$5,250,000.00)" and inserting the following: "the sum of Four million nine hundred eight thousand five hundred three dollars and twenty cents (\$4,908,503.20)."
3. By striking the figures "\$200,000.00" in line twenty (20) and inserting in lieu thereof the figures "\$180,000.00".
4. By striking the figures "\$1,010,076.00" in line twenty-one (21) and inserting in lieu thereof the figures "910,076.00".
5. By striking the figures "3,533,400.00" in line twenty-two (22) and inserting in lieu thereof the figures "3,310,000.00".
6. By striking the figures "127,500.00" in line twenty-three (23) and inserting in lieu thereof the figures "100,000.00".
7. By striking the figures "500,000.00" in line thirty (30) and inserting in lieu thereof the figures "150,000.00".
8. By striking the figures "\$5,629,403.20" in line thirty-two (32) and inserting in lieu thereof the figures "\$4,908,503.20".

9. By striking in lines thirty-five (35) and thirty-six (36) the words and figures "Five million dollars (\$5,000,000.00)" and inserting in lieu thereof the following: "the sum of Four million eight hundred twenty-five thousand eight hundred dollars (\$4,825,800.00)".

10. By striking lines thirty-eight (38) to fifty-five (55) inclusive.

11. By striking in lines fifty-eight (58) and fifty-nine (59) the words and figures "the sum of One million five hundred thousand dollars (\$1,500,000.00)" and inserting in lieu thereof the following: "the sum of One million four hundred thirty-five thousand six hundred forty-four dollars (\$1,435,644.00)".

12. By striking lines sixty-one (61) to sixty-six (66) inclusive.

13. By striking the figures "\$1,575,160.00" in line seventy-one (71) and inserting in lieu thereof the figures "\$1,435,644.00".

14. By striking in lines seventy-four (74) and seventy-five (75) the words and figures: "the sum of Four hundred ninety-seven thousand three hundred dollars (\$497,300.00)" and inserting in lieu thereof the following: "the sum of Four hundred sixty-seven thousand three hundred dollars (\$467,300.00)".

15. By adding in line seventy-nine (79) after the word "Equipment" the following: ", Roadways, Walks and Landscaping".

16. By striking all of line eighty (80).

17. By striking the figures "\$497,300.00" in line eighty-two (82) and inserting in lieu thereof the figures "\$467,300.00".

18. By striking the figures "\$14,766,910.00" in line one hundred thirty-seven (137) and inserting in lieu thereof the figures "14,156,857.20".

Amend Sections Fifty-four (54) as follows:

By striking all of Section Fifty-four (54).

Amend by inserting the following as Section Fifty-five (55).

#### "TREASURER OF STATE—GAS TAX DIVISION

(See page 104 Budget Report)

1 Sec. 55. On and after July 1, 1931, and until June 30, 1933, the  
2 compensatiton of employees in the Gasoline License Fee Division of  
3 the office of Treasurer of State shall not exceed the following

4 amounts:

5 For Salaries:

6 Superintendent .....	\$ 2,400.00
7 Chief Clerk and Secretary.....	2,000.00
8 Auditors (each) .....	2,100.00

9	Refund Investigators (each).....	1,800.00
10	Refund Auditor .....	1,500.00
11	Assistant Refund Auditor .....	1,200.00
12	Warrant Clerk .....	1,320.00
13	Provided that no part of said compensation or expenses of such	
14	employees, or postage, equipment, supplies, and printing shall be	paid
15	from the general fund of the state but shall be paid from that portion	
16	of gasoline taxes allocated to the Gasoline Tax Division of the office	
17	of the Treasurer of State."	

Amend Section Fifty-six (56) as follows:

1. By striking all of line fifteen (15) and inserting in lieu thereof the following:

"15 Examiners (10) \$1,800.00 to \$3,800.00..... 36,000.00

1. Amend by inserting the following as Section Fifty-eight (58):

#### RAILROAD COMMISSION—MOTOR TRANSPORTATION DEPARTMENT

(See pages 100-101 Budget Report)

1 Sec. 58 On and after July 1, 1931, and until June 30, 1933, the  
2 employees in the motor transportation division of the  
3 Railroad Commission shall be compensated for their services  
4 in the following amounts:

5 For Salaries:

6	Superintendent .....	\$2,700.00
7	Assistant Superintendents (2—not to exceed).....	4,800.00
8	Special Investigator .....	2,400.00
9	Tax Auditor .....	2,100.00
10	Assistant Tax Auditor .....	1,200.00
11	Examiners (each) .....	1,800.00
12	Chief Inspector .....	2,100.00
13	File Clerk .....	1,500.00
14	Clerks (each) .....	1,500.00
15	Permit Clerk .....	1,500.00
16	Inspectors (each) .....	1,800.00
17	Stenographers (each) .....	1,200.00

18 Provided that one-half of the above salaries are to be paid from  
19 the fees collected from Motor Vehicle Carriers and one-half from fees  
20 for regulation of Motor Trucks.



Amend by striking all of Section Fifty-nine (59), after line twenty-five (25) thereof, and inserting in lieu thereof the following:

### MOTOR VEHICLE DEPARTMENT

(See page 102 Budget Report)

1 Sec. 60. On and after July 1, 1931, and until June 30, 1933, the  
2 number of employees in the Motor Vehicle Department in the office of  
3 the Secretary of State and their compensation shall not exceed the  
4 following specified number and amounts:

5 For Salaries:

6	Superintendent .....	\$ 3,600.00
7	Chief Clerk, Accounting Department .....	1,800.00
8	Chief Bookkeeper .....	1,560.00
9	Auditor .....	1,440.00
10	Cashier .....	1,500.00
11	Assistant Cashier and Bookkeeper .....	1,440.00
12	Secretary to Superintendent .....	1,500.00
13	Assistant Bookkeepers (3—not to exceed) .....	3,960.00
14	Refund Clerk .....	1,440.00
15	Transfer Clerk .....	1,320.00
16	Assistant Transfer Clerk .....	1,200.00
17	Receiving Clerk .....	1,320.00
18	Superintendent of Index .....	1,800.00
19	Stenographer .....	1,200.00
20	Receipt Clerks (2—not to exceed) .....	2,640.00
21	Chief Examiner .....	1,440.00
22	Examiners (4—not to exceed) .....	4,800.00
23	Transfer Index Clerk (2—not to exceed) .....	2,520.00
24	Chief Index Clerk .....	1,320.00
25	Index Clerk (9 at \$1,200.00 each) .....	10,800.00
26	Shipping Clerk and Janitor .....	1,500.00
27	Inspectors (not to exceed 20) each .....	1,920.00

28 Provided that no part of such compensation, nor the expenses of  
29 such employees which have been provided for by law shall be paid  
30 from the general fund of the State, but shall be paid from that part  
31 of the Motor Licenses allocated to the Motor Vehicle Department as  
32 provided for in section 4999 of the code.

33 Other expenditures of the department are to be paid in a like  
34 manner and said amount including salaries and expenses shall not  
35 exceed the amount allocated in section 4999 of the code.

Amend section Seventy-two (72) as follows:

By striking all of section Seventy-two (72).

LEONARD SIMMER,

*Chairman Committee of the Whole.*

### CONSIDERATION OF BILLS

House File No. 518, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits, with report of committee recommending passage, was taken up for consideration.

Gilmore of Cedar offered the following amendment and moved its adoption:

Amend House File No. 518 as follows:

In section three (3), strike all after the word "in" in line three (3) and insert the following: "The Tipton Advertiser, a newspaper published in Tipton, Iowa, and The West Branch Times, a newspaper published in West Branch, Iowa, without expense to the state."

Amendment adopted.

Drake of Muscatine moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Augustine	Hansen of Scott	McCaulley	Reed
Avery	Helgason	McLain	Roe
Babcock	Hesse	Malone	Rutledge
Beath	Hollingsworth	Mathews	Ryder
Bonnstetter	Hollis	Mayne	Rylander
Davis	Hook	Mead	Shields
Donlon	Hopkins	Millhone	Short
Drake of	Hunt	Nelson of	Snyder
Muscatine	Hush	Cherokee	Sours
Durant	Husted	Nelson of Story	Stanzel
Elliott	Hutcheon	O'Donnell	Tamisiea
Fabritz	Johnson of	Osborn	Thiessen
Figgins	Marion	Paisley	Thompson
Finnern	Koch	Pattison	Torgeson
Gallagher	Kohler	Peaco	Van Buren
Garrett	Langland	Pendray	Van Wert
Gilmore	Lepley	Randall	Whiting
Gissel	Lichty	Randolph	Mr. Speaker
Hansen of	Long	Ratliff	
Audubon			

The nays were, none.

Absent or not voting, 36.

Aiken	Drake of Keokuk	Kern	Reimers
Allen	Ellsworth	Lamb	Simmer
Bair	Felter	Laughlin	Stiger
Ballew	Forsling	McCreery	Strachan
Berry	Greaser	McDermott	TePaske
Brown	Greene	Miller	Wamstad
Byers	Hanson of	Morton	Watts
Craven	Winnebago	Orr	Wearin
Dayton	Hayes	Rawlings	Witt
Ditto			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 539, a bill for an act to make an appropriation for the purpose of enforcing the provisions of a certain act known and designated in the legislative proceedings of the Forty-fourth (44th) General Assembly as House File No. 106 and entitled "An Act to regulate the sale of oleomargarine by providing an inspection fee and excise tax and the manner in which said fee and tax shall be paid, and providing the means and manner of the administration and enforcement thereof by the secretary of agriculture", with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren 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, 77.

Augustine	Gilmore	Kohler	Pattison
Avery	Gissel	Langland	Pendray
Babcock	Greaser	Lepley	Randall
Bair	Hansen of	Lichty	Randolph
Beath	Audubon	Long	Ratliff
Bonnstetter	Hansen of Scott	McCaulley	Rawlings
Davis	Helgason	McDermott	Reed
Donlon	Hesse	McLain	Roe
Drake of Keokuk	Hollingsworth	Malone	Rutledge
Drake of	Hook	Mathews	Ryder
Muscatine	Hopkins	Mead	Rylander
Durant	Hunt	Millhone	Shields
Elliott	Hush	Nelson of	Short
Ellsworth	Husted	Cherokee	Snyder
Fabritz	Hutcheon	Nelson of Story	Sours
Figgins	Johnson of	O'Donnell	Stanzel
Finnern	Marion	Osborn	Strachan
Garrett	Koch	Paisley	Tamisiea

TePaske  
Thiessen  
Thompson

Torgeson  
Van Buren

Van Wert  
Wearin

Whiting  
Mr. Speaker

The nays were, none.

Absent or not voting, 31.

Aiken  
Allen  
Ballew  
Berry  
Brown  
Byers  
Craven  
Dayton

Ditto  
Felter  
Forsling  
Gallagher  
Greene  
Hanson of  
Winnebago  
Hayes

Hollis  
Kern  
Lamb  
Laughlin  
McCreery  
Mayne  
Miller  
Morton

Orr  
Peaco  
Reimers  
Simmer  
Stiger  
Wamstad  
Watts  
Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 410, a bill for an act to make an appropriation to Winnebago County, Iowa, Emmet County, Iowa, Louisa County, Iowa, Muscatine County, Iowa, and Hancock County, Iowa, for drainage and secondary road assessments, with report of committee recommending passage, was taken up for consideration.

Helgason of Emmet offered the following and moved its adoption:

Amend House File No. 410 as follows:

By amending section seven (7).

Amend House File No. 410, section seven (7) as follows:

"Strike out the words "as provided by law" in line three (3), and insert in lieu thereof the words "Estherville Enterprise," a newspaper published in Estherville, Iowa, and the Armstrong Journal, a newspaper published in Armstrong, Iowa."

Amendment adopted.

Mr. Helgason moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Aiken  
Augustine  
Avery  
Babcock  
Bair

Beath  
Berry  
Bonnstetter  
Davis  
Donlon

Drake of Keokuk  
Drake of  
Muscatine  
Durant  
Elliott

Ellsworth  
Fabritz  
Figgins  
Finnern  
Gallagher

Garrett	Johnson of	Nelson of	Rylander
Gilmore	Marion	Cherokee	Shields
Gissel	Koch	Nelson of Story	Short
Greaser	Kohler	O'Donnell	Snyder
Hansen of	Langland	Osborn	Sours
Audubon	Lepley	Paisley	Stanzel
Hansen of Scott	Lichty	Pattison	Stiger
Helgason	Long	Peaco	Strachan
Hesse	McCaulley	Pendray	Tamisiea
Hollingsworth	McDermott	Randall	TePaske
Hollis	McLain	Randolph	Thiessen
Hook	Malone	Ratliff	Thompson
Hopkins	Mathews	Rawlings	Torgeson
Hush	Mayne	Reed	Van Buren
Husted	Mead	Roe	Van Wert
Hutcheon	Millhone	Rutledge	Wearin
		Ryder	Mr. Speaker

The nays were, none.

Absent or not voting, 26.

Allen	Felter	Kern	Reimers
Ballew	Forsling	Lamb	Simmer
Brown	Greene	Laughlin	Wamstad
Byers	Hanson of	McCreery	Watts
Craven	Winnebago	Miller	Whiting
Dayton	Hayes	Morton	Witt
Ditto	Hunt	Orr	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 319, a bill for an act to make an appropriation to Emmet L. Morris, Marquette, Iowa, A. L. Wood, Hampton, Iowa, and Albert L. Sharp, Arnolds Park, Iowa, for which former appropriation has not been made, with report of committee recommending passage, was taken up for consideration.

Donlon of Palo Alto moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 86.

Aiken	Donlon	Fersling	Hollingsworth
Augustine	Drake of Keokuk	Garrett	Hollis
Avery	Drake of	Gilmore	Hook
Babcock	Muscatine	Gissel	Hopkins
Bair	Durant	Greaser	Hush
Beath	Elliott	Hansen of	Husted
Berry	Ellsworth	Audubon	Hutcheon
Bonnstetter	Fabritz	Hansen of Scott	Johnson of
Byers	Figgins	Helgason	Marion
Davis	Finnern	Hesse	Koch

Kohler	Millhone	Rawlings	Stiger
Lamb	Nelson of	Reed	Tamisiea
Langland	Cherokee	Roe	TePaske
Lepley	Nelson of Story	Rutledge	Thiessen
Lichty	O'Donnell	Ryder	Thompson
Long	Osborn	Rylander	Torgeson
McCaulley	Paisley	Shields	Van Buren
McDermott	Pattison	Short	Van Wert
McLain	Peaco	Simmer	Wearin
Malone	Pendray	Snyder	Whiting
Mathews	Randall	Sours	Witt
Mayne	Randolph	Stanzel	Mr. Speaker
Mead	Ratliff		

The nays were, none.

Absent or not voting, 22.

Allen	Felter	Hunt	Orr
Ballew	Gallagher	Kern	Reimers
Brown	Greene	Laughlin	Strachan
Craven	Hanson of	McCreery	Wamstad
Dayton	Winnebago	Miller	Watts
Ditto	Hayes	Morton	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 323, a bill for an act to make an appropriation to W. F. Dollen and Sons of Neola, Iowa, for damages incurred by the failure of the Iowa State Highway Commission to have a bridge completed in time for the performance of a contract by the claimant, with report of committee recommending passage, was taken up for consideration.

Garrett of Wayne moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Augustine	Finnern	Husted	Mathews
Avery	Gallagher	Hutcheon	Mayne
Babcock	Garrett	Johnson of	Mead
Beath	Gilmore	Marion	Millhone
Berry	Gissel	Koch	Nelson of
Bonnstetter	Greaser	Kohler	Cherokee
Davis	Hansen of	Lamb	O'Donnell
Donlon	Audubon	Langland	Osborn
Drake of Keokuk	Hansen of Scott	Lepley	Paisley
Drake of	Helgason	Lichty	Pattison
Muscatine	Hesse	Long	Peaco
Durant	Hollingsworth	McCaulley	Pendray
Elliott	Hook	McDermott	Randall
Fabritz	Hopkins	McLain	Randolph
Figgins	Hush	Malone	Rawlings

Reed	Short	Tamisiea	Van Wert
Roe	Snyder	TePaske	Wearin
Rutledge	Sours	Thiessen	Whiting
Ryder	Stanzel	Thompson	Witt
Rylander	Stiger	Torgeson	Mr. Speaker
Shields	Strachan	Van Buren	

The nays were, 1.

Ellsworth

Absent or not voting, 28.

Aiken	Ditto	Hollis	Nelson of Story
Allen	Felter	Hunt	Orr
Bair	Forsling	Kern	Ratliff
Ballew	Greene	Laughlin	Reimers
Brown	Hanson of	McCreery	Simmer
Byers	Winnebago	Miller	Wamstad
Craven	Hayes	Morton	Watts
Dayton			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 351, a bill for an act to make appropriation to Thomas Logan, William Ross, Fink Brothers, P. A. Clemer, the Union Prairie Church, E. R. Bartz, Mrs. James Shada and Dale Taylor, for damages done by articles thrown by a rotary snow plow, operated by the Iowa State Highway Commission, with report of committee recommending passage, was taken up for consideration.

Beath of Adams moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Augustine	Finnern	Johnson of	Nelson of
Avery	Gallagher	Marion	Cherokee
Babcock	Garrett	Koch	Nelson of Story
Bair	Gissel	Lamb	O'Donnell
Beath	Greaser	Langland	Osborn
Berry	Hansen of	Lepley	Paisley
Davis	Audubon	Lichty	Pattison
Donlon	Hansen of Scott	Long	Peaco
Drake of Keokuk	Helgason	McCaulley	Pendray
Drake of	Hesse	McDermott	Randall
Muscatine	Hollingsworth	McLain	Randolph
Durant	Hollis	Malone	Ratliff
Elliott	Hook	Mathews	Rawlings
Ellsworth	Hopkins	Mayne	Reed
Fabritz	Husted	Mead	Roe
Figgins	Hutcheon	Millhone	Rutledge

Ryder	Stanzel	Thiessen	Wearin
Shields	Stiger	Thompson	Whiting
Short	Strachan	Torgeson	Witt
Snyder	Tamisiea	Van Buren	Mr. Speaker
Sours	TePaske	Van Wert	

The nays were, none.

Absent or not voting, 29.

Aiken	Ditto	Hunt	Morton
Allen	Felter	Hush	Orr
Ballew	Forsling	Kern	Reimers
Bonnstetter	Gilmore	Kohler	Rylander
Brown	Greene	Laughlin	Simmer
Byers	Hanson of	McCreery	Wamstad
Craven	Winnebago	Miller	Watts
Dayton	Hayes		

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska offered the following amendment and moved its adoption:

Amend by striking from lines three (3) and four (4) of Section one (1) the words and figures "thirteen thousand three hundred twenty-two dollars and fifty cents (\$13,322.50)" and inserting in lieu thereof the words and figures "five thousand dollars (\$5,000.00)".

Malone of Cass moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 13.

Berry	McLain	Randall	Thiessen
Craven	Millhone	Reed	Thompson
Hook	Pendray	Stanzel	Whiting
McDermott			

The nays were, 74.

Augustine	Bonnstetter	Elliott	Forsling
Avery	Donlon	Ellsworth	Gallagher
Babcock	Drake of Keokuk	Fabritz	Garrett
Bair	Drake of	Felter	Gilmore
Ballew	Muscatine	Figgins	Gissel
Beath	Durant	Finnern	Greaser



Hansen of Audubon	Kohler Lamb	Nelson of Cherokee	Ryder Rylander
Hansen of Scott	Langland	O'Donnell	Short
Helgason	Laughlin	Osborn	Sours
Hesse	Lepley	Paisley	Stiger
Hollingsworth	Lichty	Pattison	Strachan
Hollis	Long	Peaco	TePaske
Hopkins	McCaulley	Randolph	Torgeson
Hush	McCreery	Ratliff	Van Wert
Husted	Malone	Rawlings	Wamstad
Hutcheon	Mathews	Reimers	Wearin
Johnson of Marion	Mayne	Roe	Witt
Koch	Mead	Rutledge	Mr. Speaker
	Miller		

Absent or not voting, 21.

Aiken	Ditto	Kern	Simmer
Allen	Greene	Morton	Snyder
Brown	Hansen of	Nelson of Story	Tamisiea
Byers	Winnebago	Orr	Van Buren
Davis	Hayes	Shields	Watts
Dayton	Hunt		

Amendment lost.

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, 67.

Avery	Gilmore	Koch	Randolph
Babcock	Greaser	Kohler	Rawlings
Bair	Hansen of	Lamb	Reimers
Beath	Audubon	Langland	Rutledge
Bonnstetter	Hansen of Scott	Lepley	Rylander
Brown	Hanson of	Lichty	Shields
Craven	Winnebago	Long	Snyder
Ditto	Hayes	Malone	Sours
Donlon	Helgason	Mayne	Stiger
Drake of Keokuk	Hesse	Mead	Strachan
Drake of	Hollingsworth	Nelson of	TePaske
Muscatine	Hollis	Cherokee	Thompson
Durant	Hopkins	Nelson of Story	Torgeson
Elliott	Hunt	Orr	Van Wert
Fabritz	Hush	Osborn	Whiting
Finnern	Husted	Paisley	Witt
Gallagher	Hutcheon	Pattison	Mr. Speaker
Garrett	Johnson of	Randall	
	Marion		

The nays were, 29.

Augustine	Ellsworth	Gissel	McCreery
Ballew	Felter	Hook	McDermott
Berry	Figgins	Laughlin	McLain
Davis	Forsling	McCaulley	Mathews

Miller  
O'Donnell  
Peaco  
Pendray

Ratliff  
Reed  
Roe

Ryder  
Short  
Stanzel

Thiessen  
Wamstad  
Wearin

Absent or not voting, 12.

Aiken  
Allen  
Byers

Dayton  
Greene  
Kern

Millhone  
Morton  
Simmer

Tamisiea  
Van Buren  
Watts

So the bill having failed to receive a two-thirds majority was declared to have failed to pass the House.

Reed of Mahaska moved that the vote by which House File No. 390 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be laid on the table?" a roll call was demanded.

The ayes were, 29.

Augustine  
Ballew  
Berry  
Brown  
Craven  
Durant  
Ellsworth  
Felter

Figgins  
Forsling  
Hook  
Kohler  
Laughlin  
Long  
McCreery  
McLain

Mathews  
Miller  
Nelson of  
Cherokee  
Nelson of Story  
O'Donnell  
Peaco

Reed  
Short  
Thiessen  
Thompson  
Torgeson  
Wearin  
Whiting

The nays were, 51.

Avery  
Babcock  
Bair  
Beath  
Davis  
Donlon  
Drake of Keokuk  
Elliott  
Fabritz  
Finnern  
Gallagher  
Garrett  
Gilmore  
Greaser

Hansen of  
Audubon  
Hansen of Scott  
Hanson of  
Winnebago  
Hayes  
Helgason  
Hesse  
Hollingsworth  
Hollis  
Hopkins  
Hush  
Husted  
Hutcheon

Johnson of  
Marion  
Koch  
Langland  
Lepley  
Lichty  
Malone  
Mayne  
Mead  
Orr  
Osborn  
Randall  
Rawlings

Reimers  
Roe  
Rutledge  
Ryder  
Shields  
Snyder  
Stiger  
Strachan  
TePaske  
Van Wert  
Wamstad  
Witt  
Mr. Speaker

Absent or not voting, 28.

Aiken  
Allen  
Bonnstetter  
Byers  
Dayton  
Ditto  
Drake of  
Muscatine

Gissel  
Greene  
Hunt  
Kern  
Lamb  
McCaulley  
McDermott

Millhone  
Morton  
Paislev  
Pattison  
Pendray  
Randolph  
Ratliff

Rylander  
Simmer  
Sours  
Stanzel  
Tamisiea  
Van Buren  
Watts

Motion to reconsider and laid on table lost.

The hour having arrived for special order, Forsling of Woodbury, chairman of the judiciary committee, moved that the report of the committee recommending that Senate File No. 146, be indefinitely postponed be adopted.

Committee report rejected.

Torgeson of Worth moved that the House pass to the immediate consideration of Senate File No. 146.

Motion prevailed.

Senate File No. 146, a bill for an act to amend, revise, and codify sections one hundred thirty-nine (139), one hundred forty (140), ten hundred ninety-a twenty (1090-a20), ten hundred ninety-b two (1090-b2), forty-three hundred nineteen (4319), fifty-five hundred forty-eight (5548), fifty-five hundred forty-nine (5549), fifty-six hundred fifty-one (5651), fifty-six hundred fifty-three (5653), seventy-four hundred four (7404), and seventy-four hundred seven (7407), Code, 1927, relating to deposits by governmental bodies of public funds, and to so amend sections ten hundred ninety-a six (1090-a6), ten hundred ninety-a seven (1090-a7), and fifty-five hundred forty-seven (5547), Code, 1927, relating to the state sinking fund for public deposits and to the duties of the township clerk, as to coordinate and harmonize said sections with this act, was taken up for consideration.

Stiger of Tama offered the following amendment and moved its adoption:

Amend Senate amendment to section six (6), Senate File No. 146, by striking from the last line thereof the words "March" and "September".

Amendment adopted..

Stiger 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, 86.

Augustine  
Avery  
Bair

Ballew  
Beath  
Berry

Bonnstetter  
Brown  
Byers

Craven  
Drake of Keokuk

Drake of	Hayes	Mayne	Rylander
Muscatine	Hesse	Millhone	Shields
Durant	Hollingsworth	Nelson of	Short
Elliott	Hollis	Cherokee	Snyder
Ellsworth	Hook	Nelson of Story	Stanzel
Fabritz	Hunt	O'Donnell	Stiger
Felter	Hush	Orr	Strachan
Figgins	Hutcheon	Osborn	Tamisiea
Finnern	Koch	Paisley	TePaske
Forsling	Kohler	Pattison	Thiessen
Gallagher	Lamb	Peaco	Thompson
Garrett	Langland	Pendray	Torgeson
Gilmore	Lepley	Randall	Van Buren
Gissel	Long	Randolph	Van Wert
Greaser	McCaulley	Ratliff	Wamstad
Hansen of	McCreery	Rawlings	Wearin
Audubon	McDermott	Reed	Whiting
Hansen of Scott	McLain	Reimers	Witt
Hanson of	Malone	Roe	Mr. Speaker
Winnebago	Mathews	Ryder	

The nays were, 3.

Hopkins	Husted	Johnson of Marion
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Absent or not voting, 19.

Aiken	Ditto	Laughlin	Rutledge
Allen	Donlon	Lichty	Simmer
Babcock	Greene	Mead	Sours
Davis	Helgason	Miller	Watts
Dayton	Kern	Morton	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Torgeson of Worth moved that the vote by which Senate File No. 146 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 408, a bill for an act to make an appropriation to C. A. Knutson, administrator of the estate of Bertel M. Bertelsen for damages resulting from the operation of an automobile by the department of agriculture, with report of committee recommending passage, was taken up for consideration.

Lamb 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, 81.

Augustine	Gissel	Lepley	Randolph
Avery	Greaser	Lichty	Ratliff
Babcock	Hansen of	Long	Rawlings
Bair	Audubon	McCaulley	Reed
Ballew	Hansen of Scott	McDermott	Roe
Beath	Hayes	McLain	Ryder
Berry	Hesse	Malone	Rylander
Bonnstetter	Hollingsworth	Mathews	Shields
Craven	Hollis	Mayne	Short
Davis	Hook	Millhone	Sours
Donlon	Hopkins	Nelson of	Stanzel
Drake of Keokuk	Hush	Cherokee	Strachan
Drake of	Husted	Nelson of Story	Tamisiea
Muscatine	Hutcheon	O'Donnell	TePaske
Durant	Johnson of	Orr	Thiessen
Elliott	Marion	Osborn	Thompson
Ellsworth	Koch	Paisley	Van Buren
Fabritz	Kohler	Pattison	Van Wert
Felter	Lamb	Peaco	Whiting
Finnern	Langland	Pendray	Witt
Gallagher	Laughlin	Randall	Mr. Speaker
Garrett			

The nays were, none.

Absent or not voting, 27.

Aiken	Forsling	Kern	Simmer
Allen	Gilmore	McCreery	Snyder
Brown	Greene	Mead	Stiger
Byers	Hanson of	Miller	Torgeson
Dayton	Winnebago	Morton	Wamstad
Ditto	Helgason	Reimers	Watts
Figgins	Hunt	Rutledge	Wearin

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 409, a bill for an act to make an appropriation to Brown & Cook, Ottumwa, Iowa, and Harry Yoss, Scranton, Iowa, 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, 74.

Augustine	Berry	Donlon	Elliott
Avery	Bonnstetter	Drake of Keokuk	Ellsworth
Babcock	Craven	Drake of	Fabritz
Bair	Davis	Muscatine	Felter
Beath	Ditto	Durant	Figgins

Finnern	Johnson of	Nelson of	Short
Garrett	Marion	Cherokee	Sours
Gissel	Koch	Orr	Stanzel
Greaser	Kohler	Osborn	Strachan
Hansen of	Lamb	Paisley	Tamisiea
Audubon	Laughlin	Pattison	TePaske
Hansen of Scott	Lepley	Peaco	Thiessen
Hesse	Long	Pendray	Thompson
Hollingsworth	McCaulley	Randolph	Torgeson
Hollis	McDermott	Rawlings	Van Buren
Hook	McLain	Reed	Van Wert
Hopkins	Malone	Roe	Wearin
Hush	Mayne	Ryder	Whitin
Hutcheon	Millhone	Rylander	Witt
		Shields	Mr. Speaker

The nays were, none.

Absent or not voting, 34.

Aiken	Greene	Lichty	Ratcliff
Allen	Hanson of	McCreery	Reimers
Ballew	Winnebago	Mathews	Rutledge
Brown	Hayes	Mead	Simmer
Byers	Helgason	Miller	Snyder
Dayton	Hunt	Morton	Stiøer
Forsling	Husted	Nelson of Story	Wamstad
Gallagher	Kern	O'Donnel	Watts
Gilmore	Langland	Randall	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 411, a bill for an act to make an appropriation to William Hirsch and Fred Heldemier for damages resulting from a collision with a car owned and driven by the Iowa state board of education, with report of committee recommending passage, was taken up for consideration.

Witt of Butler moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 74.

Augustine	Drake of	Garrett	Hush
Avery	Muscatine	Gilmore	Hutcheon
Bair	Durant	Hansen of	Johnson of
Beath	Elliott	Audubon	Marion
Berry	Ellsworth	Hansen of Scott	Kern
Bonnstetter	Fabritz	Hesse	Koch
Craven	Felter	Hollingsworth	Kohler
Davis	Figgins	Hollis	Lamb
Ditto	Finnern	Hook	Langland
Donlon	Forsling	Hopkins	Laughlin

Lepley	O'Donnell	Roe	Thiessen
Long	Orr	Ryder	Thompson
McCaulley	Osborn	Rylander	Torgeson
McDermott	Paisley	Shields	Van Buren
Mathews	Pattison	Short	Van Wert
Mayne	Peaco	Sours	Wearin
Mead	Pendray	Strachan	Whiting
Millhone	Randolph	Tamisiea	Witt
Nelson of	Rawlings	TePaske	Mr. Speaker
Cherokee	Reed		

The nays were, none.

Absent or not voting, 34.

Aiken	Gissel	Lichty	Reimers
Allen	Greaser	McCreery	Rutledge
Babcock	Greene	McLain	Simmer
Ballew	Hanson of	Malone	Snyder
Brown	Winnebago	Miller	Stanzel
Byers	Hayes	Morton	Stiger
Dayton	Helgason	Nelson of Story	Wamstad
Drake of Keokuk	Hunt	Randall	Watts
Gallagher	Husted	Ratliff	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 517, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company for materials furnished to the Fish and Game Department of the state of Iowa, with report of committee recommending passage, was taken up for consideration.

Kohler 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, 78.

Augustine	Ellsworth	Hook	McDermott
Avery	Fabritz	Hopkins	McLain
Babcock	Felter	Hush	Mathews
Beath	Figgins	Hutcheon	Mayne
Berry	Finnern	Johnson of	Mead
Bonnstetter	Forstling	Marion	Millhone
Craven	Gallagher	Koch	Nelson of
Davis	Garrett	Kohler	Cherokee
Ditto	Gilmore	Lamb	Osborn
Donlon	Gissel	Langland	Paisley
Drake of Keokuk	Hansen of	Laughlin	Pattison
Drake of	Audubon	Lepley	Peaco
Muscatine	Hesse	Lichty	Pendray
Durant	Hollingsworth	Long	Randall
Elliott	Hollis	McCaulley	Randolph

Rawlings	Short	TePaske	Van Wert
Reed	Snyder	Thiessen	Wearin
Roe	Sours	Thompson	Whiting
Rutledge	Stanzel	Torgeson	Witt
Ryder	Strachan	Van Buren	Mr. Speaker
Shields	Tamisiea		

The nays were, none.

Absent or not voting, 30.

Aiken	Greene	Kern	Ratliff
Allen	Hansen of Scott	McCreery	Reimers
Bair	Hanson of	Malone	Rylander
Ballew	Winnebago	Miller	Simmer
Brown	Hayes	Morton	Stiger
Byers	Helgason	Nelson of Story	Wamstad
Dayton	Hunt	O'Donnell	Watts
Greaser	Husted	Orr	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 540, a bill for an act to make an appropriation to Van L. Woodruff, for Iowa soldier's bonus, with report of committee recommending passage, was taken up for consideration.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 76.

Augustine	Garrett	Lepley	Rawlings
Avery	Gissel	Lichty	Reed
Babcock	Hansen of	Long	Roe
Bair	Audubon	McCaulley	Rutledge
Beath	Hansen of Scott	McDermott	Ryder
Berry	Hesse	McLain	Shields
Bonnstetter	Hollingsworth	Mathews	Short
Craven	Hollis	Mayne	Snyder
Davis	Hook	Mead	Sours
Ditto	Hopkins	Millhone	Stanzel
Donlon	Hush	Miller	Strachan
Drake of Keokuk	Hutcheon	Nelson of	Tamisiea
Drake of	Johnson of	Cherokee	TePaske
Muscatine	Marion	Nelson of Story	Thiessen
Durant	Kern	Osborn	Thompson
Elliott	Koch	Paisley	Torgeson
Fabritz	Kohler	Pattison	Van Buren
Figgins	Lamb	Peaco	Van Wert
Finnern	Langland	Pendray	Wearin
Forsling	Laughlin	Randolph	Mr. Speaker

The nays were, none.



Absent or not voting, 32.

Aiken	Gilmore	Husted	Reimers
Allen	Greaser	McCreery	Rylander
Ballew	Greene	Malone	Simmer
Brown	Hanson of	Morton	Stiger
Byers	Winnebago	O'Donnell	Wamstad
Dayton	Hayes	Orr	Watts
Ellsworth	Helgason	Randall	Whiting
Felter	Hunt	Ratliff	Witt
Gallagher			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 541, a bill for an act to make an appropriation to H. D. Coe, with report of committee recommending passage, was taken up for consideration.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 66.

Augustine	Hansen of	Lepley	Rawlings
Avery	Audubon	Lichty	Reed
Babcock	Hesse	Long	Roe
Bair	Hollingsworth	McCaulley	Rutledge
Beath	Hook	McDermott	Ryder
Berry	Hopkins	McLain	Shields
Davis	Hush	Mathews	Snyder
Ditto	Husted	Mayne	Sours
Donlon	Hutcheon	Mead	Tamisiea
Drake of Keokuk	Johnson of	Millhone	Thiessen
Durant	Marion	Nelson of	Thompson
Elliott	Kern	Cherokee	Torgeson
Fabritz	Koch	O'Donnell	Van Buren
Figgins	Kohler	Osborn	Van Wert
Finnern	Lamb	Paisley	Wearin
Gallagher	Langland	Pattison	Whiting
Garrett	Laughlin	Peaco	Mr. Speaker
Greaser			

The nays were, 5.

Bonnstetter	Short	Strachan	TePaske
Gissel			

Absent or not voting, 37.

Aiken	Davton	Gilmore	Helgason
Allen	Drake of	Greene	Hollis
Ballew	Muscatine	Hansen of Scott	Hunt
Brown	Ellsworth	Hanson of	McCreery
Byers	Felter	Winnebago	Malone
Craven	Forsling	Hayes	Miller

Morton	Randall	Rylander	Wamstad
Nelson of Story	Randolph	Simmer	Watts
Orr	Ratliff	Stanzel	Witt
Pendray	Reimers	Stiger	

So the bill having failed to receive a two-thirds majority was declared to have failed to pass the House.

House File No. 542, a bill for an act to make an appropriation to Earl E. Hunt, with report of committee recommending passage, was taken up for consideration.

Van Wert of Franklin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Augustine	Hansen of	Lepley	Reed
Avery	Audubon	Lichty	Roe
Babcock	Hansen of Scott	Long	Rutledge
Bair	Helgason	McCaulley	Ryder
Beath	Hesse	McDermott	Rylander
Berry	Hollingsworth	Mathews	Shields
Bonnstetter	Hollis	Mead	Short
Davis	Hook	Millhone	Snyder
Ditto	Hopkins	Nelson of	Sours
Donlon	Hush	Cherokee	Stanzel
Drake of Keokuk	Husted	Nelson of Story	Strachan
Durant	Hutcheon	O'Donnell	Tamisiea
Elliott	Johnson of	Osborn	Thiessen
Ellsworth	Marion	Paisley	Thompson
Fabritz	Kern	Pattison	Torgeson
Figgins	Koch	Peaco	Van Buren
Forsling	Kohler	Pendray	Van Wert
Gallagher	Lamb	Randall	Wearin
Garrett	Langland	Randolph	Whiting
Gissel	Laughlin	Rawlings	Mr. Speaker
Greaser			

The nays were, none.

Absent or not voting, 30.

Aiken	Felter	McCreery	Reimers
Allen	Finnern	McLain	Simmer
Ballew	Gilmore	Malone	Stiger
Brown	Greene	Mayne	TePaske
Byers	Hanson of	Miller	Wamstad
Craven	Winnebago	Morton	Watts
Dayton	Hayes	Orr	Witt
Drake of	Hunt	Ratliff	
Muscatine			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 543, a bill for an act to make an appropriation to George Brown, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hansen of Audubon the amendments proposed by the committee, found in the Journal of March 27th, were adopted.

Hansen 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, 79.

Augustine	Hansen of	Lichty	Reed
Avery	Audubon	Long	Roe
Babcock	Hansen of Scott	McCaulley	Rutledge
Beath	Helgason	McDermott	Ryder
Berry	Hesse	McLain	Rylander
Bonnstetter	Hollingsworth	Malone	Shields
Davis	Hollis	Mathews	Snyder
Ditto	Hook	Mead	Sours
Drake of Keokuk	Hopkins	Millhone	Stanzel
Drake of	Hush	Nelson of	Strachan
Muscatine	Husted	Cherokee	Tamisiea
Durant	Hutcheon	Nelson of Story	Thiessen
Elliott	Johnson of	O'Donnell	Thompson
Ellsworth	Marion	Osborn	Torgeson
Fabritz	Kern	Paisley	Van Buren
Figgins	Koch	Pattison	Van Wert
Finnern	Kohler	Peaco	Wearin
Gallagher	Lamb	Pendray	Whiting
Garrett	Langland	Randall	Witt
Gissel	Laughlin	Randolph	Mr. Speaker
Greaser	Lepley	Rawlings	

The nays were, 1.

Short

Absent or not voting, 28.

Aiken	Dayton	Hayes	Ratliff
Allen	Donlon	Hunt	Reimers
Bair	Felter	McCreery	Simmer
Ballew	Forsling	Mayne	Stiger
Brown	Gilmore	Miller	TePaske
Byers	Greene	Morton	Wamstad
Craven	Hanson of	Orr	Watts
	Winnebago		

So the bill having received a two-thirds majority was declared to have passed the House and the title, as amended, was agreed to.

House File No. 544, a bill for an act to make an appropriation

to H. A. Stearns, with report of committee recommending passage, was taken up for consideration.

Beath of Adams moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 79.

Augustine	Hansen of	McCaulley	Roe
Avery	Audubon	McDermott	Rutledge
Babcock	Hansen of Scott	McLain	Ryder
Beath	Hesse	Malone	Rylander
Berry	Hollingsworth	Mathews	Shields
Bonnstetter	Hook	Mead	Short
Davis	Hopkins	Millhone	Snyder
Ditto	Hush	Nelson of	Sours
Donlon	Husted	Cherokee	Stanzel
Drake of Keokuk	Hutcheon	Nelson of Story	Stiger
Drake of	Johnson of	O'Donnell	Strachan
Muscatine	Marion	Osborn	Tamisiea
Elliott	Kern	Paisley	Thiessen
Ellsworth	Koch	Pattison	Thompson
Fabritz	Kohler	Peaco	Torgeson
Figgins	Lamb	Pendray	Van Buren
Finnern	Langland	Randall	Van Wert
Gallagher	Laughlin	Randolph	Whiting
Garrett	Lepley	Ratliff	Witt
Gissel	Lichty	Rawlings	Mr. Speaker
Greaser	Long	Reed	

The nays were, none.

Absent or not voting, 29.

Aiken	Durant	Helgason	Orr
Allen	Felter	Hollis	Reimers
Bair	Forsling	Hunt	Simmer
Ballew	Gilmore	McCreery	TePaske
Brown	Greene	Mayne	Wamstad
Byers	Hanson of	Miller	Watts
Craven	Winnebago	Morton	Wearin
Dayton	Hayes		

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 545, a bill for an act to make appropriations to Tama County, Iowa, Greene County, Iowa, and Story County, Iowa, for payment of taxes, with report of committee recommending passage, was taken up for consideration.

Van Wert of Franklin moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 76.

Augustine	Hansen of	Long	Reimers
Avery	Audubon	McCaulley	Roe
Babcock	Hansen of Scott	McDermott	Rutledge
Beath	Hesse	McLain	Ryder
Berry	Hollingsworth	Malone	Rylander
Bonnstetter	Hollis	Mayne	Snyder
Donlon	Hook	Mead	Sours
Drake of Keokuk	Hopkins	Millhone	Stanzel
Drake of	Hush	Nelson of	Stiger
Muscatine	Husted	Cherokee	Strachan
Durant	Hutcheon	Nelson of Story	Tamisiea
Elliott	Johnson of	Osborn	TePaske
Ellsworth	Marion	Paisley	Thiessen
Fabritz	Kern	Pattison	Thompson
Figgins	Kohler	Peaco	Torgeson
Finnern	Lamb	Pendray	Van Buren
Gallagher	Langland	Randolph	Van Wert
Garrett	Laughlin	Ratliff	Whiting
Gissel	Lepley	Rawlings	Witt
Greaser	Lichty	Reed	Mr. Speaker

The nays were, none.

Absent or not voting, 32.

Aiken	Ditto	Helgason	Orr
Allen	Felter	Hunt	Randall
Bair	Forsling	Koch	Shields
Ballew	Gilmore	McCreery	Short
Brown	Greene	Mathews	Simmer
Byers	Hanson of	Miller	Wamstad
Craven	Winnebago	Morton	Watts
Davis	Hayes	O'Donnell	Wearin
Dayton			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt, with report of committee recommending passage, was taken up for consideration.

Kohler 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, 79.

Augustine	Hansen of	Long	Rutledge
Avery	Audubon	McCaulley	Ryder
Babcock	Hansen of Scott	McDermott	Rylander
Bair	Hollingsworth	McLain	Shields
Beath	Hollis	Malone	Short
Berry	Hook	Mathews	Snyder
Bonnstetter	Hopkins	Mayne	Sours
Davis	Hunt	Mead	Stanzel
Ditto	Hush	Nelson of	Stiger
Donlon	Husted	Cherokee	Strachan
Drake of Keokuk	Hutcheon	Nelson of Story	Tamisiea
Drake of	Johnson of	O'Donnell	TePaske
Muscatine	Marion	Orr	Thiessen
Durant	Kern	Osborn	Thompson
Elliott	Koch	Pattison	Torgeson
Ellsworth	Kohler	Pendray	Van Buren
Fabritz	Lamb	Randolph	Van Wert
Figgins	Langland	Ratliff	Whiting
Gallagher	Laughlin	Rawlings	Witt
Gissel	Lepley	Reed	Mr. Speaker
Greaser	Lichty	Roe	

The nays were, none.

Absent or not voting, 29.

Aiken	Finnern	Helgason	Peaco
Allen	Forsling	Hesse	Randall
Ballew	Garrett	McCreery	Reimers
Brown	Gilmore	Millhone	Simmer
Byers	Greene	Miller	Wamstad
Craven	Hanson of	Morton	Watts
Dayton	Winnebago	Paisley	Wearin
Felter	Hays		

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 251, a bill for an act to make appropriation to Harold Grimes, E. W. Cook, Ward N. Rowland, and Dorothy Zein, for damages to automobiles by reason of collisions with highway maintenance equipment or barricades in the highways, with report of committee recommending passage, was taken up for consideration.

Hopkins 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, 85.

Augustine	Bair	Bonnstetter	Donlon
Avery	Beath	Davis	Drake of Keokuk
Babcock	Berry	Ditto	Durant

Elliott	Husted	Mead	Rutledge
Ellsworth	Hutcheon	Millhone	Ryder
Fabritz	Johnson of	Nelson of	Rylander
Figginis	Marion	Cherokee	Shields
Finnern	Kern	Nelson of Story	Simmer
Gallagher	Koch	O'Donnell	Snyder
Garrett	Kohler	Orr	Sours
Gissel	Lamb	Osborn	Stanzel
Greaser	Langland	Paisley	Stiger
Hansen of	Laughlin	Pattison	Strachan
Audubon	Lepley	Peaco	Tamisiea
Hansen of Scott	Lichty	Pendray	Thiessen
Helgason	Long	Randall	Thompson
Hollingsworth	McCaulley	Randolph	Torgeson
Hollis	McDermott	Ratliff	Van Buren
Hook	McLain	Rawlings	Van Wert
Hopkins	Malone	Reed	Whiting
Hunt	Mathews	Reimers	Witt
Hush	Mayne	Roe	Mr. Speaker

The nays were, none.

Absent or not voting, 23.

Aiken	Drake of	Hanson of	Morton
Allen	Muscatine	Winnebago	Short
Ballew	Felter	Hayes	TePaske
Brown	Forsling	Hesse	Wamstad
Byers	Gilmore	McCreery	Watts
Craven	Greene	Miller	Wearin
Dayton			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

## RESOLUTION

Gallagher of Iowa and Avery of Clay offered the following resolution:

*Whereas*, The members of the Iowa House of Representatives of the Forty-fourth General Assembly are reliably informed that the home of our Colleague, Mr. George Kern, was blessed, Thursday, April 9, by a gift from the stork in the form of a beautiful baby daughter; therefore,

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That congratulations and felicitations be extended to Mr. and Mrs. Kern, and that with such felicitations and congratulations go, also, the expressed hope and wish that the daughter may grow and wax strong, and become in due and befitting time a signal honor to her parents, and a blessing to the community in which she may reside.

*Be It Further Resolved*, That it is also the expressed wish of the members of the House of Representatives that the daughter may gradually

incline more and more in the direction of acquiring those splendid, dominant and gracious dispositions so markedly and pleasingly revealed by her mother.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Gallagher moved its adoption.

Motion prevailed and the resolution was adopted.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 406, a bill for an act to make an appropriation for the use of the State Employment Bureau for extension service.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 408, a bill for an act to make an appropriation to George F. Van Note.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 410, a bill for an act to make an appropriation to G. C. Bell, A. L. McClintock, Harley Cowman, and D. F. Brownlee.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 394, a bill for an act relative to the closed season on game birds.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 404, a bill for an act relating to the taking of depositions in Workmen's Compensation cases.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 405, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger, and A. E. McGlothlen.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:



Senate File No. 377, a bill for an act to make an appropriation to Matilda Blaise.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 387, a bill for an act to make an appropriation to L. J. Baschnagel.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 389, a bill for an act to make an appropriation to William E. Quinn.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 333, a bill for an act relating to River Front Improvement Commission.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 368, a bill for an act relative to the maintenance and improvement of highways on lands of the state and highways on which such lands abut.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 369, a bill for an act to make an appropriation for the prevention, control, and eradication of the European corn borer.

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 to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company.

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 relating to license fees for motor vehicle trailers.

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 relating to the filing of nomination papers by candidates for office in any subdivision of a county.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 252, a bill for an act to make an appropriation to Montgomery and Lyon Counties Farmers Institute and the Johnson County Poultry Show.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 260, a bill for an act relating to suspensions, by the court, of sentence in criminal cases.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 280, a bill for an act to authorize the giving of either a bond or a liability policy by deputies.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 418, a bill for an act relating to the improvement of secondary roads.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 203, a bill for an act relating to transfer of township funds.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 377, a bill for an act relating to distribution of motor vehicle fuel.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 67, a bill for an act relative to the terms of office of certain members of the Board of Supervisors of Hancock County, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 80, a bill for an act relative to expenses of district court judges.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 133, a bill for an act relating to the approval of plats so as to require the recommendation of the city plan commission with reference to proposals to vacate any street, alley or public ground.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 235, a bill for an act relating to the free distribution of the reports of the supreme court.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 321, a bill for an act making appropriation to the Metz Construction Company, Springfield, Nebr.

. 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 relating to the refunding of the tax on gasoline.

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 relating to the accounting of executors and administrators.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 442, a bill for an act relative to redistricting the state into nine (9) congressional districts.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 454, a bill for an act relating to appeals to the supreme court.

WALTER H. BEAM, *Secretary.*

#### SENATE AMENDMENT TO HOUSE FILE NO. 203

Amend by inserting after the word "districts" and before the quotation mark, in paragraph two (2) of Section one (1) the words "Pro Rata".

#### SENATE AMENDMENT TO HOUSE FILE NO. 377

1. Amend by striking from paragraph one (1) section one (1) the words "as motor vehicle fuel" where same follows the word "used" in the last sentence and substitute in lieu thereof the words "to propel a motor vehicle".

2. Amend by striking all of section 10 and substituting in lieu thereof the following:

Sec. 10. Pipe lines. No wholesale dealer, retail dealer or other person shall, within this state, use the same pipe line, for transferring motor vehicle fuel from one container to another, as that used for transferring kerosene or other inflammable product used for open flame illuminating or heating purposes.

#### SENATE MESSAGES CONSIDERED

Senate File No. 252, a bill for an act to make appropriation to the Montgomery County Farmers Institute, the Lyon County

Farmers Institute, the Atlantic Community Corn Show or Farmers Institute, and the Johnson County Poultry Show.

Read first and second times and referred to committee on appropriations.

Senate File No. 260, a bill for an act to amend section thirty-eight hundred (3800), Code, 1927, relating to suspensions, by the court, of sentence in criminal cases.

Read first and second times and referred to sifting committee.

Senate File No. 280, a bill for an act to amend Section fifty-two hundred forty-one (5241) Chapter two hundred sixty-two (262), of the Code, 1927, to authorize the giving of either a bond or a liability policy by deputies.

Read first and second times and referred to sifting committee.

Senate File No. 299, a bill for an act to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company as refunds for overpayment of taxes.

Read first and second times and referred to committee on appropriations.

Senate File No. 323, a bill for an act to amend the law as it appears in section forty-nine hundred twenty (4920) of the code, 1927, relating to license fees for motor vehicle trailers.

Read first and second times and referred to sifting committee.

Senate File No. 332, a bill for an act to amend Section five hundred forty-seven (547) of the Code of 1927, relating to the filing of nomination papers by candidates for office in any subdivision of a county, including the office of party committeeman.

Read first and second times and referred to sifting committee.

Senate File No. 333, a bill for an act to amend Section five thousand eight hundred eighteen (5818) of the Code of 1927, and Section five thousand eight hundred twenty-two (5822) of the Code of 1927, relating to River Front Improvement Commission.

Read first and second times and referred to sifting committee.

Senate File No. 368, a bill for an act to amend the law as it appears in section four thousand six hundred thirty-three (4633) of the Code of 1927, relative to the maintenance and improvement of highways on lands of the state and highways on which such lands abut.

Read first and second times and referred to sifting committee.

Senate File No. 369, a bill for an act to make an appropriation for the prevention, control, and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith.

Read first and second times and referred to committee on appropriations.

Senate File No. 377, a bill for an act to make an appropriation to Matilda Blaise, executrix of the estate of A. M. Blaise, for balance due for rental on an armory erected and constructed for and leased to Troop E, First Iowa Cavalry, Iowa National Guard.

Read first and second times and referred to committee on appropriations.

Senate File No. 387, a bill for an act to make an appropriation to L. J. Baschnagel.

Read first and second times and referred to committee on appropriations.

Senate File No. 389, a bill for an act to make an appropriation to William E. Quinn.

Read first and second times and referred to committee on appropriations.

Senate File No. 394, a bill for an act to amend Section seventeen hundred sixty-seven (1767), Chapter eighty-six (86), Code of 1927, relative to the closed season on game birds.

Read first and second times and referred to sifting committee.

Senate File No. 404, a bill for an act to amend the law as the same appears in Section fourteen hundred forty-four (1444) of the Code, 1927, relating to the taking of depositions in Workmen's Compensation cases.

Read first and second times and referred to sifting committee.

Senate File No. 405, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger, and A. E. McGlothlen.

Read first and second times and referred to committee on appropriations.

Senate File No. 406, a bill for an act to make an appropriation for the use of the State Employment Bureau for extension service.

Read first and second times and referred to committee on appropriations.

Senate File No. 408, a bill for an act to make an appropriation to George F. Van Note.

Read first and second times and referred to committee on appropriations.

Senate File No. 410, a bill for an act to make an appropriation to G. C. Bell, A. L. McClintock, Harley Cowman, and D. F. Brownlee.

Read first and second times and referred to committee on appropriations.

Senate File No. 418, a bill for an act to amend chapter twenty (20) of the Laws of the Forty-third General Assembly relating to the improvement of secondary roads.

Read first and second times and referred to sifting committee.

On motion of Van Buren of Jones the House adjourned until 2:00 p. m. today.

#### AFTERNOON SESSION

House reconvened, Speaker Johnson in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Watts of Van Buren for the afternoon, on request of Ditto of Osceola.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Ditto of Osceola, House File No. 288, a bill for an act to amend sections twenty-nine hundred twenty-one (2921),

code, 1927, and twenty-nine hundred twenty-three (2923), code, 1927, relating to state aid to short courses in counties where no county or district fairs are held, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 288

In line two of sub-section 1-b of Section 2, by striking out after the word "first" the words "of each" and inserting in lieu thereof the words "of the preceding".

Also to amend in line four of Section 3 by striking out the word "eighty" and inserting in lieu thereof the word "sixty", and at the end of line five, by striking out the word "six" and inserting in lieu thereof the word "four".

Mr. Ditto moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 8.

Berry	Drake of	Randall	Simmer
Davis	Muscataine	Shields	Stanzel
	Gilmore		

The nays were, 64.

Augustine	Hesse	McDermott	Rawlings
Avery	Hollingsworth	McLain	Reed
Babcock	Hollis	Malone	Roe
Beath	Hopkins	Mathews	Rutledge
Bonnstetter	Hunt	Mayne	Rylander
Ditto	Hush	Mead	Sours
Donlon	Johnson of	Millhone	Stiger
Elliott	Marion	Nelson of	Strachan
Ellsworth	Koch	Cherokee	Tamisiea
Fabritz	Kohler	Nelson of Story	TePaske
Finnern	Lamb	Osborn	Thiessen
Garrett	Langland	Paisley	Thompson
Gissel	Laughlin	Pattison	Van Wert
Greaser	Lepley	Peaco	Whiting
Greene	Lichty	Pendray	Witt
Hayes	Long	Randolph	Mr. Speaker
Helgason	McCaulley		

Absent or not voting, 36.

Aiken	Felter	Husted	Reimers
Allen	Figgins	Hutcheon	Ryder
Bair	Forsling	Kern	Short
Ballew	Gallagher	McCreery	Snyder
Brown	Hansen of	Miller	Torgeson
Byers	Audubon	Morton	Van Buren
Craven	Hansen of Scott	O'Donnell	Wamstad
Dayton	Hanson of	Orr	Watts
Drake of Keokuk	Winnebago	Ratliff	Wearin
Durant	Hook		

House refused to concur in Senate amendments to House File No. 288.

On request of Greaser of Benton, House File No. 170, a bill for an act to amend section thirty-one hundred fourteen (3114), code, 1927; to provide for the classifying and labeling of poultry shells, and to amend chapter eighty-four (84), acts Forty-third (43rd) General Assembly, relating to the labeling of commercial feeds and stock tonics, with Senate amendments, was taken up and the amendments read and considered.

# SENATE AMENDMENTS TO HOUSE FILE NO. 170

Amend Section 1 by striking out the word "ash" as it appears in line 4 of said section and insert in lieu thereof the following: "the actual per cent of added mineral matter".

Amend Section 2 in line 4 by inserting after the word "shells" as it appears secondly in said line the following: "or poultry limestone".

Also by inserting after the word "shells" as it appears in line 6 thereof the following: "or ingredients".

Mr. Greaser moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 74.

Augustine	Hesse	McDermott	Rutledge
Avery	Hollingsworth	McLain	Ryder
Babcock	Hollis	Malone	Rylander
Bair	Hook	Mathews	Shields
Beath	Hopkins	Mayne	Short
Berry	Hunt	Mead	Snyder
Bonnstetter	Hush	Millhone	Sours
Donlon	Johnson of	Nelson of	Stanzel
Drake of	Marion	Cherokee	Stiger
Muscatine	Kern	Nelson of Story	Strachan
Elliott	Koch	Osborn	Tamisiea
Ellsworth	Kohler	Paisley	TePaske
Fabritz	Lamb	Pattison	Thiessen
Figgins	Langland	Pendray	Thompson
Finnern	Laughlin	Randall	Torgeson
Garrett	Lepley	Randolph	Van Wert
Gilmore	Lichty	Ratliff	Wearin
Gissel	Long	Reed	Witt
Greaser	McCaulley	Roe	Mr. Speaker
Greene			

The nays were, 1.



Absent or not voting, 33.

Aiken	Ditto	Hanson of	Orr
Allen	Drake of Keokuk	Winnebago	Peaco
Ballew	Durant	Hayes	Rawlings
Brown	Felter	Husted	Reimers
Byers	Forsling	Hutcheon	Simmer
Craven	Gallagher	McCreery	Van Buren
Davis	Hansen of	Miller	Wamstad
Dayton	Audubon	Morton	Watts
	Hansen of Scott	O'Donnell	Whiting

House concurred in Senate amendments to House File No. 170.

On request of Fabritz of Wapello, House File No. 200, a bill for an act to amend section seventeen hundred forty-five (1745), code, 1927, relating to the sale by game wardens of undesirable fish, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 200

Amend by adding thereto the following:

"Further amend said section by striking the comma in line twenty-one and inserting in lieu thereof a period and striking the remainder of the paragraph."

Mr. Fabritz moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 74.

Augustine	Hesse	McDermott	Ryder
Avery	Hollingsworth	Malone	Rylander
Babcock	Hollis	Mathews	Shields
Beath	Hook	Mayne	Short
Berry	Hopkins	Mead	Snyder
Bonnstetter	Hunt	Millhone	Sours
Donlon	Hush	Nelson of	Stanzel
Drake of	Johnson of	Cherokee	Stiger
Muscatine	Marion	Nelson of Story	Strachan
Elliott	Kern	Osborn	Tamisiea
Ellsworth	Koch	Paisley	TePaske
Fabritz	Kohler	Pattison	Thiessen
Figgins	Lamb	Peaco	Thompson
Finnern	Langland	Pendray	Torgeson
Garrett	Laughlin	Randall	Van Wert
Gilmore	Lepley	Randolph	Wearin
Gissel	Lichty	Ratliff	Whiting
Greene	Long	Reed	Witt
Hayes	McCaulley	Roe	Mr. Speaker
Helgason			

The nays were, none.

Absent or not voting, 34.

Aiken	Ditto	Hansen of Scott	O'Donnell
Allen	Drake of Keokuk	Hanson of	Orr
Bair	Durant	Winnebago	Rawlings
Ballew	Felter	Husted	Reimers
Brown	Forsling	Hutcheon	Rutledge
Byers	Gallagher	McCreery	Simmer
Craven	Greaser	McLain	Van Buren
Davis	Hansen of	Miller	Wamstad
Dayton	Audubon	Morton	Watts

House concurred in the Senate amendment to House File No. 200.

On request of Whiting of Johnson, unanimous consent having been given, House File No. 203, a bill for an act to amend section fifty-five hundred seventy-six (5576) of the code, 1927, relating to transfer of township funds, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 203

Amend by inserting after the word "districts" and before the quotation mark, in paragraph two (2) of section one (1) the words "Pro Rata".

Mr. Whiting moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 73.

Augustine	Gissel	Laughlin	Randolph
Avery	Greaser	Lepley	Ratliff
Babcock	Greene	Lichty	Rawlings
Bair	Hansen of Scott	Long	Reed
Beath	Helgason	McCaulley	Shields
Bonnstetter	Hesse	McDermott	Short
Davis	Hollingsworth	McLain	Snyder
Ditto	Hook	Malone	Sours
Donlon	Hopkins	Mathews	Strachan
Drake of	Hunt	Mayne	Tamisiea
Muscatine	Hush	Mead	TePaske
Durant	Hutcheon	Millhone	Thiessen
Elliott	Johnson of	Nelson of	Thompson
Ellsworth	Marion	Cherokee	Torgeson
Fabritz	Kern	Nelson of Story	Van Wert
Figgins	Koch	Paisley	Wearin
Finnern	Kohler	Pattison	Whiting
Garrett	Lamb	Pendray	Witt
Gilmore	Langland	Randall	Mr. Speaker

The nays were, none.

Absent or not voting, 35.

Aiken	Forsling	McCreery	Rutledge
Allen	Gallagher	Miller	Ryder
Ballew	Hansen of	Morton	Rylander
Berry	Audubon	O'Donnell	Simmer
Brown	Hanson of	Orr	Stanzel
Byers	Winnebago	Osborn	Stiger
Craven	Hayes	Peaco	Van Buren
Dayton	Hollis	Reimers	Wamstad
Drake of Keokuk	Husted	Roe	Watts
Felter			

House concurred in Senate amendment to House File No. 203.

### REPORT OF COMMITTEE

Hanson of Winnebago, from the sifting committee, submitted the following report:

MR. SPEAKER: Your sifting committee, to whom was referred House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system, beg leave to report they have had the same 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 House File No. 576 by striking all of Section 5 and inserting in lieu thereof the following:

"Sec. 5. Said primary road bond fund shall be used only for the following purposes:

(1st) To pay the principal of maturing and callable county primary road bonds and bonds issued to refund county primary road bonds.

(2nd) Whatever is not necessary as provided in the preceding paragraph shall be used to defray the cost of the improvement of primary roads as provided in article XIII of the constitution of the state of Iowa, and costs incident thereto.

Said primary road bond fund shall be paid out in the same manner as provided by law for the primary road fund."

Further amend by striking Section 2 and insert in lieu thereof the following:

"Sec. 2. To provide the funds with which to pay the principal of county primary road bonds and bonds issued to refund county primary road bonds, maturing or callable, and to aid in meeting the cost of the primary road improvement program outlined in Article XIII of the constitution of the state of Iowa. The executive council, from time to time as may be necessary, shall issue and sell bonds of the state to be known as state primary road bonds. The total amount of such bonds issued under this act shall not exceed one hundred million dollars (\$100,000,-000.00)."

Further amend House File No. 576 by striking Section 11 and inserting in lieu thereof the following:

"Sec. 11. After the provisions heretofore provided in this act are complied with the remaining funds in the primary road fund shall be used only for the improvement and completion of the improvement of the primary roads as set out in this act and for the grading, draining, bridging and paving of the unimproved portion of the primary road system which has not heretofore been paved, excepting such provisions for designation and changes as are defined in section forty-seven hundred fifty-five-b two (4755-b2), code, 1927."

And further amend by striking therefrom Sections 12, 13 and 14.

H. N. HANSON, *Chairman*.

Report adopted.

The sifting committee recommends that House Files Nos. 576 and 519 be made a special order for Monday a. m. at 10:00 o'clock, April 13th.

Johnson of Marion moved to amend the recommendation of the sifting committee by making House File No. 576 a special order for Monday, April 13th, at 10:00 a. m., and that the House consider House File No. 519 immediately after the disposition of House File No. 576.

Reimers of Lyon moved to amend the motion by Mr. Johnson by making House File No. 519 a special order for Monday, April 13th, at 10:00 a. m., and that the House consider House File No. 576 immediately after the disposition of House File No. 519.

Torgeson of Worth moved as a substitute for all pending

motions that the House resolve itself into a committee of the whole for the consideration of House Files Nos. 519 and 576.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 24.

Beath	Hansen of	Hutcheon	Strachan
Berry	Audubon	Langland	Thompson
Bonnstetter	Hanson of	Pendray	Torgeson
Davis	Winnebago	Roe	Van Wert
Felter	Hook	Shields	Wamstad
Figgins	Hopkins	Stanzel	Wearin
Gissel	Hush		

The nays were, 70.

Augustine	Garrett	Lepley	Randall
Avery	Gilmore	Lichty	Randolph
Babcock	Greaser	Long	Ratliff
Bair	Greene	McCaulley	Rawlings
Ballew	Hansen of Scott	McCreery	Reed
Brown	Hayes	McDermott	Reimers
Craven	Helgason	McLain	Rutledge
Ditto	Hesse	Malone	Ryder
Donlon	Hollingsworth	Mathews	Rylander
Drake of Keokuk	Hollis	Mayne	Sours
Drake of	Hunt	Mead	Stiger
Muscatine	Johnson of	Millhone	Tamisiea
Durant	Marion	Nelson of	TePaske
Elliott	Kern	Cherokee	Thiessen
Ellsworth	Koch	Nelson of Story	Van Buren
Fabritz	Kohler	Paisley	Whiting
Finnern	Lamb	Pattison	Witt
Forsling	Laughlin	Peaco	Mr. Speaker
Gallagher			

Absent or not voting, 14.

Aiken	Husted	O'Donnell	Simmer
Allen	Miller	Orr	Snyder
Byers	Morton	Osborn	Watts
Dayton		Short	

Motion to substitute lost.

Forsling of Woodbury raised the point of order that the committee report could not be amended.

The Speaker held the point of order well taken.

Johnson of Marion moved as a substitute for the recommendation made by the sifting committee that House File No. 576 be made a special order for Monday, April 13th, at 10:00 a. m., and that the House consider House File No. 519 immediately after the disposition of House File No. 576, and on the question "Shall

House File No. 576 be made a special order for Monday at 10:00 a. m., and that the consideration of House File No. 519 follow the disposition on House File No. 576?" a roll call was demanded.

The ayes were, 52.

Avery	Gallagher	Johnson of	Millhone
Babcock	Garrett	Marion	Osborn
Bair	Gilmore	Kern	Paisley
Ballew	Greaser	Koch	Pattison
Bonnstetter	Greene	Kohler	Peaco
Ditto	Hansen of	Lamb	Ratliff
Donlon	Audubon	Laughlin	Rutledge
Drake of Keokuk	Hansen of Scott	Lichty	Ryder
Drake of	Helgason	Long	Snyder
Muscataine	Hesse	McCaulley	Tamisiea
Durant	Hollingsworth	McCreery	Van Buren
Elliott	Hollis	Mathews	Whiting
Ellsworth	Hopkins	Mayne	Witt
Fabritz	Hunt	Mead	

The nays were, 38.

Augustine	Hanson of	Nelson of Story	Stiger
Beath	Winnebago	Randolph	Strachan
Berry	Hook	Rawlings	TePaske
Brown	Hush	Reed	Thiessen
Craven	Hutcheon	Reimers	Thompson
Davis	Langland	Roe	Torgeson
Felter	McDermott	Rylander	Van Wert
Figgins	McLain	Shields	Wamstad
Forsling	Malone	Short	Mr. Speaker
Gissel	Nelson of	Stanzel	
	Cherokee		

Absent or not voting, 18.

Aiken	Hayes	O'Donnell	Simmer
Allen	Husted	Orr	Sours
Byers	Lepley	Pendray	Watts
Dayton	Miller	Randall	Wearin
Finnern	Morton		

Motion prevailed and substitution was made.

Substitute motion adopted, and House File No. 576 was made a special order for Monday, April 13th, at 10:00 a. m. and that House File No. 519 is to be considered immediately after the disposition of House File No. 576.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Wamstad of Mitchell, unanimous consent having been obtained, House File No. 377, a bill for an act to provide and adopt standard sets of specifications for use in the state of Iowa

motor vehicle fuel be sold within the state of Iowa, unless the same conforms to the specifications adopted, and providing that said motor vehicle fuel shall be inspected, and regulating the use of pipe lines from and to containers, and further providing for a penalty for a violation of any of the provisions of this act, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 377

1. Amend by striking from paragraph one (1) section one (1) the words "as motor vehicle fuel" where same follows the word "used" in the last sentence and substitute in lieu thereof the words "to propel a motor vehicle".

2. Amend by striking all of section 10 and substituting in lieu thereof the following:

Sec. 10. Pipe lines. No wholesale dealer, retail dealer or other person shall, within this state, use the same pipe line, for transferring motor vehicle fuel from one container to another, as that used for transferring kerosene or other inflammable product used for open flame illuminating or heating purposes.

Mr. Wamstad moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 85.

Augustine	Greaser	Lichty	Reed
Avery	Greene	Long	Roe
Babcock	Hansen of	McCaulley	Ryder
Bair	Audubon	McCreery	Rylander
Ballew	Helgason	McDermott	Shields
Beath	Hesse	McLain	Short
Berry	Hollingsworth	Malone	Snyder
Bonnstetter	Hollis	Mathews	Sours
Davis	Hook	Mayne	Stanzel
Donlon	Hopkins	Mead	Stiger
Drake of Keokuk	Hunt	Millhone	Strachan
Drake of	Hush	Nelson of	Tamisica
Muscatine	Hutcheon	Cherokee	TePaske
Durant	Johnson of	Nelson of Story	Thiessen
Ellsworth	Marion	Osborn	Thompson
Fabritz	Kern	Paisley	Torgeson
Felter	Koch	Pattison	Van Buren
Figgins	Kohler	Peaco	Van Wert
Finnern	Lamb	Pendray	Wamstad
Gallagher	Langland	Randall	Wearin
Garrett	Laughlin	Randolph	Witt
Gilmore	Lepley	Ratliff	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 23.

Aiken	Ditto	Hayes	Rawlings
Allen	Elliott	Husted	Reimers
Brown	Forsling	Miller	Rutledge
Byers	Hansen of Scott	Morton	Simmer
Craven	Hanson of	O'Donnell	Watts
Dayton	Winnebago	Orr	Whiting

House concurred in Senate amendment to House File No. 377.

House File No. 310, a bill for an act to amend section fifty-three hundred ninety-eight (5398) of the code, 1927, pertaining to the selection of official newspapers in the respective counties, with report of committee recommending passage, was taken up for consideration.

Reed of Mahaska moved the previous question.

Motion prevailed.

Short 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, 69.

Augustine	Gissel	McCreery	Roe
Avery	Greaser	McDermott	Rutledge
Babcock	Greene	McLain	Ryder
Ballew	Hanson of	Malone	Rylander
Beath	Winnebago	Mathews	Shields
Berry	Hayes	Mayne	Short
Bonnstetter	Hollis	Mead	Snyder
Craven	Hook	Nelson of Story	Stanzel
Ditto	Hopkins	O'Donnell	Stiger
Donlon	Hush	Paisley	Strachan
Drake of Keokuk	Kern	Peaco	TePaske
Durant	Koch	Pendray	Thiessen
Ellsworth	Kohler	Randall	Thompson
Felter	Langland	Randolph	Torgeson
Figgins	Laughlin	Rawlings	Van Wert
Gallagher	Lepley	Reed	Whiting
Garrett	Lichty	Reimers	Mr. Speaker
Gilmore	Long		

The nays were, 16.

Bair	Hesse	Nelson of	Pattison
Fabritz	Hollingsworth	Cherokee	Ratliff
Finnern	Hunt	Orr	Tamisiea
Hansen of	Hutcheon	Osborn	Wearin
Audubon			Witt



Absent or not voting, 23.

Aiken	Drake of	Johnson of	Morton
Allen	Muscatine	Marion	Simmer
Brown	Elliott	Lamb	Sours
Byers	Forsling	McCaulley	Van Buren
Davis	Hansen of Scott	Millhone	Wamsted
Dayton	Helgason	Miller	Watts
	Husted		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 463, a bill for an act to regulate the number of hours that drivers of commercial motor vehicles for hire shall be on duty in each twenty-four (24) hours and to prescribe penalties for violation thereof, with report of committee recommending passage, was taken up for consideration.

Peaco of Clinton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Augustine	Greene	Laughlin	Randolph
Avery	Hansen of	Lichty	Ratliff
Babcock	Audubon	Long	Rawlings
Bair	Hansen of Scott	McCreery	Reed
Ballew	Hanson of	McDermott	Roe
Beath	Winnebago	McLain	Rylander
Berry	Hayes	Malone	Short
Bonnstetter	Helgason	Mathews	Snyder
Brown	Hesse	Mayne	Stanzel
Craven	Hollingsworth	Mead	Stiger
Davis	Hook	Millhone	Strachan
Donlon	Hopkins	Nelson of	TePaske
Drake of Keokuk	Hunt	Cherokee	Thiessen
Durant	Hush	Nelson of Story	Thompson
Ellsworth	Husted	O'Donnell	Torgeson
Felter	Hutcheon	Orr	Van Wert
Figgens	Johnson of	Osborn	Wamstad
Finnern	Marion	Paisley	Wearin
Gallagher	Kern	Pattison	Whiting
Garrett	Koch	Peaco	Witt
Gilmore	Kohler	Pendray	Mr. Speaker
Gissel	Lamb		
Greaser	Langland		

The nays were, 1.

Shields

Absent or not voting, 23.

Aiken	Elliott	Miller	Simmer
Allen	Fabritz	Morton	Sours
Byers	Forsling	Randall	Tamisiea
Dayton	Hollis	Reimers	Van Buren
Ditto	Lepley	Rutledge	Watts
Drake of	McCaulley	Ryder	
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, hereby request a call of the House for the consideration of Senate File No. 297.

HENRY KOHLER  
ROY J. SOURS  
E. O. HELGASON  
W. H. GISSEL  
S. R. TORGESON

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Dayton of Washington, Morton of Wright, and Watts of Van Buren who, on motion, were excused.

Senate File No. 297, a bill for an act to amend sections fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10637) of the code, 1927, and chapter twenty (20), acts of the forty-third (43rd) general assembly, relating to the mileage and expenses of boards of supervisors, sheriffs, county superintendents, coroners, constables, county engineers, and of any other public officer or employee, was taken up for consideration, having been substituted for House File No. 250.

TePaske of Sioux asked and obtained unanimous consent to have the amendment filed by him, found in the Journal of April 2nd, withdrawn.

Brown of Polk called up the amendment filed by him, found in the Journal of March 27th and moved its adoption.

Mathews of Des Moines moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

Rule 18 was invoked.

The ayes were, 63.

Avery	Forsling	Lamb	Roe
Bair	Gallagher	Langland	Shields
Beath	Gilmore	Laughlin	Short
Berry	Gissel	McCaulley	Snyder
Bonnstetter	Hansen of Scott	McCreery	Sours
Brown	Hanson of	McDermott	Stanzel
Byers	Winnebago	McLain	Strachan
Craven	Hollingsworth	Nelson of	Tamisiea
Donlon	Hook	Cherokee	Thiessen
Drake of Keokuk	Hopkins	Osborn	Thompson
Drake of	Hunt	Pattison	Torgeson
Muscatine	Hush	Peaco	Van Buren
Elliott	Husted	Pendray	Wamstad
Ellsworth	Johnson of	Randall	Wearin
Felter	Marion	Randolph	Witt
Figgins	Kern	Reed	Mr. Speaker
Finnern	Kohler	Reimers	

The nays were, 39.

Augustine	Hansen of	Long	Ratliff
Babcock	Audubon	Malone	Rawlings
Ballew	Hayes	Mathews	Rutledge
Davis	Helgason	Mayne	Ryder
Ditto	Hesse	Mead	Rylander
Durant	Hollis	Millhone	Simmer
Fabritz	Hutcheon	Nelson of Story	Stiger
Garrett	Koch	O'Donnell	TePaske
Greaser	Lepley	Orr	Van Wert
Greene	Lichty	Paisley	Whiting

Absent or not voting, 6.

Aiken	Dayton	Morton	Watts
Allen	Miller		

Amendment adopted.

Brown of Polk called up the amendment filed by him, found in the Journal of March 28th, and moved its adoption.

Amendment adopted.

Rutledge of Webster offered the following amendment and moved its adoption:

Amend by striking the word and figure "seven (7)" wherever it appears with reference to mileage allowance, and inserting in lieu thereof the word and figure "eight (8)".

Drake of Muscatine moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 45.

Babcock	Helgason	Mayne	Ryder
Bair	Hesse	Millhone	Snyder
Byers	Hollis	Nelson of	Stanzel
Craven	Hunt	Cherokee	Stiger
Ditto	Hutcheon	Nelson of Story	Strachan
Drake of Keokuk	Laughlin	O'Donnell	Torgeson
Durant	Lichty	Orr	Van Wert
Garrett	Long	Paisley	Wamstad
Greene	McCaulley	Pattison	Wearin
Hansen of	McLain	Ratliff	Whiting
Audubon	Malone	Rawlings	Witt
Hayes	Mathews	Rutledge	

The nays were, 56.

Augustine	Figgins	Johnson of	Randolph
Avery	Finnern	Marion	Reed
Ballew	Gallagher	Kern	Reimers
Beath	Gilmore	Koch	Roe
Berry	Gissel	Kohler	Rylander
Bonnstetter	Greaser	Lamb	Shields
Brown	Hansen of Scott	Langland	Short
Davis	Hanson of	Lepley	Simmer
Donlon	Winnebago	McCreery	Sours
Drake of	Hollingsworth	McDermott	Tamisiea
Muscatine	Hook	Mead	TePaske
Elliott	Hopkins	Obsorn	Thiessen
Ellsworth	Hush	Peaco	Thompson
Fabritz	Husted	Pendray	Van Buren
Felter		Randall	Mr. Speaker

Absent or not voting, 7.

Aiken	Dayton	Miller	Watts
Allen	Forsling	Morton	

Amendment lost.

Brown 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, 80.

Augustine	Gilmore	Koch	Roe
Avery	Gissel	Kohler	Rylander
Babcock	Greaser	Lamb	Shields
Ballew	Greene	Langland	Short
Beath	Hansen of	Lepley	Simmer
Berry	Audubon	Lichty	Snyder
Bonnstetter	Hansen of Scott	Long	Sours
Brown	Hanson of	McCreery	Stanzel
Byers	Winnebago	McDermott	Stiger
Craven	Helgason	McLain	Strachan
Ditto	Hollingsworth	Mayne	Tamisiea
Donlon	Hollis	Mead	TePaske
Drake of Keokuk	Hook	Nelson of	Thiessen
Durant	Hopkins	Cherokee	Thompson
Elliott	Hunt	Nelson of Story	Torgeson
Ellsworth	Hush	Osborn	Van Buren
Fabritz	Husted	Peaco	Van Wert
Felter	Hutcheon	Pendray	Wamstad
Figgins	Johnson of	Randall	Wearin
Finnern	Marion	Randolph	Witt
Gallagher	Kern	Reed	Mr. Speaker

The nays were, 17.

Bair	Hesse	Millhone	Pattison
Drake of	Laughlin	O'Donnell	Ratliff
Muscatine	Malone	Orr	Rutledge
Garrett	Mathews	Paisley	Ryder
Hayes			Whiting

Absent or not voting, 11.

Aiken	Dayton	Miller	Reimers
Allen	Forsling	Morton	Watts
Davis	McCaulley	Rawlins	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Brown of Polk moved that the vote by which Senate File No. 297 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### AMENDMENTS FILED

Wamstad of Mitchell filed the following amendment to House File No. 576:

Amend House File No. 576, section eight (8) by inserting after the word "vehicle" in line one (1) the word "license". Also, strike the word

"gasoline" in line three (3) also, the word "or" in line four (4) and insert after the word "motor" in said line four (4) the word "vehicle".

TePaske of Sioux filed the following amendments to Senate File No. 370:

Amend Senate File No. 370 as follows:

1. That sections one (1), and ten (10) of the said bill be stricken.
2. That the clerk be authorized to renumber the remaining sections of the bill.

Van Buren of Jones filed the following amendment to the committee amendment to Senate File No. 10:

Amend the committee amendment to Senate File No. 10 as follows:

"By reinserting line twenty-five (25) in section eleven (11)".

Van Buren of Jones filed the following amendment to the committee amendment to Senate File No. 10:

Amend the committee amendment to Senate File No. 10 as passed by the Senate as follows:

"In line thirteen (13) section sixty (60) strike all after the words "assistant bookkeepers" and insert in lieu thereof the following: "(not to exceed 7), each \$1,320.00".

And in line twenty-two (22) strike all after the word "examiners" and insert in lieu thereof the following: "(not to exceed 7), each \$1,200.00".

Dayton of Washington filed the following amendment to House File No. 450:

Amend House File No. 450, by striking lines four (4) and five (5) and inserting in lieu thereof the following:

"And nurses training school in connection with a county hospital shall be accredited and eligible to affiliation of six (6) months training in the nurses training school of the State University at Iowa City, Iowa, provided that the county hospital to which it is connected has a staff of qualified physicians who are graduated of reputable medical school; an able and ethical management; competent nurses; regular staff conferences to study the welfare of the patients, that the hospital is approved by the American Medical Association as a safe place in which to be a patient.

Gallagher of Iowa filed the following amendments to Senate File No. 10:

Amend Senate File No. 10, as follows:

Section 6. Auditor of State.

Strike the figures \$3000.00, in line 8, and insert in lieu thereof the figures \$3300.00.

Sec. 46. Treasurer of State.

Strike the figures \$3000.00, in line 9, and insert in lieu thereof the figures \$3300.00.

On motion of Elliott of Scott, 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 10, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. W. C. Porter, pastor of the United Presbyterian Church, Winterset, Iowa.

Journal of April 9th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Paisley of Lee, from teachers of Iowa, favoring an amendment to the certification bill. Schools and textbooks.

By Greaser of Benton, from citizens of Watkins, opposing a tobacco tax. Tax revision.

By Gallagher of Iowa, from residents of North English, Millersburg, and Williamsburg, protesting the proposed tax on portable mills. Commerce and trade.

By Durant of Hancock, from citizens of Hancock county, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Peaco of Clinton, from the board of directors of the Clinton Chamber of Commerce, opposing House File No. 353. Ways and means.

## REPORTS OF COMMITTEES

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 561, a bill for an act to make an appropriation to Joseph Roy Collins, beg leave to report they have had the same under



consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 562, a bill for an act to make an appropriation to M. L. Haley, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 564, a bill for an act to make an appropriation to Delpha Nelson, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 566, a bill for an act to make an appropriation to Paul J. Tissler, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 567, a bill for an act to make an appropriation to Martin McCarthy, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 568, a bill for an act to make an appropriation to Fred Hill, Mrs. Victoria Hill and to Laura E. Hill, minor, beg leave to report they have had the same under consideration and have instructed

me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 252, a bill for an act to make appropriation to the Montgomery County Farmers Institute, the Lyon County Farmers Institute, the Atlantic Community Corn Show or Farmers Institute, and the Johnson County Poultry Show, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 299, a bill for an act to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company as refunds for overpayment of taxes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 377, a bill for an act to make an appropriation to Matilda Blaise, executrix of the estate of A. M. Blaise, for balance due for rental on an armory erected and constructed for and leased to Troop E, First Iowa Cavalry, Iowa National Guard, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 382, a bill for an act to make an appropriation to the Iowa Bridge Company and the Olson Construction Company for damages growing out of contracts to build bridges, under the Iowa State Highway Commission, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 387, a bill for an act to make an appropriation to L. J. Baschnagel, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 388, a bill for an act to make an appropriation to Hamiel and Mather, attorneys at law, and Edwin B. Wilson, attorney at 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 do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 405, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger, and A. E. McGlothlen, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 408, a bill for an act to make an appropriation to George F. Van Note, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 411, a bill for an act to amend chapter one hundred twenty-nine (129) Acts of the Forty-third General Assembly relating to the regulation of motor trucks, and to provide date when unexpended balances of the fees on motor trucks shall be credited to the general fund 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.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 410, a bill for an act to make an appropriation to G. C. Bell, A. L. McClintock, Harley Cowman and D. F. Brownlee, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 369, a bill for an act to make an appropriation for the prevention, control, and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 406, a bill for an act to make an appropriation for the use of the State Employment Bureau for extension service, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House without recommendation.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Hanson of Winnebago, from the sifting committee, submitted the following reports:

MR. SPEAKER: Your sifting committee has introduced to the House, House File No. 577, a bill for an act to amend sections twenty hundred twenty-three (2023) and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code, 1927, and to enact a substitute therefor, relating to attorneys' fees in injunction and nuisance cases.

The sifting committee recommends to the House that the bill do pass.

H. N. HANSON, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your sifting committee has introduced to the House, House File No. 578, a bill for an act to provide for the sexual sterilization of certain persons, and fixing the procedure for the requirement or ordering thereof, and providing for appeals from such orders and repealing chapter sixty-six (66), acts of the 43rd general assembly.

The sifting committee recommends to the House that the bill do pass.

H. N. HANSON, *Chairman*.

Report adopted.

Johnson of Marion, from the committee on reduction of public expenditures, submitted the following report:

MR. SPEAKER: Your committee on reduction of public expenditures has introduced to the House, House Joint Resolution No. 10, a Joint Resolution, to Establish a Committee Composed of Three members of the Senate and Three from the House of Representatives and Three from the State at large to make a thorough study and investigation of State, County, Township, City, and Town Governments for the Reduction of the Expenditure of Public Funds; to make a report to the Governor of the State not later than November 15, 1932; and to make an Appropriation to defray the expenses of such Committee.

The committee on reduction of public expenditures recommends to the House that the bill do pass.

J. H. JOHNSON, *Chairman*.

Report adopted.

#### REPORT OF COMMITTEE OF THE WHOLE ADOPTED

Simmer of Wapello called up the report of the committee of the whole on Senate File No. 10, found in the Journal of April 9th, and moved its adoption.

Motion prevailed and the report was adopted.

#### INTRODUCTION OF BILLS

House File No. 577, by sifting committee, a bill for an act to amend sections twenty hundred twenty-three (2023) and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code, 1927, and to enact a substitute

therefor, relating to attorneys' fees in injunction and nuisance cases.

Read first and second times and passed on file.

House File No. 578, by sifting committee, a bill for an act to provide for the sexual sterilization of certain persons, and fixing the procedure for the requirement or ordering thereof, and providing for appeals from such orders and repealing chapter sixty-six (66), acts of the 43rd general assembly.

Read first and second times and passed on file.

House Joint Resolution No. 10, by committee on reduction of public expenditures, A Joint Resolution, to Establish a Committee Composed of Three members of the Senate and Three from the House of Representatives and Three from the State at large to make a thorough study and investigation of State, County, Township, City, and Town Governments for the Reduction of the Expenditure of Public Funds; to make a report to the Governor of the State not later than November 15, 1932; and to make an Appropriation to defray the expenses of such Committee.

Read first and second times and referred to sifting committee.

### CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931, and ending June 30, 1933, and to appropriate therefrom for all departments and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, with report of committee recommending amendment and passage, was taken up for consideration.

Whiting of Johnson offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment to Section Forty-nine (49) of Senate File No. 10 as follows:

1. By striking from lines five (5) and six (6) in paragraph one (1) the words and figures "the sum of Eight million nine hundred thousand one hundred seventy-eight dollars (\$8,900,178.00)", and inserting in lieu thereof the following: "the sum of Eight million nine hundred fifty thousand one hundred seventy-eight dollars (\$8,950,178.00)".

2. By striking from lines four (4), five (5) and six (6), paragraph twenty-two (22), the words and figures "the sum of Five hundred twenty-three thousand six hundred sixty dollars (\$523,660.00)", and inserting in

lieu thereof the words and figures "the sum of Five hundred seventy-three thousand six hundred sixty dollars (\$573,660.00)".

3. By inserting as paragraph twenty-two a (22a) the following:

"Line 182 Nurses Home..... 50,000.00"

4. By striking the figures "\$8,000.00" in line two (2), paragraph twenty-three a (23a) and inserting in lieu thereof the figures: "\$58,000.00".

5. By striking the figures "523,660.00" in line three (3), paragraph twenty-four (24), and inserting in lieu thereof the figures "\$573,660.00".

6. By striking the figures "8,900,178.00" in line three (3), paragraph thirty-three (33), and inserting in lieu thereof the figures "\$8,950,178.00".

By renumbering the paragraphs.

Peaco of Clinton moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 44.

Augustine	Greaser	McLain	Rutledge
Avery	Greene	Mathews	Ryder
Babcock	Hansen of Scott	Mayne	Rylander
Byers	Hesse	Mead	Stiger
Ditto	Hollis	Nelson of Story	Strachan
Drake of	Hopkins	O'Donnell	Tamisiea
Muscatine	Hunt	Paisley	Torgeson
Durant	Johnson of	Pattison	Van Wert
Gallagher	Marion	Peaco	Wamstad
Garrett	Lepley	Randall	Wearin
Gilmore	Lichty	Ratliff	Whiting
Gissel	Long		

The nays were, 40.

Ballew	Finnern	Lamb	Roe
Beath	Forsling	Laughlin	Shields
Berry	Hansen of	McCreery	Short
Bonnstetter	Audubon	Malone	Snyder
Brown	Hanson of	Nelson of	Sours
Craven	Winnebago	Cherokee	Stanzel
Davis	Hollingsworth	Osborn	Thiessen
Donlon	Hush	Pendray	Thompson
Ellsworth	Husted	Rawlings	Van Buren
Felter	Hutcheon	Reed	Mr. Speaker
Figgins	Kohler	Reimers	

Absent or not voting, 24.

Aiken	Fabritz	Langland	Orr
Allen	Hayes	McCaulley	Randolph
Bair	Helgason	McDermott	Simmer
Dayton	Hook	Millhone	TePaske
Drake of Keokuk	Kern	Miller	Watts
Elliott	Koch	Morton	Witt

Amendment to the committee amendments adopted.

Ditto of Osceola offered the following to the amendments proposed by the committee of the whole and moved its adoption:

Amend the committee amendments to Senate File No. 10 by adding the following:

Amend Section fifty-two (52).

1. By striking in line four (4) the figures "\$17.50" and inserting in lieu thereof the figures "\$15.00".

2. By striking in line five (5) the figures "\$15.00" and inserting in lieu thereof the figures "\$12.50".

Amendment to the committee amendments adopted.

Van Buren of Jones offered the following amendment and moved its adoption.

Van Buren of Jones moved to amend paragraph five of section fifty (50) of the amendments proposed by the committee of the whole, found in the Journal of April 9th, by striking in line two (2) of paragraph five the figures "\$3,310,000.00" and inserting in lieu thereof the figures "\$3,144,500.00".

Bonnstetter of Kossuth moved the previous question.

Motion prevailed.

On the question "Shall the amendment to committee amendment be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 48.

Augustine	Gilmore	McCreery	Rawlings
Bair	Gissel	McDermott	Reed
Ballew	Greaser	McLain	Reimers
Beath	Hansen of	Malone	Roe
Berry	Audubon	Nelson of	Shields
Bonnstetter	Hook	Cherokee	Short
Brown	Hopkins	Osborn	Stanzel
Davis	Hush	Paisley	Stiger
Donlon	Husted	Pendray	Thompson
Ellsworth	Kohler	Randall	Torgeson
Felter	Lamb	Randolph	Van Buren
Figgins	Langland	Ratliff	Mr. Speaker
Finnern	Laughlin		

The nays were, 40.

Allen	Drake of	Greene	Hollis
Avery	Muscatine	Hansen of Scott	Hunt
Babcock	Durant	Helgason	Hutcheon
Byers	Fabritz	Hesse	Johnson of
Drake of Keokuk	Gallagher	Hollingsworth	Marion



Kern	Millhone	Rutledge	Thiessen
Koch	Miller	Ryder	Van Wert
Lepley	Nelson of Story	Rylander	Wamstad
Lichty	O'Donnell	Sours	Whiting
Mathews	Orr	Tamisiea	Witt
Mead	Peaco		

Absent or not voting, 20.

Aiken	Garrett	McCauley	Snyder
Craven	Hanson of	Mayne	Strachan
Dayton	Winnebago	Morton	TePaske
Ditto	Hayes	Pattison	Watts
Elliott	Long	Simmer	Wearin
Forsling			

Amendment by Mr. Van Buren to the committee amendment adopted.

Van Buren of Jones moved to amend line thirteen (13) of section sixty (60) of the amendments proposed by the committee of the whole, found on page 1522 of the Journal of April 9th, by striking all after the words "Assistance bookkeepers" and inserting in lieu thereof the following: "(Not to exceed 7), each \$1,320.00".

Also, amend line twenty-two (22) of section sixty (60) of the amendments proposed by the committee of the whole, by striking all after the word "Examiners" and inserting in lieu thereof the following: "(not to exceed 7), each \$1,200.00".

Amendment by Mr. Van Buren to the committee amendments adopted.

Van Buren of Jones offered the following amendment to the amendments proposed by the committee of the whole and moved its adoption:

Amend the committee amendments to Senate File No. 10, as passed by the Senate, as follows:

"By striking paragraph 2 in section eleven (11)".

Amendment to the committee amendment adopted.

Van Buren of Jones moved to amend paragraph ten of section fifty (50) of the amendments proposed by the committee of the whole, found on page 1520 of the Journal of April 9th, by adding the following:

Amend committee amendments by adding the following:

"By striking the words "as follows" in line thirty-seven (37) and adding after the word "expended" the following:

For Administration and General Expenses, Library Operation, Physical Plant Operation, Educational Purposes, Agricultural and Home Economics Extension, Cooperative Marketing, Apiary Inspection, Engineering Extension, Agricultural Experiment, Engineering Experiment Station, Veterinary Investigation, Industrial Research, For Special Purposes, New Wing, Chemistry Engineering Building, General Improvements, Equipment for all Departments".

Malone of Cass offered the following amendment to the amendment offered by Mr. Van Buren and moved its adoption:

Amend by striking the words "New Wing, Chemistry Engineering Building".

Also, amend by striking in line fifty-five (55) the figures "\$54,000.00".

On the question "Shall the amendment to Mr. Van Buren's amendment be adopted?" a roll call was demanded.

The ayes were, 42.

Babcock	Greaser	Langland	Reed
Bair	Greene	Long	Reimers
Ballew	Hansen of	McCreery	Roe
Beath	Audubon	McDermott	Short
Berry	Hanson of	McLain	Snyder
Bonnstetter	Winnebago	Malone	Tamisiea
Felter	Hook	Mathews	Thiessen
Figgins	Hopkins	Pattison	Thompson
Garrett	Hush	Pendray	Torgeson
Gilmore	Kohler	Randall	Van Buren
Gissel	Lamb	Rawlings	Mr. Speaker

The nays were, 46.

Augustine	Helgason	Lichty	Randolph
Avery	Hesse	Mayne	Ratliff
Brown	Hollingsworth	Mead	Rutledge
Craven	Hollis	Millhone	Ryder
Donlon	Hunt	Nelson of	Rylander
Drake of Keokuk	Husted	Cherokee	Sours
Drake of	Hutcheon	Nelson of Story	Stanzel
Muscatine	Johnson of	O'Donnell	Stiger
Durant	Marion	Orr	Strachan
Ellsworth	Kern	Osborn	Van Wert
Fabritz	Laughlin	Paisley	Whiting
Finnern	Lepley	Peaco	Witt
Gallagher			

Absent or not voting, 20.

Aiken	Ditto	Koch	Simmer
Allen	Elliott	McCaulley	TePaske
Byers	Forsling	Miller	Wamstad
Davis	Hansen of Scott	Morton	Watts
Dayton	Hayes	Shields	Wearin

Amendment by Mr. Malone to Mr. Van Buren's amendment lost.

Amendment by Mr. Van Buren to the committee amendment adopted.

Van Buren of Jones moved to amend paragraphs eleven and twelve of the amendment proposed by the committee of the whole, found on page 1520 of the Journal of April 9th, by adding the following:

"Amend by striking the words "to be expended as follows" in line sixty (60) in subsection three (3) and by adding after the word "necessary" in line sixty (60) the words and figures: "One million two hundred fifty-five thousand six hundred forty-four dollars (\$1,255,644.00)" to be expended for:

Administration and General Expenses, Physical Plant Operation, Educational Purposes, Extension Work, Summer School Extension, General Improvements".

Amendment by Mr. Van Buren to the amendment by the committee of the whole adopted.

Kern of Polk and Whiting of Johnson offered the following amendment and moved its adoption:

Amend Senate File No. 10 by striking the words and figures "two million dollars (\$2,000,000.00)" in line one hundred five (105) of section fifty (50) and inserting in lieu thereof the words and figures "two million, one hundred thousand dollars (\$2,100,000.00)".

Garrett of Wayne moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 39.

Allen	Greene	Johnson of	Osborn
Avery	Hansen of Scott	Marion	Peaco
Babcock	Hayes	Kern	Rutledge
Byers	Helgason	Koch	Ryder
Ditto	Hesse	Lepley	Sours
Drake of Keokuk	Hollis	Lichty	Tamisiea
Drake of	Hopkins	Long	Wamstad
Muscatine	Hunt	Mayne	Wearin
Durant	Hutcheon	Mead	Whiting
Fabritz		O'Donnell	Witt
Gallagher		Orr	

The nays were, 57.

Augustine	Garrett	Laughlin	Rawlings
Bair	Gilmore	McCreery	Reed
Ballew	Gissel	McDermott	Reimers
Beath	Greaser	McLain	Roe
Berry	Hansen of	Malone	Rylander
Bonnstetter	Audubon	Mathews	Short
Brown	Hanson of	Millhone	Snyder
Craven	Winnebago	Nelson of	Stanzel
Davis	Hollingsworth	Cherokee	Stiger
Donlon	Hook	Paisley	Thiessen
Ellsworth	Hush	Pattison	Thompson
Felter	Husted	Pendray	Torgeson
Figgins	Kohler	Randall	Van Buren
Finnern	Lamb	Randolph	Van Wert
Forsling	Langland	Ratliff	Mr. Speaker

Absent or not voting, 12.

Aiken	McCauley	Nelson of Story	Strachan
Dayton	Miller	Shields	TePaske
Elliott	Morton	Simmer	Watts

Amendment by Mr. Kern and Mr. Whiting lost.

Gissel of Buchanan offered the following motion to reconsider and moved its adoption:

I move to reconsider the vote by which the Whiting amendment on page 1576 of today's Journal, to Senate File No. 10 passed the House.

Garrett of Wayne moved the previous question. Motion prevailed.

On the question "Shall the House reconsider the vote by which the amendment by Whiting of Johnson passed the House?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 39.

Bair	Forsling	Johnson of	Pendray
Ballew	Gilmore	Marion	Rawlings
Beath	Gissel	Lamb	Rutledge
Bonnstetter	Greaser	Langland	Short
Brown	Hansen of	Laughlin	Snyder
Davis	Audubon	McCreery	TePaske
Durant	Hollingsworth	Malone	Thiessen
Ellsworth	Hook	Nelson of	Thompson
Felter	Hush	Cherokee	Van Buren
Figgins	Husted	Osborn	Witt
Finnern			Mr. Speaker

The nays were, 58.

Avery	Hanson of	McCaulley	Ratliff
Babcock	Winnebago	McDermott	Reed
Berry	Hayes	McLain	Reimers
Byers	Helgason	Mathews	Roe
Craven	Hesse	Mayne	Ryder
Donlon	Hollis	Mead	Rylander
Drake of Keokuk	Hopkins	Millhone	Sours
Drake of	Hunt	Nelson of Story	Stanzel
Muscatine	Hutcheon	O'Donnell	Stiger
Elliott	Kern	Orr	Tamisiea
Fabritz	Koch	Paisley	Torgeson
Gallagher	Kohler	Pattison	Van Wert
Garrett	Lepley	Peaco	Wamstad
Greene	Lichty	Randall	Wearin
Hansen of Scott	Long	Randolph	Whiting

Absent or not voting, 11.

Aiken	Dayton	Morton	Strachan
Allen	Ditto	Shields	Watts
Augustine	Miller	Simmer	

Motion lost.

Gallagher of Iowa called up the amendment filed by him, found in the Journal of April 9th, and moved its adoption.

Amendment lost.

Greene of Pottawattamie offered the following amendment to the committee amendments and moved its adoption:

Amend committee amendments, Section 42 in line 38, striking the figures \$3000 and inserting in lieu thereof \$3300; line 39 striking the figures \$2400, inserting in lieu thereof \$2700; line 47 striking the figures \$600, inserting in lieu thereof \$8500.

Amendment to the committee amendment lost.

On motion of Nelson of Story, the House adjourned until 1:15 p. m. today.

## AFTERNOON SESSION

House reconvened, Speaker Johnson in the chair.

## CONSIDERATION OF BILLS

House resumed consideration of Senate File No. 10.

Ditto of Osceola offered the following amendment and moved its adoption:

Amend by striking in line one hundred fifty-two (152) of section nine (9) the figures "\$55,000.00" and substituting in lieu thereof the figures "\$50,000.00".

On the question "Shall the amendment be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 32.

Avery	Hollingsworth	Mayne	Rutledge
Craven	Hollis	Nelson of	Ryder
Ditto	Hutcheon	Cherokee	Strachan
Drake of Keokuk	Johnson of	Nelson of Story	TePaske
Drake of	Marion	O'Donnell	Van Buren
Muscatine	Kern	Randolph	Van Wert
Durant	Koch	Ratliff	Whiting
Greene	Lepley	Rawlings	Witt
Hayes	Lichty	Reimers	

The nays were, 52.

Allen	Gilmore	McDermott	Reed
Augustine	Gissel	McLain	Roe
Babcock	Greaser	Malone	Rylander
Ballew	Hansen of	Mathews	Shields
Beath	Audubon	Mead	Short
Berry	Hook	Millhone	Snyder
Bonnstetter	Hopkins	Miller	Sours
Davis	Hunt	Osborn	Stanzel
Donlon	Hush	Paisley	Tamisiea
Ellsworth	Husted	Pattison	Thiessen
Felter	Kohler	Peaco	Thompson
Figgins	Langland	Pendray	Torgeson
Gallagher	McCreery	Randall	Mr. Speaker
Garrett			

Absent or not voting, 24.

Aiken	Finnern	Hesse	Orr
Bair	Forsling	Lamb	Simmer
Brown	Hansen of Scott	Laughlin	Stiger
Byers	Hanson of	Long	Wamstad
Dayton	Winnebago	McCaulley	Watts
Elliott	Helgason	Morton	Wearin
Fabritz			

Amendment by Mr. Ditto lost.

Drake of Muscatine moved the previous question on all pending amendments and the main bill.

Motion prevailed.

Shields of Clark et al. called up the amendment relating to Section Nineteen-a (19a) of Senate File No. 10, filed by them, found in the Journal of April 8th, and moved its adoption.

## CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, respectfully request a call of the House for the consideration of Section 19a of Senate File No. 10.

P. H. DONLON  
LEROY SHIELDS  
WALLACE M. SHORT  
A. H. BONNSTETTER  
J. H. THIESSEN  
CAROLYN C. PENDRAY  
MILTON PEACO

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Morton of Wright and Dayton of Washington, who, on motion, were excused.

Rutledge of Webster offered the following amendments to the amendments of the committee of the whole and moved their adoption:

Amend the committee amendments by inserting the following, immediately following paragraph six (6) of Section Twenty-five (25).

Amend section twenty-six (26) as follows:

1. By striking in lines three (3) and four (4) the words and figures "the sum of Ninety-nine thousand nine hundred fifty dollars (\$99,950.00)" and inserting in lieu thereof the following: "the sum of One hundred nine thousand nine hundred fifty dollars (\$109,950.00)".

2. By striking the figures "\$50,000.00" in line nineteen (19) and inserting in lieu thereof the figures "\$60,000.00".

3. By striking the figures "\$66,250.00" in line twenty-four (24) and inserting in lieu thereof the figures "\$76,250.00".

4. By striking the figures "\$99,950.00" in line twenty-six (26) and inserting in lieu thereof the figures "\$109,950.00".

On the question "Shall the amendments be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 72.

Aiken	Babcock	Beath	Craven
Allen	Bair	Bonnstetter	Davis
Augustine	Ballew	Byers	Ditto

Donlon	Helgason	Lichty	Rylander
Drake of Keokuk	Hesse	Long	Shields
Durant	Hollingsworth	Mathews	Short
Ellsworth	Hollis	Mead	Snyder
Forsling	Hook	Miller	Sours
Gallagher	Hopkins	Nelson of	Stiger
Garrett	Hunt	Cherokee	Strachan
Gilmore	Hush	Nelson of Story	Tamisiea
Gissel	Husted	Paisley	TePaske
Greaser	Hutcheon	Pattison	Thompson
Greene	Johnson of	Pendray	Torgeson
Hansen of	Marion	Randolph	Van Buren
Audubon	Lamb	Ratliff	Van Wert
Hanson of	Langland	Reimers	Wamstad
Winnebago	Laughlin	Roe	Wearin
Hayes	Lepley	Rutledge	Mr. Speaker

The nays were, 30.

Avery	Finnern	Malone	Rawlings
Berry	Hansen of Scott	Mayne	Reed
Drake of	Kern	Millhone	Ryder
Muscatine	Koch	O'Donnell	Stanzel
Elliott	Kohler	Orr	Thiessen
Fabritz	McCreery	Osborn	Whiting
Felter	McDermott	Peaco	Witt
Figgins	McLain	Randall	

Absent or not voting, 6.

Brown	McCaulley	Simmer	Watts
Dayton	Morton		

Amendment adopted.

Hunt of Louisa offered the following amendment to the committee amendments and moved its adoption:

Amend the Committee amendments to Section Six (6) of Senate File No. 10 by striking paragraph two (2) thereof and substituting therefor the following:

"2. By striking all of line nine-a (9a)."

Amendment adopted.

Husted of Madison offered the following amendment and moved its adoption:

Amend Senate File No. 10, Section three (3) by striking from line nine (9) the figures 3,300 and inserting in lieu thereof the figures 3,000. Also, by striking from line nine (9) section forty-two (42) the figures 3,300 and inserting in lieu thereof the figures 3,000.

On the question "Shall the amendment be adopted?" a roll call was demanded.



The ayes were, 20.

Berry	Hook	Lepley	Short
Davis	Hopkins	McLain	Sours
Durant	Hush	Mead	Thiessen
Felter	Husted	Reed	Thompson
Hansen of	Langland	Reimers	Wearin
Audubon			

The nays were, 76.

Aiken	Garrett	Lamb	Pendray
Augustine	Gilmore	Laughlin	Randall
Avery	Gissel	Lichty	Randolph
Babcock	Greaser	Long	Ratliff
Bair	Greene	McCreery	Roe
Beath	Hansen of Scott	McDermott	Rutledge
Bonnstetter	Hanson of	Malone	Ryder
Byers	Winnebago	Mathews	Rylander
Craven	Hayes	Mayne	Snyder
Ditto	Helgason	Millhone	Stanzel
Donlon	Hesse	Miller	Stiger
Drake of Keokuk	Hollingsworth	Nelson of	Strachan
Drake of	Hollis	Cherokee	Tamisiea
Muscatine	Hunt	Nelson of Story	TePaske
Elliott	Hutcheon	O'Donnell	Torgeson
Fabritz	Johnson of	Orr	Van Wert
Figgins	Marion	Osborn	Wamstad
Finnern	Kern	Paisley	Whiting
Forsling	Koch	Pattison	Witt
Gallagher	Kohler	Peaco	Mr. Speaker

Absent or not voting, 12.

Allen	Dayton	Morton	Simmer
Ballew	Ellsworth	Rawlings	Van Buren
Brown	McCauley	Shields	Watts

Amendment lost.

Speaker Pro Tempore Rutledge in the chair.

House resumed consideration of the amendment by Shields of Clarke.

Johnson of Marion moved that Brown of Polk and McCauley of Calhoun be excused.

On the question "Shall the excuse be granted?" a roll call was demanded.

The ayes were, 38.

Aiken	Drake of	Hayes	Kern
Babcock	Muscatine	Hollingsworth	Lamb
Bair	Elliott	Hunt	Laughlin
Bonnstetter	Ellsworth	Husted	McCreery
Byers	Hanson of	Johnson of	Mathews
Drake of Keokuk	Winnebago	Marion	Mayne

Millhone	Pattison	Rylander	Wamstad
Nelson of Story	Ratliff	TePaske	Whiting
Orr	Rawlings	Torgeson	Witt
Osborn	Ryder	Van Buren	Mr. Speaker
Paisley			

The nays were, 56.

Augustine	Garrett	Langland	Reed
Avery	Gilmore	Lepley	Reimers
Ballew	Gissel	Lichty	Roe
Beath	Greaser	Long	Shields
Berry	Greene	McDermott	Short
Craven	Hansen of	McLain	Snyder
Davis	Audubon	Malone	Stanzel
Donlon	Hansen of Scott	Mead	Stiger
Durant	Helgason	Miller	Strachan
Fabritz	Hesse	Nelson of	Tamisica
Felter	Hollis	Cherokee	Thiessen
Figgins	Hook	Peaco	Thompson
Finnern	Hopkins	Randall	Van Wert
Forsling	Hutcheon	Randolph	Wearin
Gallagher	Koch		

Absent or not voting, 14.

Allen	Hush	O'Donnell	Simmer
Brown	Kohler	Pendray	Sours
Dayton	McCaulley	Rutledge	Watts
Ditto	Morton		

Motion lost.

Millhone of Page moved that the call of the House be now raised.

Motion lost.

Upon the return of McCaulley of Calhoun, Berry of Monroe moved that Brown of Polk be excused.

Motion prevailed.

Van Wert of Franklin raised the point of order that by virtue of Rule 16 no member shall vote on any question in the event in which he is personally interested.

Speaker Pro Tempore Rutledge held the point of order not well taken.

Johnson of Marion moved that the House reconsider the vote by which the previous question was ordered.

On the question "Shall the House reconsider the vote by which the previous question was ordered?" a roll call was demanded.

The ayes were, 54.

Aiken	Gallagher	Langland	Randall
Allen	Garrett	Lepley	Ratliff
Ballew	Greaser	Lichty	Rawlings
Beath	Greene	Long	Ryder
Berry	Hayes	McCaulley	Rylander
Bonnstetter	Hesse	Malone	Stanzel
Craven	Hollis	Mead	Stiger
Ditto	Hopkins	Miller	Strachan
Donlon	Hunt	Nelson of Story	Tamisiea
Drake of Keokuk	Husted	O'Donnell	Thompson
Durant	Johnson of	Orr	Wamstad
Felter	Marion	Osborn	Whiting
Figgins	Kern	Paisley	Witt
Forsling	Koch	Pattison	

The nays were, 48.

Augustine	Gissel	Laughlin	Reimers
Avery	Hansen of	McCreery	Roe
Babcock	Audubon	McDermott	Shields
Bair	Hansen of Scott	McLain	Short
Byers	Hanson of	Mathews	Snyder
Davis	Winnebago	Mayne	Sours
Drake of	Helgason	Millhone	TePaske
Muscatine	Hollingsworth	Nelson of	Thiessen
Elliott	Hook	Cherokee	Torgeson
Ellsworth	Hush	Peaco	Van Buren
Fabritz	Hutcheon	Pendray	Van Wert
Finnern	Kohler	Randolph	Wearin
Gilmore	Lamb	Reed	Mr. Speaker

Absent or not voting, 6.

Brown	Morton	Simmer	Watts
Dayton	Rutledge		

Motion prevailed and the House reconsidered.

On the question "Shall the previous question be ordered?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 51.

Augustine	Garrett	Kohler	Pendray
Babcock	Gilmore	Laughlin	Randall
Bair	Gissel	Long	Randolph
Beath	Greaser	McCreery	Ratliff
Berry	Hansen of	McLain	Reed
Bonnstetter	Audubon	Mathews	Roe
Byers	Hansen of Scott	Mayne	Rutledge
Craven	Helgason	Mead	Shields
Drake of Keokuk	Hesse	Millhone	Short
Elliott	Hollingsworth	Nelson of	TePaske
Ellsworth	Hook	Cherokee	Thiessen
Fabritz	Hutcheon	Osborn	Van Wert
Felter	Koch	Pattison	Wearin
Figgins			

The nays were, 51.

Aiken	Hanson of	McCaulley	Snyder
Allen	Winnebago	McDermott	Sours
Avery	Hayes	Malone	Stanzel
Ballew	Hollis	Miller	Stiger
Davis	Hopkins	Nelson of Story	Strachan
Ditto	Hunt	O'Donnell	Tamisiea
Donlon	Husted	Orr	Thompson
Drake of	Johnson of	Paisley	Torgeson
Muscatine	Marion	Peaco	Van Buren
Durant	Kern	Rawlings	Wamstad
Finnern	Lamb	Reimers	Whiting
Forsling	Langland	Ryder	Witt
Gallagher	Lepley	Rylander	Mr. Speaker
Greene	Lichty		

Absent or not voting, 6.

Brown	Hush	Simmer	Watts
Dayton	Morton		

Motion lost.

Byers of Linn moved the previous question.

On the question "Shall the previous question be ordered?" a roll call was demanded.

The ayes were, 87.

Aiken	Gissel	Long	Reed
Augustine	Greaser	McCreery	Reimers
Avery	Greene	McDermott	Roe
Babcock	Hansen of	McLain	Rutledge
Bair	Audubon	Malone	Ryder
Ballew	Hansen of Scott	Mathews	Rylander
Beath	Hanson of	Mayne	Shields
Berry	Winnebago	Mead	Simmer
Bonnstetter	Hayes	Millhone	Snyder
Byers	Helgason	Miller	Sours
Craven	Hesse	Nelson of	Stanzel
Davis	Hollingsworth	Cherokee	Stiger
Ditto	Hollis	Nelson of Story	Strachan
Drake of	Hook	O'Donnell	Tamisiea
Muscatine	Hunt	Orr	TePaske
Elliott	Hush	Osborn	Thiessen
Ellsworth	Husted	Pattison	Thompson
Fabritz	Hutcheon	Peaco	Torgeson
Felter	Koch	Pendray	Van Buren
Figgins	Kohler	Randall	Van Wert
Gallagher	Langland	Randolph	Wamstad
Garrett	Laughlin	Ratliff	Wearin
Gilmore	Lichty	Rawlings	

The nays were, 16.

Brown	Hopkins	Lamb	Short
Donlon	Johnson of	Lepley	Whiting
Drake of Keokuk	Marion	McCaulley	Witt
Durant	Kern	Paisley	Mr. Speaker
Forsling			

Absent or not voting, 5.

Allen  
Dayton

Finnern

Morton

Watts

Motion prevailed.

On the question "Shall the amendment striking Section 19a of Senate File No. 10 be adopted?" a roll call was demanded.

The ayes were, 45.

Beath  
Bonnstetter  
Brown  
Craven  
Davis  
Donlon  
Durant  
Ellsworth  
Fabritz  
Felter  
Finnern  
Forsling

Gallagher  
Hansen of  
Audubon  
Hesse  
Hollingsworth  
Hook  
Hopkins  
Hush  
Husted  
Hutcheon  
Kern  
Koch

Kohler  
Lepley  
McCauley  
McLain  
Mead  
Nelson of  
Cherokee  
Osborn  
Pendray  
Randall  
Randolph  
Ratliff

Reed  
Roe  
Shields  
Short  
Snyder  
Tamisiea  
Thiessen  
Thompson  
Torgeson  
Van Wert  
Wearin

The nays were, 60.

Aiken  
Allen  
Augustine  
Avery  
Babcock  
Bair  
Ballew  
Berry  
Byers  
Ditto  
Drake of Keokuk  
Drake of  
Muscatine  
Elliott  
Figgins  
Garrett

Gilmore  
Gissel  
Greaser  
Greene  
Hansen of Scott  
Hanson of  
Winnebago  
Hayes  
Helgason  
Hollis  
Hunt  
Johnson of  
Marion  
Lamb  
Langland  
Laughlin

Lichty  
Long  
McCreery  
McDermott  
Malone  
Mathews  
Mayne  
Miller  
Millhone  
Nelson of Story  
O'Donnell  
Orr  
Paisley  
Pattison  
Peaco  
Rawlins

Reimers  
Rutledge  
Ryder  
Rylander  
Simmer  
Sours  
Stanzel  
Stiger  
Strachan  
TePaske  
Van Buren  
Wamstad  
Whiting  
Witt  
Mr. Speaker

Absent or not voting, 3.

Dayton

Morton

Watts

Amendment relating to section 19a lost.

Johnson of Marion moved the previous question on the committee amendments and the main bill.

Motion prevailed.

On the question "Shall the amendment of the committee of the whole as amended, be adopted?" a roll call was demanded:

The ayes were, 85.

Allen	Figgins	Köhler	Ratliff
Augustine	Finnern	Lamb	Rawlings
Avery	Garrett	Langland	Roe
Babcock	Gilmore	Lepley	Rutledge
Bair	Gissel	Lichty	Ryder
Ballew	Greaser	Long	Rylander
Beath	Greene	Malone	Shields
Berry	Hansen of	Mathews	Stanzel
Bonnstetter	Audubon	Mayne	Stiger
Brown	Hansen of Scott	Millhone	Strachan
Byers	Hayes	Nelson of	Tamisiea
Craven	Helgason	Cherokee	TePaske
Davis	Hesse	Nelson of Story	Thiessen
Ditto	Hollingsworth	O'Donnell	Thompson
Donlon	Hollis	Orr	Torgeson
Drake of Keokuk	Hook	Osborn	Van Buren
Drake of	Hopkins	Paisley	Van Wert
Muscatine	Hunt	Pattison	Wamstad
Durant	Hush	Peaco	Wearin
Ellsworth	Husted	Pendray	Whiting
Fabritz	Kern	Randall	Witt
Felter	Koch	Randolph	Mr. Speaker

The nays were, 3.

Elliott	Reed	Short
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Absent or not voting, 20.

Aiken	Hutcheon	McDermott	Reimers
Dayton	Johnson of	McLain	Simmer
Forsling	Marion	Mead	Snyder
Gallagher	Laughlin	Miller	Sours
Hanson of	McCaulley	Morton	Watts
Winnebago	McCreery		

Amendments of the committee of the whole as amended adopted.

Van Buren 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, 84.

Aiken	Ditto	Gilmore	Hook
Allen	Donlon	Gissel	Hunt
Augustine	Drake of Keokuk	Greaser	Hush
Babcock	Drake of	Greene	Husted
Bair	Muscatine	Hansen of	Johnson of
Ballew	Durant	Audubon	Marion
Beath	Ellsworth	Hansen of Scott	Koch
Berry	Fabritz	Hanson of	Köhler
Bonnstetter	Felter	Winnebago	Lamb
Brown	Figgins	Helgason	Langland
Byers	Finnern	Hesse	Laughlin
Craven	Forsling	Hollingsworth	Lepley
Davis	Gallagher	Hollis	Lichty

Long	O'Donnell	Ratliff	TePaske
McDermott	Orr	Rawlings	Thiessen
McLain	Osborn	Reimers	Thompson
Malone	Paisley	Roe	Van Buren
Mathews	Pattison	Rylander	Van Wert
Mayne	Peaco	Snyder	Wamstad
Millhone	Pendray	Stanzel	Wearin
Miller	Randall	Stiger	Whiting
Nelson of Cherokee	Randolph	Strachan	Witt

The nays were, 14.

Avery	Kern	Rutledge	Tamisiea
Elliott	McCauley	Short	Torgeson
Garrett	Nelson of Story	Sours	Mr. Speaker
Hutcheon	Reed		

Absent or not voting, 10.

Dayton	McCreery	Ryder	Simmer
Hayes	Mead	Shields	Watts
Hopkins	Morton		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate Joint Resolution No. 5, a joint resolution proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to contracting of debt by the State and the payment thereof, with report of committee recommending passage, was taken up for consideration.

Torgeson of Worth offered the following amendment and moved its adoption:

Amend Senate Joint Resolution No. 5, by striking in line fifteen (15) of section one (1) the words "a majority" and inserting in lieu thereof the words and figures "sixty per cent (60%)".

Amendment adopted.

Drake of Keokuk 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.

#### SENATE JOINT RESOLUTION

Proposing an amendment to article seven (VII) of the Constitution of the State of Iowa, relating to contracting of debt by the State and the payment thereof.

*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 is hereby proposed:

Section 1. That Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa are repealed and the following is adopted in lieu thereof as Section five (5) and Section six (6) of Article Seven (VII) of the Constitution of Iowa:

"Section 5. The State may by act of the General Assembly contract those debts specifically permitted by the Constitution; but no other debt in excess of two hundred fifty thousand dollars shall be hereafter contracted by, or on behalf of the State, unless such debt shall be authorized by some law for some particular work or object distinctly specified therein, and such law shall not take effect until it shall have been submitted to the people at a general or special election as the General Assembly shall provide, and shall have received a majority of all the votes cast for and against it at such election. The law shall be published in at least one newspaper in each County, if one is published therein, throughout the State, once each week for six weeks preceding the election at which it is submitted to the people. Such law submitted to the people shall make provision for the payment of the interest as it comes due and of the principal of each particular bond or other evidence of such debt within twenty years from the time of the issuance thereof, and the payment shall be provided for by such tax imposed and/or from such other sources of revenue pledged as the General Assembly determines will be sufficient for the purpose. Any subsequent General Assembly may provide from revenues, other than those previously pledged, additional funds to fully pay the interest as it comes due and the principal as it matures. Such law submitted to the people shall also, without stating the millage, impose, and authorize and direct the tax levying body of the state to levy and collect, for any year such direct property tax as may be required to pay the interest and/or the principal of the debt as it matures, after all other funds, made available for that purpose by such law and/or subsequent laws, have been applied to such payment."

Section 6. The Legislature may, at any time, after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same or may, at any time, forbid the contracting of any further debt or liability, under such law; but the tax imposed and/or the pledge of revenue by such law, in proportion to the debt or liability which may have been contracted in pursuance thereof, shall remain in force and effect and be irrepealable until the principal and interest of such debt or liability are fully paid."

Section 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, 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, 48.

Avery	Greene	Laughlin	Peaco
Bair	Hansen of	Lichty	Randolph
Brown	Audubon	Long	Ratliff
Craven	Hayes	McCreery	Reed
Ditto	Hesse	McDermott	Rutledge
Drake of Keokuk	Hollis	McLain	Ryder
Durant	Hunt	Malone	Rylander
Elliott	Husted	Mayne	Tamisiea
Fabritz	Kern	Millhone	Van Wert
Gallagher	Koch	Orr	Wearin
Garrett	Lamb	Paisley	Whiting
Gilmore	Langland	Pattison	Witt
Greaser			

The nays were, 45.

Aiken	Gissel	Mathews	Shields
Babcock	Hanson of	Mead	Short
Ballew	Winnebago	Nelson of	Snyder
Beath	Helgason	Cherokee	Sours
Berry	Hook	Nelson of Story	Stanzel
Bonnstetter	Hopkins	O'Donnell	TePaske
Davis	Hush	Osborn	Thiessen
Donlon	Hutcheon	Pendray	Thompson
Drake of	Johnson of	Randall	Torgeson
Muscatine	Marion	Rawlings	Van Buren
Ellsworth	Kohler	Reimers	Wamstad
Felter	Lepley	Roe	Mr. Speaker
Figgins			

Absent or not voting, 15.

Allen	Finnern	McCaulley	Stiger
Augustine	Forsling	Miller	Strachan
Byers	Hansen of Scott	Morton	Watts
Dayton	Hollingsworth	Simmer	

So the joint resolution having failed to receive a constitutional majority was declared to have failed to pass the House.

Johnson of Dickinson moved that the vote by which Senate Joint Resolution No. 5 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be tabled?" a roll call was demanded.

The ayes were, 43.

Aiken	Durant	Helgason	Mead
Babcock	Felter	Hook	O'Donnell
Bair	Figgins	Hopkins	Paisley
Beath	Finnern	Hush	Pendray
Berry	Garrett	Hutcheon	Randall
Bonnstetter	Gissel	Lepley	Rawlings
Craven	Hanson of	McDermott	Reimers
Davis	Winnebago	Malone	Roe

Shields	Sours	Thompson	Van Wert
Short	Stanzel	Torgeson	Wamstad
Snyder	TePaske	Van Buren	Mr. Speaker

The nays were, 51.

Avery	Hansen of	Laughlin	Pattison
Ballew	Audubon	Lichty	Peaco
Ditto	Hansen of Scott	Long	Randolph
Donlon	Hayes	McCaulley	Ratliff
Drake of Keokuk	Hesse	McCreery	Reed
Drake of	Hollis	McLain	Rutledge
Muscatine	Hunt	Mathews	Ryder
Ellriott	Johnson of	Mayne	Rylander
Ellsworth	Marion	Millhone	Tamisiea
Fabritz	Kern	Nelson of	Thiessen
Gallagher	Koch	Cherokee	Wearin
Gilmore	Kohler	Nelson of Story	Whiting
Greaser	Lamb	Orr	Witt
Greene	Langland	Osborn	

Absent or not voting, 14.

Allen	Dayton	Miller	Stiger
Augustine	Forsling	Morton	Strachan
Brown	Hollingsworth	Simmer	Watts
Byers	Husted		

Motion to lay the motion to reconsider on the table lost.

House File No. 492, a bill for an act to amend section fifty-four hundred forty-eight (5448), code, 1927, so as to provide for the impounding and disposal of dogs running at large, between sunset and sunrise, and not under the immediate control of some person, with report of committee recommending passage, was taken up for consideration.

Van Wert of Franklin offered the following amendment and moved its adoption:

Amend House File No. 492, by inserting in line five (5) of section one (1) after the word "it" the words "unless properly muzzled".

Helgason of Emmet moved the previous question.

Motion prevailed.

Amendment lost.

Rutledge of Webster offered the following amendment and moved its adoption:

Amend House File No. 492, by adding as section two.

Sec. 2. This act shall not apply to trailing hounds while under command of the owner".

Amendment lost.

Hanson of Winnebago moved that the bill be read a third time 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, 56.

Babcock	Hayes	Mathews	Short
Ballew	Hollingsworth	Mead	Snyder
Beath	Hook	Millhone	Sours
Bonnstetter	Hopkins	Nelson of	Stanzel
Brown	Hunt	Cherokee	Strachan
Craven	Hush	Nelson of Story	TePaske
Donlon	Husted	O'Donnell	Thiessen
Durant	Hutcheon	Paisley	Thompson
Fabritz	Koch	Peaco	Torgeson
Felter	Kohler	Pendray	Van Buren
Gallagher	Langland	Rawlings	Wamstad
Greaser	Laughlin	Reimers	Whiting
Greene	McCaulley	Roe	Witt
Hanson of	McCreery	Ryder	Mr. Speaker
Winnebago	McLain		

The nays were, 34.

Avery	Garrett	Lichty	Randall
Bair	Gissel	Long	Ratliff
Davis	Hansen of Scott	McDermott	Reed
Drake of Keokuk	Helgason	Malone	Rutledge
Drake of	Hesse	Mayne	Rylander
Muscatine	Hollis	Orr	Tamisiea
Elliott	Kern	Osborn	Van Wert
Ellsworth	Lamb	Pattison	Wearin
Finnern	Lepley		
Forsling			

Absent or not voting, 18.

Aiken	Ditto	Johnson of	Shields
Allen	Figgins	Marion	Simmer
Augustine	Gilmore	Miller	Stiger
Berry	Hansen of	Morton	Watts
Byers	Audubon	Randolph	
Dayton			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hanson of Winnebago moved that the vote by which House File No. 492 passed the House be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be tabled?" a roll call was demanded.

## The ayes were, 52.

Ballew	Hanson of	Mead	Ryder
Beath	Winnebago	Millhone	Rylander
Bonnstetter	Hayes	Nelson of	Shields
Brown	Hollingsworth	Cherokee	Snyder
Craven	Hook	Nelson of Story	Stanzel
Davis	Hopkins	O'Donnell	Strachan
Durant	Hunt	Orr	Thiessen
Fabritz	Hutcheon	Osborn	Thompson
Forsling	Koch	Paisley	Torgeson
Gallagher	Lepley	Pendray	Van Wert
Gissel	Lichty	Randall	Wamstad
Greaser	McCreery	Rawlings	Whiting
Greene	McLain	Reimers	Mr. Speaker
	Malone	Roe	

## The nays were, 21.

Avery	Ellsworth	Kern	Ratliff
Bair	Finnern	Lamb	Reed
Drake of Keokuk	Garrett	Long	Rutledge
Drake of	Hollis	McCaulley	Tamisiea
Muscatine	Johnson of	Mayne	Wearin
Elliott	Marion	Pattison	

## Absent or not voting, 35.

Aiken	Felter	Husted	Randolph
Allen	Figgins	Kohler	Short
Augustine	Gilmore	Langland	Simmer
Babcock	Hansen of	Laughlin	Sours
Berry	Audubon	McDermott	Stiger
Byers	Hansen of Scott	Mathews	TePaske
Dayton	Helgason	Miller	Van Buren
Ditto	Hesse	Morton	Watts
Donlon	Hush	Peaco	Witt

Motion prevailed.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 335, a bill for an act relating to the election and appointment of city and town officers, and to the power of a mayor to hold police court.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 364, a bill for an act relating to the management of public utilities in cities acting under special charters.

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 14, relative to an interstate legislative reference bureau.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 335

Amend by striking Section two (2) thereof and renumbering sections three (3) and four (4) as sections two (2) and three (3).

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 265, 267, 468, 442.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 265, 267, 468, 442.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 10th day of April, 1931, sent to the governor for his approval:

House Files Nos. 265, 267, 468, 442.

C. J. ORR, *Chairman.*

Report adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on April 9th, approved the following bills:

House Files Nos. 131, 415, 238, 290, 147, 328 and House Joint Resolution No. 6.

## CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, hereby request a call of the House at 10:00 o'clock a. m. on Monday, April 13th, 1931, for the consideration of House File No. 576.

J. H. JOHNSON  
FRED B. WITT  
C. J. ORR  
A. H. AVERY  
E. M. LICHTY

## MOTIONS TO RECONSIDER

The following motions to reconsider were filed:

MR. SPEAKER: I respectfully ask that the vote by which House File No. 541 failed to pass the House be reconsidered.

ANTHONY TEPASKE.

MR. SPEAKER: I move to reconsider the vote by which Senate Joint Resolution No. 5 failed to pass the House.

J. H. JOHNSON.

## AMENDMENTS FILED

Garrett of Wayne filed the following amendment to Senate File No. 192:

Amend Senate File No. 192 as follows:

By striking from line five (5) of section twelve thereof the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the following "five dollars (\$5.00)", and by striking the period (.) at the end of line five (5) of said section twelve (12) and inserting a comma (,) in lieu thereof, and by adding after said comma (,) the following, "by changing the comma (,) after the word "department" in line nineteen (19) of section four (4) to a period (.), and by striking the balance of line nineteen (19) and all of lines twenty (20), twenty-one (21), twenty-two (22) and twenty-three (23)," and by striking from line thirty-eight (38) thereof the words "and bonded'."

Shields of Clark, Reimers of Lyon, Hush of Montgomery and Torgeson of Worth filed the following amendments to House File No. 576:

Amend section 3 by striking out the word and figures "twenty (20)" in line six and insert in lieu thereof the word and figures "fifteen (15)".

Also amend said section by inserting between lines seven (7) and eight (8) the following: "Each bond shall provide that the same shall be payable at the option of the state, on any interest payment date on or after five years from the date of the bond."

Also amend by striking out all of section 7 and inserting in lieu thereof the following:

"Sec. 7. The treasurer of state shall transfer to the primary road bond redemption fund from the motor license fees and gasoline and/or other motor fuel license fees going to the primary road fund, or from the primary road fund the following amounts:

(a) For each of the years 1932, 1933 and 1934 an amount sufficient to pay all accrued interest on primary road bonds issued under this act for each of such years.

(b) For the year 1935 and each year thereafter until all bonds issued hereunder shall have been paid, nine million dollars (\$9,000,000.00).

There is hereby pledged and dedicated from such motor license fees and gasoline or other motor fuel license fees, an amount sufficient each year to meet the provisions of the section. The executive council in issuing bonds hereunder shall so fix the maturity and the interest accruing in any year shall not exceed nine million dollars (\$9,000,000.00).

Drake of Keokuk filed the following amendment to House File No. 576:

Amend House File No. 576 by striking Sections 12 and 13, and substituting in lieu thereof the following:

"Sec. 12. In addition to the primary roads designated for paving in article XIII of the constitution of the state of Iowa, all other parts of the primary road system as of April 11, 1929, or as relocated since that date, and primary roads now connecting county seats of adjoining counties, shall be surfaced with paving. Payment of the cost of such additional pavement shall be made from the current primary road funds.

Sec. 13. Nothing in this act shall be construed to prevent the relocation, modification or change of any part of the primary road system."

On motion of Reimers of Lyon the House adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, APRIL 11, 1931.

House met pursuant to adjournment, Speaker Pro Tempore Rutledge in the chair.

Prayer was offered by the Rev. Thomas Carson, Hampton, Iowa.

Journal of April 10th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Van Buren of Jones for the day, on request of Langland of Winneshiek.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

Johnson of Marion, from the conference committee on House File No. 2, submitted the following report:

MR. SPEAKER: We, the undersigned members of the conference committee to which has been referred House File No. 2, beg leave to report that after due consideration we find ourselves unable to agree.

J. H. JOHNSON,  
O. J. DITTO,  
ANTHONY TEPASKE,  
W. H. STRACHAN,  
LEWIS GREASER,

*On the part of the House.*

C. F. CLARK,  
A. V. BLACKFORD,  
ROY E. STEVENS,  
I. H. KNUDSON,  
E. R. HICKLIN,

*On the part of the Senate.*

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. 227, a bill for an act relating to second and subsequent convictions of violations of laws relating to intoxicating liquors.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 256, a bill for an act relating to the recovery of real estate or to establish an interest therein.

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 relating to investment of funds by executors, administrators, trustees and guardians.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 426, a bill for an act relating to fraternal beneficiary societies, orders or associations.

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 relating to the grounds for divorce and to the proofs thereof.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 372, a bill for an act relating to operation of motor vehicles on public highways in this state by nonresidents of this state.

Also, that the Senate respectfully requests the return of Senate File No. 359, relating to school tax.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 476, a bill for an act relating to the arraignment and the trial of the defendant and authorizing the waiver of jury trial in criminal actions.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 368, a bill for an act relative to a five per cent tax reduction.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 453, a bill for an act relating to proclamations for elections.

Also, that the President has appointed as members of the third conference committee, on the part of the Senate, on House File No. 2, rela-

tive to Income Tax, Senators Topping, Clark of Marion, Ickis, McLeland and Wenner.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 372

1. Amend by striking Section twelve (12), and also by renumbering sections 13, 14 and 15 as sections 12, 13 and 14.
2. Amend by striking the period at the end of line five of section 13 and adding after the word "action" in said line the following: ", provided that in the judgment of the trial court said action was commenced maliciously or without probable cause."

#### SENATE AMENDMENTS TO HOUSE FILE NO. 368

1. Amend by striking out of Section one (1) all after the comma (,) in line 13 and inserting in lieu thereof the following:

"Provided, however, that the provisions of this act shall not affect or include mandatory levies or payments, the amounts of which are fixed by statute, or taxes levied for the purpose of paying interest and/or principal on bonds or creating a sinking fund for the retiring of bonds issued prior to the passage of this act."

2. Amend by adding to Section 1 the following: "In any school district in which the tax levied in 1930 for the general school fund was at least five per cent (5%) less than the amount which might have been legally levied, the general school fund tax levied in 1931 and 1932 may equal, but shall not exceed, the same percentage of the amount which might legally be levied during each of said years."

3. Amend Section two (2) by adding after the word "emergency", in line one (1) the words "or good cause".

4. Amend the title by changing "1932 and 1933" to "1931 and 1932".

#### SENATE MESSAGES CONSIDERED

Senate File No. 267, a bill for an act to amend Chapter 259 of the Acts of the 43rd General Assembly relating to the investment of funds by executors, administrators, trustees and guardians and to prohibit the purchase of investments by such persons from themselves; and, if a corporation, from its officers, directors, employees, or from an affiliated corporation, and to provide a penalty for violations.

Read first and second times and referred to sifting committee.

Senate File No. 256, a bill for an act to amend Section 11024 of the Code of 1927 relating to the recovery of real estate or to establish an interest therein.

Read first and second times and referred to sifting committee.

Senate File No. 426, a bill for an act to amend Chapter 402 of the Code of Iowa, 1927, relating to fraternal beneficiary societies, orders or associations.

Read first and second times and referred to sifting committee.

Senate File No. 247, a bill for an act to amend section ten thousand four hundred seventy-five (10475), Code, 1927, relating to the grounds for divorce and to the proofs thereof.

Read first and second times and referred to sifting committee.

### THIRD CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

As a third conference committee on House File No. 2, on the part of the House, the Speaker appointed the following members: Hopkins of Guthrie, chairman, Berry of Monroe, Van Wert of Franklin, Bonnstetter of Kossuth and Roe of Allamakee.

### SENATE CONCURRENT RESOLUTION NO. 14

*Whereas*, Legislative problems are continually increasing, both in number and in complexity; and

*Whereas*, It is evident that in order to solve such problems most effectively, each legislature must give systematic, scientific and business-like consideration to the actual facts which have a bearing upon each question—to the extent that such facts have been determined by reliable research; and

*Whereas*, Each legislature must give similar consideration to the methods and experience of other jurisdictions in dealing with problems similar to its own; and

*Whereas*, Such problems cannot be dealt with adequately until facilities are established to assist legislators to secure the most accurate information and the most expert advice available; and

*Whereas*, Experience indicates the need for an interstate legislative reference bureau to serve as a clearing house of information between the legislative reference services which are now being conducted by numerous states, and also to serve as a clearing house of information between the legislatures and other agencies which are engaged in the study and an-

alysis of legislative problems, such as governmental departments, political science departments of universities, competent reputable associations, and other sources of information; and

*Whereas*, Experience also indicates that in certain states which do not maintain legislative reference services, there is an imperative need for such an interstate legislative reference bureau, which will assist the legislators of those states to secure whatever information they desire in analyzing the legislative problems which they must determine, and to make more readily accessible for them, without cost, the valuable material which is available from the legislative reference libraries and bureaus of various other states, and from many other reliable sources, and

*Whereas*, Every individual legislator in the United States shares the responsibility for improving the present inadequate and unsatisfactory condition of the legislative processes, but neither any individual legislator, nor any group of legislators from one state, can bring about such improvement without the cooperation of legislators of other states; and

*Whereas*, Such an interstate legislative reference bureau cannot be maintained by any one state alone, without the cooperation of the legislatures of other states; and

*Whereas*, In order to set the machinery in motion to secure the necessary cooperation of the forty-eight legislatures, members of each legislature are working together in the development of the project of the American Legislators' Association; and

*Whereas*, The said American Legislators' Association has now established in the vicinity of the University of Chicago, the Interstate Legislative Reference Bureau, which by explicit pledge is without color of politics, partisanship or propaganda, is conducted without profit, and is engaged upon three principal purposes;

First: to procure promptly for all inquiring state legislators, and their agents, whatever information or advice they desire in connection with any legislative problem, primarily by assisting them to secure, without cost, the benefit of all researches conducted by governmental departments, universities, associations, legislative reference bureaus, and other agencies throughout the United States.

Second: to conduct a systematic study of the legislative processes of each of the states, in order to ascertain the practices which contribute most to efficient and economical organization and procedure; and to render all possible assistance to each legislature—and to each legislative reference bureau—which is endeavoring to improve its organization.

Third: to publish for the benefit of all state legislators the monthly magazine, *State Government*, as well as special bulletins, and thus to disseminate information which will be helpful to all conscientious students of legislation; and

*Whereas*, The American Legislators' Association is promoting acquaintance and mutual understanding among individuals and organizations officially concerned with the impartial and scientific functioning of the legislatures of the various states, by the organization of Standing Committees and Advisory Boards, and otherwise; and

*Whereas*, The character and project of the American Legislators' Association have the endorsement, and its organization has the active cooperation, not only of its membership, which consists entirely of members and ex-members of state legislatures, but also of numbers of other responsible citizens, many of whom, having specialized knowledge, are serving on the Association's Advisory Board; now, therefore

*Be It Resolved by the Senate, the House concurring*: That the organization of the American Legislators' Association and of the Interstate Legislative Reference Bureau are hereby commended as legitimate and constructive efforts to assist the legislatures of the various states in the efficient performance of their work.

Laid over under Rule 34.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on April 10th, approved the following bills:

House Files Nos. 265, 442, 267, 468, 129.

#### INTRODUCTION OF BILLS

House File No. 579, by committee on claims, a bill for an act to make an appropriation to E. M. Badgerow, R. M. Lampman, E. E. Cavanaugh, J. W. Hazard, Dr. E. E. Speaker, J. C. Mabry, Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, and A. L. Wise.

Read first and second times and referred to committee on appropriations.

House File No. 580, by committee on claims, a bill for an act to make an appropriation to Laura E. Sellers.

Read first and second times and referred to committee on appropriations.

House File No. 581, by committee on claims, a bill for an act to make an appropriation to J. O. Gilchrist.

Read first and second times and referred to committee on appropriations.

### CONSIDERATION OF BILLS

Senate File No. 250, a bill for an act to amend section three thousand fifty-eight (3058), Code, 1927, establishing a minimum weight for ice cream, was taken up for consideration.

Reed 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, 66.

Babcock	Hollingsworth	McDermott	Reed
Beath	Hollis	McLain	Roe
Berry	Hook	Malone	Rutledge
Bonnstetter	Hopkins	Mathews	Rylander
Davis	Hunt	Mayne	Short
Donlon	Hutcheon	Millhone	Snyder
Durant	Johnson of	Nelson of	Sours
Elliott	Marion	Cherokee	Strachan
Ellsworth	Kern	Nelson of Story	Tamisiea
Figgins	Koch	Osborn	TePaske
Finnern	Kohler	Paisley	Thiessen
Garrett	Lamb	Pattison	Thompson
Gilmore	Langland	Peaco	Torgeson
Gissel	Laughlin	Pendray	Van Wert
Greaser	Lepley	Randolph	Wearin
Hansen of	Lichty	Ratliff	Whiting
Audubon	Long	Rawlings	Mr. Speaker
Hesse			

The nays were, 1.

Avery

Absent or not voting, 41.

Aiken	Drake of	Helgason	Reimers
Allen	Muscatine	Hush	Ryder
Augustine	Fabritz	Husted	Shields
Bair	Felter	McCaulley	Simmer
Ballew	Forsling	McCreery	Stanzel
Brown	Gallagher	Mead	Stiger
Byers	Greene	Miller	Van Buren
Craven	Hansen of Scott	Morton	Wamstad
Dayton	Hanson of	O'Donnell	Watts
Ditto	Winnebago	Orr	Witt
Drake of Keokuk	Hayes	Randall	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 578, a bill for an act to provide for the sexual sterilization of certain persons, and fixing the procedure for the requirement or ordering thereof, and providing for appeals from such orders and repealing chapter sixty-six (66), acts of the 43rd general assembly, was taken up for consideration.

Brown 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, 72.

Avery	Hansen of	Lichty	Reed
Babcock	Audubon	Long	Reimers
Ballew	Hanson of	McCreery	Roe
Beath	Winnebago	McDermott	Rutledge
Berry	Hesse	McLain	Rylander
Bonnstetter	Hollingsworth	Malone	Shields
Brown	Hollis	Mathews	Snyder
Craven	Hook	Mayne	Sours
Davis	Hopkins	Millhone	Stiger
Donlon	Hunt	Nelson of	Strachan
Drake of Keokuk	Hush	Cherokee	Tamisiea
Drake of	Husted	Nelson of Story	TePaske
Muscatine	Hutcheon	Osborn	Thiessen
Durant	Johnson of	Pattison	Torgeson
Ellsworth	Marion	Peaco	Van Wert
Felter	Koch	Pendray	Wamstad
Figgins	Lamb	Randolph	Wearin
Gilmore	Langland	Ratliff	Whiting
Gissel	Lepley	Rawlings	Mr. Speaker
Greaser			

The nays were, 6.

Kohler	O'Donnell	Ryder	Thompson
Laughlin	Paisley		

Absent or not voting, 30.

Aiken	Fabritz	Helgason	Randall
Allen	Finnern	Kern	Short
Augustine	Forsling	McCaulley	Simmer
Bair	Gallagher	Mead	Stanzel
Byers	Garrett	Miller	Van Buren
Dayton	Greene	Morton	Watts
Ditto	Hansen of Scott	Orr	Witt
Elliott	Hayes		

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 to amend section three (3), chapter one hundred (100), acts of the forty-third (43rd)

general assembly, relating to school elections, was taken up for consideration.

Hopkins 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, 79.

Avery	Greaser	Laughlin	Rawlings
Babcock	Hansen of	Lepley	Reed
Ballew	Audubon	Lichty	Reimers
Beath	Hansen of Scott	Long	Roe
Berry	Hanson of	McDermott	Rutledge
Bonnstetter	Winnebago	McLain	Shields
Brown	Hesse	Malone	Short
Craven	Hollingsworth	Mathews	Snyder
Donlon	Hollis	Mayne	Sours
Drake of Keokuk	Hook	Mead	Stanzel
Drake of	Hopkins	Millhone	Strachan
Muscatine	Hunt	Nelson of	Tamisiea
Durant	Hush	Cherokee	TePaske
Elliott	Husted	Nelson of Story	Thiessen
Ellsworth	Hutcheon	Osborn	Thompson
Felter	Johnson of	Paisley	Torgeson
Figgins	Marion	Pattison	Van Wert
Finnern	Koch	Peaco	Wamstad
Garrett	Kohler	Pendray	Wearin
Gilmore	Lamb	Randolph	Whiting
Gissel	Langland	Ratliff	Mr. Speaker

The nays were, none.

Absent or not voting, 29.

Aiken	Fabritz	McCaulley	Ryder
Allen	Forsling	McCreery	Rylander
Augustine	Gallagher	Miller	Simmer
Bair	Greene	Morton	Stiger
Byers	Hayes	O'Donnell	Van Buren
Davis	Helgason	Orr	Watts
Dayton	Kern	Randall	Witt
Ditto			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 448, a bill for an act to repeal the law as it appears in section fifty hundred twenty-seven (5027) of the code, 1927, and to enact a substitute therefor relating to driving a motor vehicle while intoxicated, and prescribing punishments therefor, with report of committee recommending passage, was taken up for consideration.



Hutcheon of Greene offered the following amendment and moved its adoption:

Amend House File No. 448, by inserting in line ten (10) of section one (1) after the word "year" the following: ", or by both such fine and imprisonment".

Amendment adopted.

Mathews of Des Moines offered the following amendment and moved its adoption:

Amend by striking in line two (2) of section two (2) the word "plead" and inserting in lieu thereof the word "pleaded".

Amendment adopted.

Hollingsworth of Boone offered the following amendments and moved their adoption:

Amend by inserting before the word "shall" in line six (6) of section one (1) the words "upon the public highways of this state".

Also, amend by inserting in line two (2) of section two (2) after the word "vehicle" the following: "upon the public highways of this state".

Further, amend by inserting after the word "vehicle" in line thirteen (13) of Section two (2) the words "upon the public highways of this state".

Amendments adopted.

Mathews of Des Moines offered the following amendment and moved its adoption:

Amend by striking in line twelve (12) of section two (2) the word "plead" and inserting in lieu thereof the word "pleaded".

Amendment adopted.

McCreery 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, 78.

Avery  
Babcock  
Ballew  
Beath  
Bonnstetter  
Brown

Craven  
Donlon  
Drake of Keokuk  
Durant  
Elliott  
Ellsworth

Felter  
Figgins  
Finnern  
Garrett  
Gillmore  
Gissel

Greaser  
Greene  
Hansen of Scott  
Hanson of  
Winnebago  
Hesse

Hollingsworth	Lepley	Osborn	Snyder
Hollis	Lichty	Pattison	Sours
Hook	Long	Peaco	Stanzel
Hopkins	McCreery	Pendray	Strachan
Hunt	McDermott	Randall	Tamisiea
Hush	McLain	Randolph	TePaske
Husted	Malone	Ratliff	Thiessen
Hutcheon	Mathews	Rawlings	Thompson
Johnson of	Mayne	Reed	Torgeson
Marion	Mead	Roe	Van Wert
Kern	Millhone	Rutledge	Wamstad
Koch	Nelson of	Ryder	Wearin
Kohler	Cherokee	Rylander	Whiting
Lamb	Nelson of Story	Shields	Mr. Speaker
Langland			

The nays were, none.

Absent or not voting, 30.

Aiken	Ditto	Hayes	Paisley
Allen	Drake of	Helgason	Reimers
Augustine	Muscataine	Laughlin	Short
Bair	Fabritz	McCaulley	Simmer
Berry	Forsling	Miller	Stiger
Byers	Gallagher	Morton	Van Buren
Davis	Hansen of	O'Donnell	Watts
Dayton	Audubon	Orr	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

McCreery of Linn moved that the vote by which House File No. 448 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 355, a bill for an act to amend chapter one hundred forty-six (146), acts of the forty-third (43rd) general assembly, providing that all counties adopt a budget conforming to this chapter, with report of committee recommending passage, was taken up for consideration.

Craven 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, 64.

Avery	Bonnstetter	Drake of Keokuk	Elliott
Babcock	Brown	Drake of	Ellsworth
Ballew	Craven	Muscataine	Felter
Beath	Donlon	Durant	Figgins

Forsling	Husted	Malone	Ryder
Garrett	Hutcheon	Mathews	Snyder
Gilmore	Johnson of	Mead	Sours
Gissel	Marion	Millhone	Stiger
Hansen of Scott	Kern	Pattison	Strachan
Hanson of	Koch	Peaco	Tamisiea
Winnebago	Kohler	Pendray	TePaske
Hesse	Lamb	Randall	Thompson
Hollingsworth	Langland	Randolph	Wamstad
Hollis	Lichty	Ratliff	Wearin
Hopkins	Long	Reed	Whiting
Hunt	McDermott	Roe	Mr. Speaker
Hush	McLain	Rutledge	

The nays were, 6.

Greene	Nelson of	Stanzel	Van Wert
Hook	Cherokee	Torgeson	

Absent or not voting, 38.

Aiken	Finnern	McCreery	Reimers
Allen	Gallagher	Mayne	Rylander
Augustine	Greaser	Miller	Shields
Bair	Hansen of	Morton	Short
Berry	Audubon	Nelson of Story	Simmer
Byers	Hayes	O'Donnell	Thiessen
Davis	Helgason	Orr	Van Buren
Dayton	Laughlin	Osborn	Watts
Ditto	Lepley	Paisley	Witt
Fabritz	McCaulley	Rawlings	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 236, a bill for an act to amend sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred seventy-seven (3877), code, 1927, relating to teachers' certificates, was taken up for consideration.

Millhone 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, 71.

Avery	Drake of	Hansen of	Hush
Babcock	Muscatine	Audubon	Husted
Ballew	Durant	Hanson of	Hutcheon
Beath	Elliott	Winnebago	Johnson of
Berry	Felter	Hesse	Marion
Bonnstetter	Figgins	Hollingsworth	Kern
Brown	Finnern	Hollis	Koch
Craven	Garrett	Hook	Kohler
Donlon	Gissel	Hopkins	Lamb
Drake of Keokuk	Greaser	Hunt	Langland

Lepley	Nelson of	Roe	Stiger
Lichty	Cherokee	Rutledge	Strachan
Long	Paisley	Ryder	Tamisiea
McDermott	Pattison	Rylander	Thiessen
McLain	Peaco	Shields	Thompson
Malone	Pendray	Simmer	Torgeson
Mathews	Randolph	Snyder	Van Wert
Mead	Rawlings	Sours	Wamstad
Millhone	Reed	Stanzenl	Wearin

The nays were, 1.

TePaske

Absent or not voting, 36.

Aiken	Fabritz	McCaulley	Randall
Allen	Forsling	McCreery	Ratliff
Augustine	Gallagher	Mayne	Reimers
Bair	Gilmore	Miller	Short
Byers	Greene	Morton	Van Buren
Davis	Hansen of Scott	Nelson of Story	Watts
Dayton	Hayes	O'Donnell	Whiting
Ditto	Helgason	Orr	Witt
Ellsworth	Laughlin	Osborn	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 577, a bill for an act to amend sections twenty hundred twenty-three (2023) and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code, 1927, and to enact a substitute therefor, relating to attorney's fees in injunction and nuisance cases, was taken up for consideration.

Brown 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, 74.

Avery	Elliott	Hansen of Scott	Johnson of
Babcock	Ellsworth	Hanson of	Marion
Bair	Fabritz	Winnebago	Kern
Ballew	Felter	Hesse	Koch
Beath	Figgins	Hollingsworth	Kohler
Berry	Finnern	Hollis	Lamb
Bonnstetter	Forsling	Hook	Langland
Brown	Gilmore	Hopkins	Lepley
Craven	Gissel	Hunt	Long
Donlon	Greene	Hush	McCaulley
Drake of Keokuk	Hansen of	Husted	McCreery
Durant	Audubon	Hutcheon	McDermott

McLain	Pattison	Rylander	TePaske
Malone	Peaco	Shields	Thiessen
Mathews	Pendray	Simmer	Thompson
Mayne	Randolph	Snyder	Torgeson
Mead	Ratliff	Sours	Van Wert
Nelson of	Rawlings	Strachan	Wamstad
Cherokee	Reed	Tamisiea	Wearin
Nelson of Story	Roe		

The nays were, 5.

Aiken	Ryder	Stiger	Whiting
Garrett			

Absent or not voting, 29.

Allen	Gallagher	Miller	Reimers
Augustine	Greaser	Morton	Rutledge
Byers	Hayes	O'Donnell	Short
Davis	Helgason	Orr	Stanzel
Dayton	Laughlin	Osborn	Van Buren
Ditto	Lichty	Paisley	Watts
Drake of	Millhone	Randall	Witt
Muscatine			Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Brown of Polk moved that the vote by which House File No. 577 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 461, a bill for an act to regulate the handling and dispensing of gasoline or other inflammable liquids where the same are sold or offered for sale to the public, to regulate the delivery of gasoline or other inflammable liquids at places where the same are sold to the public, and to regulate the servicing of motor vehicles, with report of committee recommending passage, was taken up for consideration.

Wamstad of Mitchell called up the amendment filed by him, found in the Journal of March 23rd and moved its adoption.

Amendment adopted.

Wamstad of Mitchell moved that the bill be read a third time 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, 58.

Aiken	Gallagher	Koch	Rawlings
Avery	Gissel	Lamb	Reed
Babcock	Greene	Langland	Reimers
Ballew	Hansen of	Lepley	Roe
Beath	Audubon	Long	Rutledge
Bonnstetter	Hansen of Scott	McCaulley	Rylander
Brown	Hanson of	McCreery	Snyder
Craven	Winnebago	McDermott	Sours
Donlon	Helgason	McLain	TePaske
Drake of Keokuk	Hesse	Millhone	Thiessen
Drake of	Hollis	Nelson of Story	Torgeson
Muscatine	Hopkins	Peaco	Van Wert
Felter	Hush	Pendray	Wamstad
Figgins	Husted	Randolph	Whiting
Finnern	Kern	Ratliff	Witt
Forsling			

## The nays were, 29.

Bair	Kohler	O'Donnell	Short
Berry	Laughlin	Orr	Stanzel
Ditto	Malone	Osborn	Stiger
Durant	Mathews	Paisley	Strachan
Elliott	Mayne	Pattison	Tamisiea
Greaser	Nelson of	Randall	Thompson
Hollingsworth	Cherokee	Ryder	Wearin
Hook		Shields	

## Absent or not voting, 21.

Allen	Fabritz	Hutcheon	Morton
Augustine	Garrett	Johnson of	Simmer
Byers	Gilmore	Marion	Van Buren
Davis	Hayes	Lichty	Watts
Dayton	Hunt	Mead	Mr. Speaker
Ellsworth		Miller	

So the bill having received a constitutional majority was declared to have passed the House.

Wamstad of Mitchell offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 461 by striking the word "gasoline" wherever it appears in the title and substituting in lieu thereof the words "motor vehicle fuel".

Amendment adopted, and the title as amended, was agreed to.

Wamstad of Mitchell moved that the vote by which House File No. 461 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 285, a bill for an act to amend sections forty-nine hundred eight (4908), and forty-nine hundred ten (4910), Code, 1927, relating to the computation of the annual license

fee on motor vehicles, with report of committee recommending passage, was taken up for consideration.

Rutledge of Webster called up the amendment filed by him, found in the Journal of March 23rd, and moved its adoption.

Amendment adopted.

Hansen of Scott offered the following amendment and moved its adoption:

Amend House File No. 285 by striking section two (2).

Amendment adopted.

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, 60.

Avery	Greaser	Millhone	Ryder
Babcock	Hansen of	Nelson of Story	Shields
Bair	Audubon	O'Donnell	Short
Beath	Hansen of Scott	Osborn	Simmer
Bonnstetter	Hesse	Paisley	Snyder
Brown	Hollingsworth	Pattison	Stanzel
Craven	Hook	Peaco	Stiger
Ditto	Hutcheon	Pendray	Strachan
Donlon	Kern	Randall	TePaske
Drake of Keokuk	Langland	Randolph	Thiessen
Drake of	Laughlin	Ratliff	Thompson
Muscatine	Lepley	Reed	Van Wert
Ellsworth	Lichty	Reimers	Wamstad
Felter	Long	Roe	Wearin
Finnern	McDermott	Rutledge	Whiting
Gilmore	Mathews		

The nays were, 27.

Ballew	Hollis	McCauley	Rawlings
Durant	Husted	McLain	Rylander
Fabritz	Johnson of	Malone	Sours
Gallagher	Marion	Mayne	Tamisia
Garrett	Koch	Mead	Torgeson
Gissel	Kohler	Nelson of	Witt
Greene	Lamb	Cherokee	Mr. Speaker
Helgason			

Absent or not voting, 21.

Aiken	Dayton	Hayes	Miller
Allen	Elliott	Hopkins	Morton
Augustine	Figgins	Hunt	Orr
Berry	Forsling	Hush	Van Buren
Byers	Hanson of	McCreery	Watts
Davis	Winnebago		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 195, a bill for an act to amend chapter three

hundred five (305) and sections five thousand nine hundred ten (5910), five thousand nine hundred fourteen (5914) and five thousand nine hundred fifteen (5915) of the code, 1927, relating to the powers of the board of railroad commissioners and cities in the matter of viaducts on streets and proposed streets, was taken up for consideration.

Reed of Mahaska moved the previous question.

Motion prevailed.

Nelson 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, 25.

Beath	Gissel	Lepley	Sours
Bonnstetter	Hanson of	Nelson of Story	Stanzel
Brown	Winnebago	Pendray	Strachan
Drake of	Hollingsworth	Rylander	Van Wert
Muscatine	Hopkins	Shields	Wamstad
Felter	Hunt	Short	Mr. Speaker
Finnern	Hush	Snyder	

The nays were, 66.

Aiken	Greaser	Lichty	Randolph
Avery	Greene	Long	Ratliff
Babcock	Hansen of	McCaulley	Rawlings
Bair	Audubon	McDermott	Reed
Ballew	Hansen of Scott	McLain	Reimers
Berry	Helgason	Malone	Roe
Craven	Hesse	Mathews	Rutledge
Ditto	Hollis	Mayne	Ryder
Drake of Keokuk	Hook	Mead	Stiger
Durant	Husted	Millhone	Tamisiea
Elliott	Hutcheon	O'Donnell	TePaske
Ellsworth	Johnson of	Orr	Thiessen
Figgins	Marion	Osborn	Thompson
Forsling	Kern	Paisley	Torgeson
Gallagher	Koch	Pattison	Wearin
Garrett	Kohler	Peaco	Whiting
Gilmore	Lamb	Randall	Witt

Absent or not voting, 17.

Allen	Dayton	Langland	Nelson of
Augustine	Donlon	Laughlin	Cherokee
Byers	Fabritz	McCreery	Simmer
Davis	Hayes	Miller	Van Buren
		Morton	Watts



So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Orr of Clayton moved that the vote by which House File No. 195 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Elliott of Scott moved that the House do now adjourn until 9:00 a. m. Monday.

Hush of Montgomery moved to amend by changing the hour to 1:15 p. m. today.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 41.

Babcock	Garrett	Lepley	Strachan
Beath	Gissel	Lichty	TePaske
Berry	Greaser	Osborn	Thiessen
Bonnstetter	Hanson of	Peaco	Thompson
Donlon	Winnebago	Pendray	Torgeson
Drake of	Helgason	Randolph	Van Wert
Muscatine	Hopkins	Rawlings	Wamstad
Durant	Hush	Roe	Wearin
Felter	Koch	Snyder	Whiting
Finnern	Kohler	Sours	Mr. Speaker
Gallagher	Langland	Stanzel	

The nays were, 34.

Avery	Hansen of Scott	McLain	Ratliff
Bair	Hesse	Mayne	Reed
Ballew	Hollingsworth	Mead	Rutledge
Brown	Hook	Millhone	Ryder
Ditto	Kern	Nelson of Story	Rylander
Elliott	Lamb	Paisley	Shields
Ellsworth	McCaulley	Pattison	Short
Figgins	McCreery	Randall	Stiger
Hansen of			Witt
Audubon			

Absent or not voting, 33.

Aiken	Forsling	Johnson of	Nelson of
Allen	Gilmore	Marion	Cherokee
Augustine	Greene	Laughlin	O'Donnell
Byers	Hayes	Long	Orr
Craven	Hollis	McDermott	Reimers
Davis	Hunt	Malone	Simmer
Dayton	Husted	Mathews	Tamisia
Drake of Keokuk	Hutcheon	Miller	Van Buren
Fabritz		Morton	Watts

Amendment adopted.

Motion as amended lost.

Forsling of Woodbury moved that when the House adjourns that it adjourn at 12:30 p. m. today, and reconvene at 9:15 a. m. Monday.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 50.

Aiken	Forsling	McCaulley	Ratliff
Avery	Greene	McCreery	Rawlings
Babcock	Hansen of Scott	McLain	Reed
Bair	Hesse	Mathews	Rutledge
Ballew	Hollingsworth	Mayne	Ryder
Berry	Hollis	Mead	Rylander
Brown	Hook	Millhone	Shields
Craven	Hutcheon	Nelson of Story	Short
Ditto	Kern	O'Donnell	Stanzel
Elliott	Koch	Paisley	Stiger
Ellsworth	Lamb	Pattison	Tamisia
Felter	Laughlin	Peaco	Witt
Figgins	Lichty		

The nays were, 32.

Beath	Gissel	Langland	TePaske
Bonnstetter	Greaser	Lepley	Thiessen
Donlon	Hanson of	Osborn	Thompson
Drake of	Winnebago	Pendray	Torgeson
Muscatine	Helgason	Roe	Van Wert
Durant	Hopkins	Snyder	Wamstad
Finnern	Hush	Sours	Wearin
Gallagher	Husted	Strachan	Mr. Speaker
Garrett	Kohler		

Absent or not voting, 26.

Allen	Hansen of	McDermott	Randall
Augustine	Audubon	Malone	Randolph
Eyers	Hayes	Miller	Reimers
Davis	Hunt	Morton	Simmer
Dayton	Johnson of	Nelson of	Van Buren
Drake of Keokuk	Marion	Cherokee	Watts
Fabritz	Long	Orr	Whiting
Gilmore			

Motion prevailed.

### CONSIDERATION OF BILLS

Senate File No. 374, a bill for an act to authorize and empower the superintendent of the Iowa Juvenile Home to execute assignment of bonds issued by the government of the United States and owned by, and registered in the name of the committed inmates of said home, who are minors, and to provide

for the preservation of funds arising from such assignments, was taken up for consideration.

Hanson of Winnebago, chairman of the sifting committee, offered the following amendment and moved its adoption:

Amend Senate File No. 374, by inserting after the word "and" in line five (5) of section one (1) the word "heretofore", and by striking the word "such" in line nine (9) preceding the word "assignments" and by inserting after the word "assignments" in line nine (9) the words "of such bonds so heretofore owned".

Amendment adopted.

Stiger 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, 63.

Avery	Greaser	Lepley	Reed
Babcock	Greene	McCaulley	Rutledge
Beath	Hansen of Scott	McLain	Ryder
Brown	Hansen of	Mathews	Rylander
Craven	Winnebago	Mayne	Snyder
Ditto	Helgason	Mead	Sours
Donlon	Hesse	Millhone	Stanzel
Durant	Hollingsworth	Osborn	Stiger
Elliott	Hollis	Paisley	TePaske
Ellsworth	Hutcheon	Pattison	Thiessen
Felter	Kern	Peaco	Thompson
Figgins	Koch	Pendray	Torgeson
Finnern	Kohler	Randall	Wamstad
Forsling	Lamb	Randolph	Wearin
Garrett	Langland	Ratliff	Whiting
Gissel	Laughlin	Rawlings	Mr. Speaker

The nays were, none.

Absent or not voting, 45.

Aiken	Fabritz	Johnson of	O'Donnell
Allen	Gallagher	Marion	Orr
Augustine	Gilmore	Lichty	Reimers
Bair	Hansen of	Long	Roe
Ballew	Audubon	McCreery	Shields
Berry	Hayes	McDermott	Short
Bonnstetter	Hook	Malone	Simmer
Byers	Hopkins	Miller	Strachan
Davis	Hunt	Morton	Tamisiea
Dayton	Hush	Nelson of	Van Buren
Drake of Keokuk	Husted	Cherokee	Van Wert
Drake of		Nelson of Story	Watts
Muscatine			Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 436, a bill for an act to amend chapter one hundred forty-two (142), Code, 1927, changing the date for notification of intentions of holding local poultry shows and providing that counties which do not hold a local show may hold a district show and may consolidate their state aid in holding such district poultry shows, with report of committee recommending passage, was taken up for consideration.

Hanson of Winnebago, chairman of the sifting committee, offered the following amendment and moved its adoption:

Amend House File No. 436, by striking the quotation mark (") at the end of section two (2) and adding thereto the following: "Said state aid shall be payable to the treasurer of said district poultry show under substantially the same procedure as governs the payment of such aid in case of a state-wide poultry show."

Amendment 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?" Rule 18 was invoked.

The ayes were, 61.

Aiken	Hansen of Scott	McCreery	Rylander
Avery	Helgason	McLain	Snyder
Babcock	Hesse	Mathews	Sours
Beath	Hollingsworth	Mead	Stanzel
Brown	Hollis	Millhone	Strachan
Craven	Hutcheon	Osborn	Tamisiea
Donlon	Kern	Paisley	TePaske
Durant	Koch	Pattison	Thiessen
Ellsworth	Kohler	Peaco	Thompson
Felter	Lamb	Pendray	Torgeson
Figgins	Langland	Randolph	Van Wert
Forsling	Laughlin	Ratliff	Wamstad
Garrett	Lepley	Reed	Wearin
Gissel	Long	Rutledge	Whiting
Greaser	McCaulley	Ryder	Mr. Speaker
Greene			

The nays were, none.

Absent or not voting, 47.

Allen	Bonnstetter	Drake of Keokuk	Finnern
Augustine	Byers	Drake of	Gallagher
Bair	Davis	Muscatine	Gilmore
Ballew	Dayton	Elliott	Hansen of
Berry	Ditto	Fabritz	Audubon

Hanson of Winnebago	Johnson of Marion	Nelson of Cherokee	Roe Shields
Hayes	Lichty	Nelson of Story	Short
Hook	McDermott	O'Donnell	Simmer
Hopkins	Malone	Orr	Stiger
Hunt	Mayne	Randall	Van Buren
Hush	Miller	Rawlings	Watts
Husted	Morton	Reimers	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENTS FILED

Whiting of Johnson filed the following amendment to Senate File No. 192:

Amend Senate File No. 192 as follows:

1. By striking Section one (1).
2. By striking Section four (4).
3. By striking the words "no false bottom is used and" in line twenty-two (22) of Section nine (9).
4. By striking the words "sun-fish, cat-fish, sheepshead, white perch, or bullheads" from lines seven (7) and eight (8) of Section sixteen (16), and changing the comma after the word "blue-gills" to a period.

Whiting of Johnson filed the following amendment to Senate File No. 192:

Amend Senate File No. 192 as follows:

"Sec. 19. That "Chapter fifty-seven (57), acts of the Forty-third (43rd) General Assembly, be amended by striking lines nineteen (19) and twenty (20) of section twenty-six (26) thereof, and substituting therefor the following:

6. Gray, fox or timber squirrel, in the northern zone, from January first to September first; in the southern zone, from January first to August first; all dates inclusive".

#### REPORT OF SIFTING COMMITTEE

Hanson of Winnebago, chairman of the sifting committee, submitted the following report:

MR. SPEAKER: Your Sifting Committee reports out the following bills:

House File 538 }  
House File 450 }  
House File 9 }  
House File 259 }

On Previous Calendar

House File 570  
House File 571  
House File 573  
House File 574  
House File 575  
Senate File 65

House File 362  
House File 251  
House File 252  
House File 222  
House File 199

Pursuant to motion duly adopted the House adjourned until  
9:15 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 13, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. Edmund L. Marousek, pastor of the First Presbyterian Church, Jefferson, Iowa.

Journal of April 11th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Pendray of Jackson for the day, on request of Finnern of Crawford.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Hutcheon of Greene, from citizens of Paton, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rylander of Marshall, from representatives of Marshalltown chapter No. 3, Disabled American Veterans of the World War, favoring an appropriation for the continuance of vocational education. Appropriations.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Mayne of Pottawattamie, House File No. 372, a bill for an act to regulate the use and operation of motor vehicles in this state on the public highways thereof by nonresidents of this state; to fix and declare the legal effect of such use and operation; and to prescribe the procedure for serving

original notices of suit on nonresidents for damages arising out of the use and operation in this state of such vehicles by non-residents, with Senate amendments, was taken up and the amendments read and considered.

# SENATE AMENDMENTS TO HOUSE FILE NO. 372

1. Amend by striking Section twelve (12), and also by renumbering sections 13, 14 and 15 as sections 12, 13 and 14.

2. Amend by striking the period at the end of line five of section 13 and adding after the word "action" in said line the following: ", provided that in the judgment of the trial court said action was commenced maliciously or without probable cause."

Mr. Mayne moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 61.

Allen	Greaser	McDermott	Rutledge
Avery	Greene	McLain	Ryder
Babcock	Hansen of	Malone	Rylander
Bair	Audubon	Mathews	Snyder
Bonnstetter	Helgason	Mayne	Sours
Davis	Hesse	Mead	Tamisiea
Dayton	Hollis	Millhone	TePaske
Donlon	Hopkins	Nelson of Story	Thiessen
Drake of Keokuk	Hush	Paisley	Thompson
Durant	Hutcheon	Pattison	Van Buren
Elliott	Johnson of	Peaco	Watts
Ellsworth	Marion	Randall	Wearin
Finnern	Koch	Randolph	Whiting
Gallagher	Kohler	Ratliff	Witt
Garrett	Langland	Reed	Mr. Speaker
Gissel	Lepley	Roe	

The nays were, none.

Absent or not voting, 47.

Aiken	Figgins	Laughlin	Pendray
Augustine	Forsling	Lichty	Rawlings
Ballew	Gilmore	Long	Reimers
Beath	Hansen of Scott	McCaulley	Shields
Berry	Hanson of	McCreery	Short
Brown	Winnegabo	Miller	Simmer
Byers	Hayes	Morton	Stanzel
Craven	Hollingsworth	Nelson of	Stiger
Ditto	Hook	Cherokee	Strachan
Drake of	Hunt	O'Donnell	Torgeson
Muscatine	Husted	Orr	Van Wert
Fabritz	Kern	Osborn	Wamstad
Felter	Lamb		



House concurred in Senate amendments to House File No. 372.

On request of Elliott of Scott, House File No. 368, a bill for an act to provide that in the years 1932 and 1933 the tax rates of the various taxing bodies, including cities under special charter, shall be reduced by five per cent (5%), and that the provisions of section seventy-one hundred sixty-five (7165) of the code, 1927, shall not be applicable during those years, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 368

1. Amend by striking out of Section one (1) all after the comma (,) in line 13 and inserting in lieu thereof the following:

"Provided, however, that the provisions of this act shall not affect or include mandatory levies or payments, the amounts of which are fixed by statute, or taxes levied for the purpose of paying interest and/or principal on bonds or creating a sinking fund for the retiring of bonds issued prior to the passage of this act."

2. Amend by adding to Section 1 the following: "In any school district in which the tax levied in 1930 for the general school fund was at least five per cent (5%) less than the amount which might have been legally levied, the general school fund tax levied in 1931 and 1932 may equal, but shall not exceed, the same percentage of the amount which might legally be levied during each of said years.

3. Amend Section two (2) by adding after the word "emergency", in line one (1) the words "or good cause".

4. Amend the title by changing "1932 and 1933" to "1931 and 1932".

Mr. Elliott moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 78.

Avery	Durant	Hansen of Scott	Kohler
Babcock	Elliott	Helgason	Langland
Bair	Ellsworth	Hesse	Laughlin
Beath	Figgins	Hollingsworth	Lepley
Berry	Finnern	Hollis	Lichty
Byers	Gallagher	Hook	McDermott
Davis	Garrett	Hopkins	McLain
Dayton	Gilmore	Hunt	Malone
Ditto	Gissel	Husted	Mathews
Donlon	Greaser	Hutcheon	Mayne
Drake of Keokuk	Greene	Johnson of	Mead
Drake of	Hansen of	Marion	Millhone
Muscatine	Audubon	Koch	

Nelson of Cherokee	Randall	Rylander	Torgeson
Nelson of Story	Randolph	Shields	Van Buren
O'Donnell	Ratliff	Snyder	Watts
Osborn	Rawlings	Sours	Wearin
Paisley	Reed	Strachan	Whiting
Pattison	Roe	Tamisiea	Witt
Peaco	Rutledge	TePaske	Mr. Speaker
	Ryder	Thiessen	

The nays were, 3.

Bonnstetter	Hush	Thompson
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Absent or not voting, 27.

Aiken	Felter	Long	Reimers
Allen	Forsling	McCaulley	Short
Augustine	Hanson of	McCreery	Simmer
Ballew	Winnebago	Miller	Stanzel
Brown	Hayes	Morton	Stiger
Craven	Kern	Orr	Van Wert
Fabritz	Lamb	Pendray	Wamstad

House concurred in Senate amendments to House File No. 368.

### CONSIDERATION OF BILLS

House File No. 450, a bill for an act to amend section twenty-five hundred sixty-four (2564), of the code, 1927, pertaining to the requirements necessary for training school for nurses, was taken up for consideration.

Dayton of Washington called up the amendment filed by him, found in the Journal of April 9th, and moved its adoption.

Ellsworth of Hardin offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "county" wherever it appears in the amendment, the words "or city".

Amendment to the amendment adopted.

Dayton of Washington moved that further action on House File No. 450 be deferred.

Motion prevailed.

House File No. 259, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code, 1927, relating to the

licensing of dentists, with report of committee recommending passage, was taken up for consideration.

Johnson of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Allen	Garrett	Lichty	Reed
Avery	Gilmore	Long	Roe
Babcock	Gissel	McCaulley	Rutledge
Bair	Greene	McCreery	Ryder
Beath	Hansen of Scott	McDermott	Snyder
Berry	Helgason	McLain	Sours
Bonnstetter	Hesse	Malone	Stanzel
Byers	Hollingsworth	Mathews	Strachan
Dayton	Hollis	Mayne	Tamisiea
Ditto	Hook	Mead	TePaske
Donlon	Hopkins	Millhone	Thiessen
Drake of Keokuk	Husted	Nelson of	Thompson
Durant	Hutcheon	Cherokee	Torgeson
Elliott	Johnson of	Osborn	Van Buren
Ellsworth	Marion	Paisley	Watts
Fabritz	Koch	Pattison	Wearin
Felter	Kohler	Randolph	Whiting
Figgins	Langland	Ratliff	Mr. Speaker
Gallagher	Lepley		

The nays were, none.

Absent or not voting, 36.

Aiken	Greaser	Laughlin	Reimers
Augustine	Hansen of	Miller	Rylander
Ballew	Audubon	Morton	Shields
Brown	Hanson of	Nelson of Story	Short
Craven	Winnebago	O'Donnell	Simmer
Davis	Hayes	Orr	Stiger
Drake of	Hunt	Peaco	Van Wert
Muscatine	Hush	Pendray	Wamstad
Finnern	Kern	Randall	Witt
Forsling	Lamb	Rawlings	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Johnson of Marion moved that the vote by which House File No. 259 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion lost.

## CALL OF THE HOUSE

MR. SPEAKER: We, the undersigned, hereby request a call of the House at 10:00 o'clock a. m. today, for the consideration of House File No. 576.

J. H. JOHNSON

FRED B. WITT

C. J. ORR

A. H. AVERY

E. M. LICHTY

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Morton of Wright and Augustine of Ringgold who, on motion, were excused.

The hour having arrived for the special order, House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system, with report of sifting committee recommending amendment and passage, was taken up for consideration.

Reimers of Lyon called up the amendment proposed by the sifting committee, found on page 1556 of the Journal of April 9th, and moved the adoption of the amendment relating to section two (2) thereof.

Torgeson of Worth offered the following amendment to the committee amendment to section two (2) and moved its adoption:

Amend the committee amendment by striking in line five (5) of section two (2) the period (.) following the word "Iowa", and inserting in lieu thereof a comma (,), and striking the capital "T" following the word "Iowa", and inserting in lieu thereof a small "t".

On the question "Shall the amendment to the committee amendment to section two (2) be adopted?" a roll call was demanded.

The ayes were, 63.

Aiken	Garrett	Kohler	Short
Allen	Gilmore	Langland	Simmer
Beath	Gissel	McDermott	Snyder
Berry	Greaser	Mathews	Stanzel
Bonnstetter	Hansen of	Nelson of	Stiger
Brown	Audubon	Cherokee	Strachan
Byers	Hansen of Scott	Nelson of Story	TePaske
Craven	Hanson of	O'Donnell	Thiessen
Davis	Winnebago	Osborn	Thompson
Donlon	Helgason	Paisley	Torgeson
Drake of Keokuk	Hesse	Peaco	Van Buren
Elliott	Hook	Randall	Van Wert
Ellsworth	Hush	Randolph	Wamstad
Felter	Husted	Rawlings	Watts
Figgins	Hutcheon	Reimers	Wearin
Finnern	Koch	Roe	Mr. Speaker
Forsling		Shields	

The nays were, 32.

Avery	Greene	McCaulley	Reed
Babcock	Hayes	McLain	Rutledge
Ballew	Hollis	Malone	Ryder
Dayton	Hunt	Mayne	Rylander
Ditto	Laughlin	Mead	Sours
Drake of	Lepley	Miller	Tamisiea
Muscatine	Lichty	Orr	Whiting
Fabritz	Long	Ratliff	Witt
Gallagher			

Absent or not voting, 13.

Augustine	Hopkins	Kern	Morton
Bair	Johnson of	Lamb	Pattison
Durant	Marion	McCreery	Pendray
Hollingsworth		Millhone	

Amendment to committee amendment to section two (2) adopted.

Bonnstetter of Kossuth moved the previous question.

Motion prevailed.

On the question "Shall the committee amendment, as amended, be adopted?" a roll call was demanded.

## The ayes were, 56.

Aiken	Gissel	Malone	Snyder
Allen	Hansen of	Nelson of	Stanzel
Avery	Audubon	Cherokee	Stiger
Beath	Hanson of	Nelson of Story	Strachan
Berry	Winnebago	O'Donnell	TePaske
Bonnstetter	Hollingsworth	Osborn	Thiessen
Byers	Hook	Paisley	Thompson
Craven	Hopkins	Peaco	Torgeson
Davis	Hush	Randall	Van Buren
Donlon	Husted	Rawlings	Van Wert
Ellsworth	Hutcheon	Reimers	Wamstad
Felter	Kohler	Roe	Watts
Figgins	Langland	Shields	Wearin
Finnern	McDermott	Short	Mr. Speaker
Forsling	McLain	Simmer	

## The nays were, 42.

Babcock	Gilmore	Koch	Orr
Ballew	Greaser	Laughlin	Pattison
Dayton	Greene	Lichty	Randolph
Ditto	Hansen of Scott	Long	Ratliff
Drake of Keokuk	Hayes	McCaulley	Reed
Drake of	Helgason	McCreery	Ryder
Muscatine	Hesse	Mathews	Rylander
Durant	Hollis	Mayne	Sours
Elliott	Hunt	Mead	Tamisia
Gallagher	Johnson of	Millhone	Whiting
Garrett	Marion	Miller	Witt

## Absent or not voting, 10.

Augustine	Fabritz	Lepley	Pendray
Bair	Kern	Morton	Rutledge
Brown	Lamb		

Committee amendment, as amended, to section two (2) adopted.

Shields of Clarke called up the amendment filed by Reimers of Lyon, Hush of Montgomery, and Torgeson of Worth and himself, found on page 1600 of the Journal of April 10th, and moved the adoption of Paragraph one (1) which relates to Section three (3).

## HOUSE CONCURRENT RESOLUTION NO. 15

Elliott of Scott offered the following concurrent resolution:

*Whereas*, Certain citizens of the state, and organized groups thereof, are openly defying the state government in the enforcement of the Tuberculin Test law, and,

*Whereas*, An attempt is being made to intimidate and coerce the executive and legislative branches of our government to repeal or modify the said law, and

*Whereas*, The principle involved directly affects the fundamentals of democratic self-government, and requires immediate and positive action on the part of both the executive and legislative branches, now therefore

*Be It Resolved by the House, the Senate concurring*, That the Forty-fourth General Assembly of the State of Iowa condemns the attitude of those persons who are resisting the enforcement of this law, and pledge our support to the governor in the strict enforcement thereof, and declare that it would be unwise and unsafe to consider any modification of the present law until those persons, who are defying it, withdraw from their present position and adopt usual and ordinary methods to procure the modification thereof, which they desire.

Elliott of Scott asked unanimous consent for the immediate consideration of the concurrent resolution.

Objection was made.

Brown of Polk moved that the House pass to the immediate consideration of the concurrent resolution.

On motion of Bair of Buena Vista, the House recessed until 1:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Johnson in the chair.

The House resumed consideration of Mr. Brown's motion.

Forsling of Woodbury moved as a substitute that the House pass to the consideration of bills on the calendar and resume consideration of House File No. 576 when the sponsors of the measure so desire.

McCreery of Liun moved the previous question.

Motion prevailed.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 70.

Allen	Davis	Figgins	Hanson of
Babcock	Dayton	Forsling	Winnebago
Ballew	Ditto	Gilmore	Hesse
Beath	Donlon	Gissel	Hollingsworth
Berry	Durant	Greaser	Hook
Bonnstetter	Ellsworth	Hansen of	Kern
Byers	Fabritz	Audubon	Kohler
Craven	Felter	Hansen of Scott	Lamb

Langland	Nelson of	Rawlings	Stiger
Laughlin	Cherokee	Reed	Strachan
Lepley	Nelson of Story	Roe	TePaske
Lichty	O'Donnell	Rutledge	Thiessen
Long	Osborn	Ryder	Thompson
McCaulley	Paisley	Rylander	Van Buren
McCreery	Pattison	Short	Van Wert
McDermott	Peaco	Simmer	Watts
McLain	Randolph	Sours	Whiting
Malone	Ratliff	Stanzel	Mr. Speaker
Mathews			

The nays were, 24.

Avery	Garrett	Husted	Millhone
Brown	Greene	Hutcheon	Orr
Drake of Keokuk	Helgason	Johnson of	Snyder
Drake of	Hollis	Marion	Tamisiea
Muscatine	Hopkins	Koch	Wearin
Elliott	Hunt	Mayne	Witt
Gallagher		Mead	

Absent or not voting, 14.

Aiken	Hayes	Morton	Shields
Augustine	Hush	Pendray	Torgeson
Bair	Miller	Randall	Wamstad
Finnern		Reimers	

Motion prevailed and substitution was made.

Substitute motion adopted.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 576.

The house resumed consideration of Paragraph one (1) of the amendment relating to Section three (3) by Shields of Clarke, Reimers of Lyon, Hush of Montgomery and Torgeson of Worth, found in the Journal of April 10th.

Elliott of Scott moved that further action on House File No. 576 be deferred until 9:30 a. m. Tuesday.

Motion prevailed.

Hansen of Scott moved that the call of the House be now raised.

Motion prevailed.

#### AMENDMENT WITHDRAWN

Kern of Polk asked and obtained unanimous consent to with-



draw his amendment to House File No. 430, filed on March 28th and found on page 1279 of the Journal.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 251 and 250.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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. 251 and 250.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 321, 200, 170, 203, 337, 276, 227, 364, 235, 334, 67, 133, 377, 80, 453 and 454.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 321, 200, 170, 203, 337, 276, 227, 364, 235, 334, 67, 133, 377, 80, 453, and 454.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 321, 200, 170, 203, 337, 276, 227, 364, 235, 334, 67, 133, 377, 80, 453 and 454.

C. J. ORR, *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. 325, a bill for an act relating to the duties of city manager.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 425, a bill for an act to legalize proceedings of the Sherrills Mound Mutual Fire Insurance Company of Sherrill, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 345, a bill for an act relating to publication of notice of school election.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 302, a bill for an act creating a park board in certain cities and providing the powers and duties of such board.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 249, a bill for an act relating to bonds required for commercial fishermen.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 425, a bill for an act to legalize the proceedings of the Sherrills Mound Mutual Fire Insurance Company of Sherrill, Iowa.

Read first and second times and referred to sifting committee.

Senate File No. 325, a bill for an act to amend Section six thousand six hundred sixty-nine (6669) of the Code of 1927, relating to the duties of city manager.

Read first and second times and referred to sifting committee.

#### CONSIDERATION OF BILLS

House File No. 538, a bill for an act to amend section ten thousand nine hundred thirty (10930) code, 1927, and providing additional grounds for the revocation or suspension of licenses to practice law, was taken up for consideration.

Torgeson of Worth moved that further action on House File No. 538 be deferred.

Husted of Madison moved the previous question.

Motion prevailed.

On the question "Shall action be deferred?" a roll call was demanded.

The ayes were, 7.

Gissel	Kohler	Roe	Torgeson
Hush	Lamb	Short	

The nays were, 74.

Aiken	Craven	Forsling	Helgason
Allen	Dayton	Gallagher	Hollingsworth
Avery	Donlon	Gilmore	Hollis
Babcock	Drake of Keokuk	Greaser	Hook
Bair	Drake of	Hansen of	Hunt
Beath	Muscatine	Audubon	Husted
Berry	Durant	Hansen of	Hutcheon
Brown	Elliott	Scott	Johnson of
Byers	Felter	Hayes	Marion

Kern	Mathews	Randall	Tamisiea
Koch	Mayne	Randolph	TePaske
Laughlin	Mead	Ratliff	Thiessen
Lepley	Millhone	Reed	Thompson
Lichty	Nelson of	Reimers	Van Wert
Long	Cherokee	Ryder	Watts
McCaulley	Orr	Rylander	Wearin
McCreery	Osborn	Sours	Whiting
McDermott	Paisley	Stanzel	Witt
McLain	Pattison	Stiger	Mr. Speaker
Malone	Peaco	Strachan	

Absent or not voting, 27.

Augustine	Figgins	Hopkins	Rawlings
Ballew	Finnern	Langland	Rutledge
Bonnstetter	Garrett	Miller	Shields
Davis	Greene	Morton	Simmer
Ditto	Hanson of	Nelson of Story	Snyder
Ellsworth	Winnebago	O'Donnell	Van Buren
Fabritz	Hesse	Pendray	Wamstad

Motion to defer lost.

Reed of Mahaska moved the previous question.

Motion prevailed.

Allen of Pocahontas in the chair.

TePaske of Sioux moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aiken	Forsling	Langland	Reed
Allen	Gallagher	Laughlin	Reimers
Avery	Garrett	Lepley	Rutledge
Babcock	Gilmore	Lichty	Ryder
Bair	Gissel	Long	Rylander
Ballew	Greaser	McCaulley	Simmer
Beath	Hansen of	McLain	Sours
Bonnstetter	Audubon	Malone	Stanzel
Brown	Helgason	Mayne	Stiger
Byers	Hollingsworth	Mead	Strachan
Ditto	Hollis	Millhone	Tamisiea
Donlon	Hunt	Nelson of	TePaske
Drake of Keokuk	Hush	Cherokee	Thiessen
Drake of	Husted	Nelson of Story	Thompson
Muscatine	Hutcheon	Orr	Van Buren
Durant	Johnson of	Osborn	Wamstad
Elliott	Marion	Paisley	Watts
Ellsworth	Kern	Pattison	Wearin
Fabritz	Koch	Peaco	Whiting
Felter	Kohler	Randolph	Witt
Finnern	Lamb	Ratliff	Mr. Speaker

The nays were, 8.

Davis	Hook	Mathews	Torgeson
Figgins	McDermott	Roe	Van Wert

Absent or not voting, 20.

Augustine	Hanson of	McCreery	Randall
Berry	Winnebago	Miller	Rawlings
Craven	Hayes	Morton	Shields
Dayton	Hesse	O'Donnell	Short
Greene	Hopkins	Pendray	Snyder
Hansen of Scott			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Brown of Polk moved that the vote by which House File No. 538 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 9, a bill for an act conferring jurisdiction and control upon the Board of Railroad Commissioners over the location, construction, maintenance and operation, service and rates of telephone companies, was taken up for consideration.

Ratliff of Henry moved the previous question.

Motion prevailed.

Van Buren 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?" Rule 18 was invoked.

The ayes were, 59.

Allen	Gilmore	McLain	Rylander
Babcock	Gissel	Malone	Short
Bair	Greaser	Mead	Simmer
Beath	Hanson of	Nelson of Story	Stanzel
Berry	Winnebago	O'Donnell	Stiger
Bonnstetter	Helgason	Osborn	Strachan
Craven	Hollingsworth	Paisley	TePaske
Davis	Hopkins	Pattison	Thiessen
Donlon	Husted	Peaco	Thompson
Durant	Hutcheon	Randall	Torgeson
Fabritz	Kohler	Randolph	Van Buren
Felter	Lamb	Rawlings	Van Wert
Figgins	Langland	Reed	Wamstad
Forsling	Laughlin	Reimers	Wearin
Garrett	Lepley	Roe	Mr. Speaker

The nays were, 30.

Avery	Hayes	Koch	Orr
Drake of Keokuk	Hesse	Lichty	Ratliff
Drake of	Hollis	Long	Ryder
Muscatine	Hook	McDermott	Snyder
Ellsworth	Hunt	Mathews	Sours
Finnern	Hush	Mayne	Watts
Greene	Johnson of	Miller	Whiting
Hansen of Scott	Marion	Nelson of	Witt
		Cherokee	

Absent or not voting, 19.

Aiken	Ditto	Kern	Pendray
Augustine	Elliott	McCaulley	Rutledge
Ballew	Gallagher	McCreery	Shields
Brown	Hansen of	Millhone	Tamisiea
Byers	Audubon	Morton	
Dayton			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Van Buren of Jones moved that the vote by which House File No. 9 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 362, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the code, 1927, relating to appointment of board of examiners to examine applicants for license to work as Master, or employing or journeyman plumber, was taken up for consideration.

Lichty 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, 64.

Allen	Drake of	Greaser	Koch
Avery	Muscatine	Hanson of	Kohler
Babcock	Durant	Winnebago	Langland
Beath	Ellsworth	Hayes	Lichty
Berry	Fabritz	Hesse	Long
Brown	Felter	Hollis	McDermott
Byers	Figgins	Hook	McLain
Craven	Finnern	Hopkins	Malone
Ditto	Garrett	Hush	Mathews
Donlon	Gilmore	Husted	Mead
Drake of Keokuk	Gissel	Hutcheon	Miller

Nelson of	Reed	Stanzel	Van Wert
Cherokee	Reimers	Strachan	Wamstad
Paisley	Roe	TePaske	Wearin
Pattison	Ryder	Thiessen	Witt
Randolph	Short	Thompson	Mr. Speaker
Ratliff	Simmer	Torgeson	

The nays were, 1.

Watts

Absent or not voting, 43.

Aiken	Hansen of	McCaulley	Randall
Augustine	Audubon	McCreery	Rawlings
Bair	Hansen of Scott	Mayne	Rutledge
Ballew	Helgason	Millhone	Rylander
Bonnstetter	Hollingsworth	Morton	Shields
Davis	Hunt	Nelson of Story	Snyder
Dayton	Johnson of	O'Donnell	Sours
Elliott	Marion	Orr	Stiger
Forsling	Kern	Osborn	Tamisiea
Gallagher	Lamb	Peaco	Van Buren
Greene	Laughlin	Pendray	Whiting
	Lepley		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Johnson in the chair.

TePaske of Sioux called up his motion filed by him, found in the Journal of April 10th, to reconsider the vote by which House File No. 541 failed to pass the House and moved its adoption.

Brown of Polk moved the previous question.

Motion prevailed.

On the question "Shall the House reconsider?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 80.

Allen	Durant	Hansen of Scott	Hutcheon
Babcock	Fabritz	Hanson of	Johnson of
Bair	Felter	Winnebago	Marion
Ballew	Figgins	Hayes	Koch
Beath	Finnern	Helgason	Kohler
Berry	Gallagher	Hesse	Lamb
Byers	Garrett	Hollingsworth	Langland
Craven	Gilmore	Hollis	Laughlin
Ditto	Gissel	Hook	Lepley
Donlon	Greaser	Hopkins	Long
Drake of Keokuk	Greene	Hunt	McCaulley
Drake of	Hansen of	Hush	Mathews
Muscatine	Audubon	Husted	Mayne

Mead	Pattison	Shields	Van Buren
Millhone	Peaco	Snyder	Van Wert
Miller	Randolph	Stiger	Wamstad
Nelson of	Rawlings	Tamisiea	Watts
Cherokee	Reimers	TePaske	Wearin
Nelson of Story	Roe	Thiessen	Whiting
O'Donnell	Ryder	Thompson	Witt
Osborn	Rylander	Torgeson	Mr. Speaker
Paisley			

The nays were, 14.

Bonnstetter	McDermott	Reed	Simmer
Brown	McLain	Rutledge	Sours
Elliott	Malone	Short	Stanzel
Ellsworth	Randall		

Absent or not voting, 14.

Aiken	Dayton	McCreery	Pendray
Augustine	Forsling	Morton	Ratliff
Avery	Kern	Orr	Strachan
Davis	Lichty		

Motion prevailed and the House reconsidered.

On the question "Shall the bill pass?" Rule 18 was invoked.

The ayes were, 77.

Allen	Greene	Laughlin	Rutledge
Babcock	Hansen of	Lepley	Ryder
Bair	Audubon	Long	Rylander
Beath	Hanson of	McCaulley	Shields
Berry	Winnebago	Mathews	Snyder
Byers	Hayes	Mayne	Stiger
Craven	Hollingsworth	Mead	Strachan
Ditto	Hollis	Millhone	Tamisiea
Donlon	Hook	Miller	TePaske
Drake of Keokuk	Hopkins	Nelson of	Thiessen
Drake of	Hunt	Cherokee	Thompson
Muscatine	Hush	Nelson of Story	Torgeson
Durant	Husted	O'Donnell	Van Buren
Elliott	Hutcheon	Osborn	Van Wert
Fabritz	Johnson of	Paisley	Wamstad
Felter	Marion	Pattison	Watts
Figgins	Koch	Peaco	Wearin
Gallagher	Kohler	Randolph	Whiting
Garrett	Lamb	Rawlings	Witt
Gilmore	Langland	Reimers	Mr. Speaker
Greaser		Roe	

The nays were, 15.

Ballew	Gissel	Malone	Simmer
Bonnstetter	Helgason	Randall	Sours
Ellsworth	McDermott	Reed	Stanzel
Finnern	McLain	Short	



Absent or not voting, 16.

Aiken	Davis	Hesse	Morton
Augustine	Dayton	Kern	Orr
Avery	Forsling	Lichty	Pendray
Brown	Hansen of Scott	McCreery	Ratliff

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Byers of Linn moved that the House do now adjourn until 9:00 a. m. Tuesday.

Torgeson of Worth moved to amend the motion by changing the hour to 7:30 p. m. this evening.

Elliott of Scott moved as a substitute for all pending motions that when the House adjourn it be to reconvene at 7:30 p. m. this evening for adoption of memorial resolution.

Motion prevailed and the substitution was made.

Substituted motion 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 and concurred in House Concurrent Resolution No. 14 relative to sine die adjournment of the 44th G. A. Wednesday, April 15, 1931.

Also, that the Senate refuses to concur in the House amendments to Senate File No. 10, the Budget Bill.

Also, the president has appointed as members of the conference committee on the part of the Senate on Senate File No. 10, Senators Stoddard, Anderson, Doran, Booth and Irwin.

Also, the Senate has refused to concur in House Amendments to Senate File No. 297, relating to the mileage and expenses of public officers.

WALTER H. BEAM, *Secretary*.

#### HOUSE INSISTS ON AMENDMENTS

Van Buren of Jones moved that the House insist on its amendments to Senate File No. 10.

On the question "Shall the House insist?"

The ayes were, 73.

Bair	Ellsworth	Helgason	Johnson of
Ballew	Felter	Hollingsworth	Marion
Beath	Figgins	Hollis	Koch
Berry	Finnern	Hook	Kohler
Bonnstetter	Forsling	Hopkins	Lamb
Craven	Garrett	Hunt	Langland
Donlon	Greaser	Hush	Laughlin
Drake of	Hansen of Scott	Husted	Lepley
Muscatine	Hanson of	Hutcheon	Lichty
Durant	Winnebago		Long

McCaulley	Pattison	Shields	Thiessen
McLain	Peaco	Short	Thompson
Malone	Randall	Simmer	Torgeson
Mead	Randolph	Snyder	Van Buren
Nelson of	Ratliff	Sours	Watts
Cherokee	Reed	Stanzel	Wearin
Nelson of Story	Reimers	Stiger	Whiting
Orr	Roe	Strachan	Witt
Osborn	Ryder	TePaske	Mr. Speaker
Paisley	Rylander		

The nays were, 8.

Babcock	Elliott	Kern	Mayne
Byers	Gallagher	Mathews	Tamisiea

Absent or not voting, 27.

Aiken	Ditto	Hansen of	Miller
Allen	Drake of Keokuk	Audubon	Morton
Augustine	Fabritz	Hayes	O'Donnell
Avery	Gilmore	Hesse	Pendray
Brown	Gissel	McCreery	Rawlings
Davis	Greene	McDermott	Rutledge
Dayton		Millhone	Van Wert
			Wamstad

Motion prevailed and the House insisted on its amendment to Senate File No. 10.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Forsling of Woodbury, House File No. 335, a bill for an act to repeal chapter one hundred sixty-two (162), acts of the forty-third (43rd) general assembly, and to enact a substitute therefor, relating to the election and appointment of city and town officers, and to amend section fifty-six hundred thirty-nine (5639), Code, 1927, relating to the power of a mayor to hold police court, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 335

Amend by striking Section two (2) thereof and renumbering sections three (3) and four (4) as sections two (2) and three (3).

Mr. Forsling moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 74.

Avery	Donlon	Figgins	Hollingsworth
Babcock	Drake of Keokuk	Finnern	Hollis
Bair	Drake of	Forsling	Hook
Ballew	Muscatine	Garrett	Hunt
Beath	Durant	Greaser	Hush
Berry	Elliott	Hansen of Scott	Hutcheon
Bonnstetter	Ellsworth	Hanson of	Koch
Byers	Fabritz	Winnebago	Kohler
Craven	Felter	Helgason	Lamb

Langland	Millhone	Roe	TePaske
Laughlin	Nelson of	Ryder	Thiessen
Lepley	Cherokee	Rylander	Thompson
Long	Nelson of Story	Short	Torgeson
McCaulley	Orr	Snyder	Van Buren
McDermott	Paisley	Sours	Van Wert
McLain	Randolph	Stanzel	Wamstad
Malone	Ratliff	Stiger	Whiting
Mathews	Reed	Strachan	Witt
Mayne	Reimers	Tamisiea	Mr. Speaker
Mead			

The nays were, none.

Absent or not voting, 34.

Aiken	Gissel	Kern	Pendray
Allen	Greene	Lichty	Randall
Augustine	Hansen of	McCreery	Rawlings
Brown	Audubon	Miller	Rutledge
Davis	Hayes	Morton	Shields
Dayton	Hesse	O'Donnell	Simmer
Ditto	Hopkins	Osborn	Watts
Gallagher	Husted	Pattison	Wearin
Gilmore	Johnson of	Peaco	
	Marion		

House concurred in Senate amendment to House File No. 335.

#### CONSIDERATION OF BILLS

Senate File No. 408, a bill for an act to make an appropriation to George F. Van Note, with report of committee on appropriations recommending passage, was taken up for consideration.

Hansen of Scott offered the following amendment and moved its adoption:

Amend by striking all after the word "of" in line eleven (11) of section one (1) and inserting in lieu thereof the words "the primary road fund".

Amendment adopted.

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, 78.

Avery	Drake of	Garrett	Hunt
Babcock	Muscatine	Gissel	Husted
Bair	Durant	Greaser	Hutcheon
Ballew	Elliott	Hansen of Scott	Johnson of
Beath	Fabritz	Hanson of	Marion
Berry	Felter	Winnebago	Koch
Brown	Figgins	Hollingsworth	Kohler
Craven	Finnern	Hollis	Lamb
Donlon	Forsling	Hook	Langland
Drake of Keokuk	Gallagher	Hopkins	Laughlin

Lepley	Nelson of Story	Ryder	Thompson
Lichty	Orr	Rylander	Torgeson
Long	Osborn	Shields	Van Buren
McDermott	Paisley	Short	Van Wert
McLain	Pattison	Snyder	Wamstad
Malone	Randall	Stanzel	Watts
Mathews	Randolph	Stiger	Wearin
Mead	Ratliff	Strachan	Whiting
Millhone	Rawlings	Tamisiea	Witt
Nelson of	Reed	TePaske	Mr. Speaker
Cherokee	Reimers		

The nays were, 2.

Helgason                      Sours

Absent or not voting, 28.

Aiken	Ellsworth	Hush	O'Donnell
Allen	Gilmore	Kern	Peaco
Augustine	Greene	McCauley	Pendray
Bonnstetter	Hansen of	McCreery	Roe
Byers	Audubon	Mayne	Rutledge
Davis	Hayes	Miller	Simmer
Dayton	Hesse	Morton	Thiessen
Ditto			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 251, a bill for an act to amend section nine thousand fifty-two (9052) and nine thousand fifty-three (9053) of the code, 1927, relating to the bringing of actions in quo warranto against mutual assessment insurance associations and prescribing the procedure in such actions, and to limiting the amount of assessments which may be levied upon members thereof, was taken up for consideration.

Nelson 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, 73.

Babcock	Durant	Hanson of	Johnson of
Bair	Elliott	Winnebago	Marion
Ballew	Fabritz	Hollingsworth	Kern
Beath	Felter	Hollis	Koch
Berry	Finnern	Hook	Kohler
Bonnstetter	Gallagher	Hopkins	Lamb
Craven	Garrett	Hunt	Langland
Drake of Keokuk	Gissel	Hush	Laughlin
Drake of	Greaser	Husted	Lepley
Muscatine	Greene	Hutcheon	Lichty

McDermott	Osborn	Ryder	Thompson
McLain	Paisley	Rylander	Torgeson
Malone	Pattison	Sours	Van Buren
Mathews	Randolph	Stanzel	Van Wert
Mead	Ratliff	Stiger	Wamstad
Millhone	Rawlings	Strachan	Wearin
Nelson of	Reed	Tamisiea	Whiting
Cherokee	Reimers	TePaske	Witt
Nelson of Story	Roe	Thiessen	Mr. Speaker
O'Donnell			

The nays were, none.

Absent or not voting, 35.

Aiken	Donlon	Helgason	Peaco
Allen	Ellsworth	Hesse	Pendray
Augustine	Figgins	Long	Randall
Avery	Forsling	McCaulley	Rutledge
Brown	Gilmore	McCreery	Shields
Byers	Hansen of	Mayne	Short
Davis	Audubon	Miller	Simmer
Dayton	Hansen of Scott	Morton	Snyder
Ditto	Hayes	Orr	Watts

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Nelson of Story moved that the vote by which House File No. 251 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 252, a bill for an act relating to mutual hail insurance associations; to limit the amount which they may expend for the payment of liabilities or expenses other than those incurred for taxes or loss or damage by hail; to limit the amount of their emergency, reserve or surplus funds; to require them to pay claims which are not in dispute for loss or damage by hail before the last day of the calendar year in which the loss or damage occurs; to include the month of May within those months during which their policies and contracts may be cancelled only at the option of the association; to limit their right to charge their members for the cancellation of their membership, policies or contracts; and to amend sections nine thousand thirty-seven (9037), nine thousand forty (9040), nine thousand forty-eight (9048) and nine thousand fifty-five (9055) of the code, 1927, was taken up for consideration.

Rylander of Marshall offered the following amendments and moved their adoption:

Amend House File No. 252, line six (6) of section one (1) by striking the words "eight tenths of".

Also, by striking in lines nine (9) and ten (10) the words "refunds of assessments in payment of losses".

Amendments adopted.

Rylander 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, 66.

Avery	Greene	McDermott	Short
Babcock	Hansen of Scott	McLain	Simmer
Beath	Hanson of	Malone	Sours
Berry	Winnebago	Mathews	Stiger
Craven	Hollingsworth	Mead	Strachan
Donlon	Hollis	Millhone	Tamisiea
Drake of Keokuk	Hook	Nelson of Story	TePaske
Durant	Hopkins	O'Donnell	Thiessen
Elliott	Husted	Paisley	Thompson
Ellsworth	Koch	Pattison	Torgeson
Fabritz	Kohler	Randall	Van Buren
Felter	Lamb	Randolph	Van Wert
Figgins	Langland	Rawlings	Wamstad
Finnern	Laughlin	Reed	Wearin
Gallagher	Lepley	Roe	Whiting
Garrett	Lichty	Ryder	Mr. Speaker
Greaser	Long	Rylander	

The nays were, 8.

Bonnstetter	Gissel	Kern	Ratliff
Brown	Hutcheon	Osborn	Watts

Absent or not voting, 34.

Aiken	Drake of	Hush	Orr
Allen	Muscatine	Johnson of	Peaco
Augustine	Forsling	Marion	Pendray
Bair	Gilmore	McCaulley	Reimers
Ballew	Hansen of	McCreery	Rutledge
Byers	Audubon	Mayne	Shields
Davis	Hayes	Miller	Snyder
Dayton	Helgason	Morton	Stanzel
Ditto	Hesse	Nelson of	Witt
	Hunt	Cherokee	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rylander of Marshall moved that the vote by which House File No. 252 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Van Buren of Jones moved that the House appoint a conference committee of five for the consideration of Senate File No. 10.

Motion prevailed.

#### CONFERENCE COMMITTEE ON SENATE FILE NO. 10

As a conference committee on Senate File No. 10, on the part of the House, the Speaker appointed the following members: Van Buren of Jones, chairman, Hush of Montgomery, Ellsworth of Hardin, Roe of Allamakee and Rutledge of Webster.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had, on April 13th, approved the following bill:

House File No. 527.

#### AMENDMENTS FILED

Johnson of Marion filed the following amendment to House File No. 576:

Amend House File No. 576 by striking from lines 3 and 4 of Sec. 11, the words "the most accessible" and substitute in lieu thereof the word "a".

Bair of Buena Vista filed the following amendment to House File No. 557:

Amend House File No. 557 as follows:

By striking lines 4 to 14, both inclusive, of Section 2 of the bill, and substituting in lieu thereof the following:

1. By striking lines 3 to 42, both inclusive, of Section 10, Chapter 122, Laws of the 43rd General Assembly, and substituting in lieu thereof the following:

**"4920. Trailers.**

Section 1. Trailers equipped with pneumatic tires shall be subject to a license fee to be fixed in accordance with the following schedule:

(a) Trailers with a capacity of less than one-half ton.....	\$ 2.00
(b) Trailers with a capacity of one-half ton, but with a maximum capacity of less than one ton.....	6.00
(c) Trailers with a capacity of one to two tons, and carrying a body or box of not to exceed three feet eight inches in width	10.00
(d) Trailers with a capacity of one ton, but with a maximum capacity of less than two tons.....	15.00
(e) Trailers with a capacity of two tons, but with a maximum capacity of less than three tons.....	40.00
(f) Trailers with a capacity of three tons, but with a maximum capacity of less than four tons.....	50.00
(g) Trailers with a capacity of four tons, but with a maximum capacity of less than five tons.....	80.00
(h) Trailers with a capacity of five tons, but with a maximum capacity of less than six tons.....	100.00
(i) Trailers with a capacity of six tons, but with a maximum capacity of less than seven tons.....	150.00

Sec. 2. Trailers equipped with two or more solid rubber tires shall be subject to a license fee to be fixed in accordance with the following schedule:

(a) Trailers with a capacity of one-half ton, but with a maximum capacity of less than one ton.....	45.00
(b) Trailers with a capacity of one ton, but with a maximum capacity of less than two tons.....	60.00
(c) Trailers with a capacity of two tons, but with a maximum capacity of less than three tons.....	75.00
(d) Trailers with a capacity of three tons, but with a maximum capacity of less than four tons.....	105.00
(e) Trailers with a capacity of four tons, but with a maximum capacity of less than five tons.....	150.00
(f) Trailers with a capacity of five tons, but with a maximum capacity of less than six tons.....	180.00



- (g) Trailers with a capacity of six tons, but with a maximum capacity of less than seven tons..... 210.00

Torgeson of Worth filed the following amendment as a substitute for the amendment offered by the sifting committee to House File No. 576:

I move to substitute the following amendment for the amendment offered by the Sifting Committee to Section eleven (11) of House File No. 576:

"Sec. 11. After the provisions of subsection (a) of section three (3) of Article XIII of the Constitution of the State of Iowa have been complied with, the remaining funds in the primary road fund shall be used only for the improvement and completion of the improvement of the primary roads as set out in subsection (a), of section three (3) of Article XIII of the Constitution of the State of Iowa, and for the grading, draining, bridging and surfacing of the unimproved portion of the primary road system which has not heretofore been surfaced, excepting such provisions for designation and changes as are defined in section forty-seven hundred fifty-five-b two (4755-b2), code, 1927. Provided, however, that additions to the primary road system shall not exceed fifty (50) miles in any one year."

Torgeson of Worth filed the following amendment to House File No. 576:

Amend House File No. 576 by striking from lines thirteen (13), fourteen (14) and fifteen (15) of Section seven (7) the following words: "an amount which together with any unexpended balance remaining in said primary road bond redemption fund after setting aside an amount sufficient" and inserting in lieu thereof the words and figures: "nine million (\$9,000,000.00) Dollars".

Further amend by striking from lines sixteen (16), seventeen (17) and eighteen (18) of Section seven (7) the words: "is sufficient to make up the required primary road bond redemption fund as herein provided,".

Helgason of Emmet filed the following amendment to House File No. 576:

Amend House File No. 576 by striking out in line nine (9) of Section seven (7) the words and figures "eight million dollars (\$8,000,000.00)" and inserting therefor the words and figures "nine million dollars (9,000,000.00)".

Also amend by striking out in lines twenty-five (25) and twenty-six (26) of Section seven (7) the words and figures "eight million dollars (\$8,000,000.00)" and inserting therefor the words and figures "nine million dollars (\$9,000,000.00)".

Wamstad of Mitchell filed the following amendment to House File No. 576:

Amend House File No. 576 as follows:

Amend Section eight (8) by striking the word "vehicle" in line one (1).

Also, amend by adding as section sixteen (16) the following:

"Sec. 16. Definition of terms as used in this act.

- a. The term "motor" shall include the term "motor vehicle".
- b. The term "gasoline and/or other motor fuel" shall include the term "motor vehicle fuel".

#### REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your Sifting Committee reports out the following bills:

Senate File 358	}	On Previous Calendar.
House File 450		
House File 570		
House File 571		
House File 573		
House File 574		
House File 575		
Senate File 65		
House File 222		
House File 199		

House File No. 425	Senate File No. 68
House File No. 426	Senate File No. 69
House File No. 440	Senate File No. 70
House File No. 464	Senate File No. 125
House File No. 494	Senate File No. 135
House File No. 533	Senate File No. 136
House File No. 535	Senate File No. 138
House File No. 548	Senate File No. 139
House File No. 549	Senate File No. 140
	Senate File No. 141
	Senate File No. 143
	Senate File No. 144
	Senate File No. 239
	Senate File No. 266
	Senate File No. 426

On motion of Mathews of Des Moines the House adjourned until 7:30 p. m. this evening.

## EVENING SESSION

Pursuant to adjournment and motion duly adopted, the House reconvened, Hollingsworth of Boone in the chair.

Memorial resolutions were presented, read and, by rising vote, unanimously adopted, commemorating the lives and public services of the following deceased members of the General Assembly of Iowa:

Charles W. Black, John Bradley, F. N. Buckingham, Luther V. Carter, E. H. Cunningham, W. A. Davie, C. E. De Witt, James W. Ellis, D. Millard Gibson, S. L. Graham, C. B. Hutchins, J. F. Kline, William L. Long, James B. McHose, Christian Miller, Arthur H. Mounce, Henry Linn Pierce, W. F. Schirmer, L. B. Shannon, Asa B. Smith, John B. Truax, George H. Van Houten, William Mansfield Walker, David D. Webster, Winfield S. Withrow.

On motion of Ratliff of Henry 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, APRIL 14, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. R. Stanley Brown, pastor of the Presbyterian Church, Winfield, Iowa.

Journal of April 13th corrected and approved.

## REPORTS OF COMMITTEES

Hanson of Winnebago, from the sifting committee, submitted the following report:

MR. SPEAKER: Your Sifting Committee has introduced to the House, House File No. 582, a bill for an act to amend Section one of chapter one hundred twenty-two (122) of the laws of the Forty-third General Assembly, relating to and defining motor vehicles.

The sifting committee recommends to the House that the bill do pass.

H. N. HANSON, *Chairman*.

Report adopted.

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 579, a bill for an act to make an appropriation to E. M. Badgerow, R. M. Lampman, E. E. Cavanaugh, J. W. Hazard, Dr. E. E. Speaker, J. C. Mabry, Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, and A. L. Wise, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 563, a bill for an act to make an appropriation to A. S. Christopher, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 581, a bill for an act to make an appropriation to J. O. Gilchrist, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 569, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 580, a bill for an act to make an appropriation to Laura E. Sellers, beg leave to report they have had the same under consideration and have instructed me to report the same back without recommendation.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 389, a bill for an act to make an appropriation to William E. Quinn, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

## INTRODUCTION OF BILL

House File No. 582, by sifting committee, a bill for an act to amend Section one of chapter one hundred twenty-two (122) of the laws of the Forty-third General Assembly, relating to and defining motor vehicles.

Read first and second times and passed on file.

## RESOLUTION

John Ryder, Fred W. Nelson, O. J. Reimers, S. R. Torgeson, J. F. Rylander, H. N. Hanson, Roy Sours, Geo. M. Hopkins, Thore Thompson, H. C. Pattison, F. D. Mead, George C. Stanzel, Leonard Simmer, LeRoy Shields, Stanley Watts, C. M. Langland, H. F. Garrett, Ed Rawlings, J. H. Thiessen, H. C. Finner, G. E. Van Wert, Homer Hush, Ellet Lepley, S. B. Durant, Lewis Greaser, W. H. Strachan, S. F. Randolph, Peter Hansen, W. J. McLain, Victor Felter, J. N. Hayes, G. H. Hesse, A. H. Avery, Anthony TePaske, Chas. S. Hook, George O'Donnell, Carolyn C. Pendray, Walter Osborn, Wallace M. Short, A. H. Bonnstetter, W. H. Gissel, J. E. Craven, E. O. Helgason, Brede Wamstad, F. Hollingsworth, H. S. Berry, J. F. Babcock, Byron G. Allen, John H. Aiken, F. H. Beath, Ove T. Roe, G. J. Van Buren, John McDermott, Samuel D. Whiting and O. J. Ditto offered the following resolution:

*Whereas*, The people of Iowa, by an overwhelming vote at the primary and general election, have expressed themselves in favor of a state income tax applicable to both individuals and corporations, and

*Whereas*, The House with decisive vote has on two occasions rejected the County Assessor bill, and

*Whereas*, The Iowa Senate has not yet voted on the question of the enactment of an income tax bill without having the County Assessor bill attached to it,

*Be It Therefore Resolved*, That the President of the Senate be requested to appoint a conference committee which will submit a report allowing the Senate to decide whether or not the income tax bill unincumbered with the county assessor amendment shall be passed.

Laid over under Rule 34.

## SENATE CONCURRENT RESOLUTION NO. 14 CONSIDERED

Johnson of Marion called up Senate Concurrent Resolution No. 14, found in the Journal of April 11th, and moved its adoption.

Motion prevailed and the concurrent resolution was adopted.

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO  
SENATE FILE NO. 107 CALLED UP

Bair of Buena Vista called up the Senate amendments to House amendments to Senate File No. 107, found in the Journal of April 3d, and moved that the House concur in Senate amendments to House amendments to Senate File No. 107.

On the question "Shall the House concur?" a roll call was demanded.

The ayes were, 69.

Aiken	Gissel	Long	Ryder
Allen	Greaser	McCaulley	Rylander
Augustine	Hansen of Scott	McLain	Snyder
Avery	Helgason	Malone	Sours
Babcock	Hesse	Mathews	Stanzel
Bair	Hollis	Mayne	Stiger
Beath	Hook	Millhone	Strachan
Berry	Hopkins	Nelson of	TePaske
Bonnstetter	Hunt	Cherokee	Thiessen
Byers	Johnson of	Nelson of Story	Thompson
Dayton	Marion	Paisley	Torgeson
Ditto	Kern	Pattison	Van Wert
Donlon	Kohler	Peaco	Watts
Elliott	Lamb	Randall	Wearin
Fabritz	Langland	Randolph	Whiting
Figgins	Laughlin	Ratliff	Witt
Finnern	Lepley	Reed	Mr. Speaker
Garrett	Lichty	Reimers	

The nays were, none.

Absent or not voting, 39.

Ballew	Gallagher	Husted	Pendray
Brown	Gilmore	Hutcheon	Rawlings
Craven	Greene	Koch	Roe
Davis	Hansen of	McCreery	Rutledge
Drake of Keokuk	Audubon	McDermott	Shields
Drake of	Hanson of	Mead	Short
Muscatine	Winnebago	Miller	Simmer
Durant	Hayes	Morton	Tamisiea
Ellsworth	Hollingsworth	O'Donnell	Van Buren
Felter	Hush	Orr	Wamstad
Forsling		Osborn	

House concurred in Senate amendments to House amendments to Senate File No. 107.

#### MOTION TO RECONSIDER CALLED UP

Johnson of Marion called up his motion to reconsider the vote by which House File No. 259 passed the House, found in the Journal of April 13th, and moved that the motion to reconsider be laid on the table.

Motion prevailed.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, request a call of the House for the consideration of the motion made by the gentleman from Delaware in regard to House File No. 336.

O. J. DITTO

OTHA D. WEARIN

H. M. GREENE

GEORGE O'DONNELL

ED. RAWLINGS

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Morton of Wright, who, on motion, was excused.

#### MOTION

Davis of Delaware moved that House File No. 336, a bill relating to the eradication of bovine tuberculosis, be called from the sifting committee and placed on the calendar of the House.

Allen of Pocahontas moved as a substitute that the House proceed with the House calendar.

Kern of Polk moved the previous question.

Motion prevailed.

On the question "Shall the substitution be made?" a roll call was demanded.



The ayes were, 80.

Allen	Garrett	Long	Reed
Augustine	Greaser	McCaulley	Reimers
Avery	Greene	McCreery	Poe
Babcock	Hansen of Scott	McDermott	Rutledge
Bair	Hanson of	McLain	Rylander
Ballew	Winnebago.	Malone	Snyder
Beath	Helgason	Mayne	Sours
Bonnstetter	Hesse	Mead	Stanzel
Brown	Hollingsworth	Millhone	Stiger
Byers	Hollis	Miller	Strachan
Craven	Hopkins	Nelson of	Tamisiea
Dayton	Hunt	Cherokee	TePaske
Ditto	Hush	Nelson of Story	Thiessen
Donlon	Husted	O'Donnell	Thompson
Durant	Hutcheon	Osborn	Torgeson
Elliott	Johnson of	Pattison	Van Buren
Ellsworth	Marion	Peaco	Van Wert
Fabritz	Kern	Randall	Wamstad
Felter	Lamb	Randolph	Witt
Forsling	Lepley	Ratliff	Mr. Speaker
Gallagher	Lichty	Rawlings	

The nays were, 22.

Aiken	Figgins	Langland	Short
Berry	Finnern	Laughlin	Simmer
Davis	Gilmore	Mathews	Watts
Drake of Keokuk	Hook	Paisley	Wearin
Drake of	Koch	Pendray	Whiting
Muscatine	Kohler	Ryder	

Absent or not voting, 6.

Gissel	Hansen of	Hayes	Orr
	Audubon	Morton	Shields

Motion prevailed and substitution was made.

Substitute motion adopted.

#### HOUSE RECEDES FROM AMENDMENT

Brown of Polk moved that the House recede from the House amendments to Senate File No. 297.

On the question "Shall the House recede?" a roll call was demanded.

The ayes were, 88.

Aiken	Beath	Craven	Drake of
Allen	Berry	Dayton	Muscatine
Augustine	Bonnstetter	Ditto	Durant
Avery	Brown	Donlon	Elliott
Babcock	Byers	Drake of Keokuk	Ellsworth

Fabritz	Kern	Miller	Short
Felter	Koch	Nelson of	Snyder
Figgins	Kohler	Cherokee	Sours
Forsling	Lamb	Nelson of Story	Stanzel
Gallagher	Langland	O'Donnell	Stiger
Garrett	Laughlin	Paisley	Tamisiea
Gilmore	Lepley	Pattison	TePaske
Gissel	Lichty	Peaco	Thiessen
Greaser	Long	Pendray	Thompson
Hansen of Scott	McCaulley	Randall	Torgeson
Helgason	McCreery	Randolph	Van Wert
Hesse	McDermott	Ratliff	Watts
Hollingsworth	McLain	Rawlings	Wearin
Hollis	Malone	Reed	Whiting
Hook	Mathews	Roe	Witt
Hunt	Mayne	Rutledge	Mr. Speaker
Husted	Mead	Ryder	
Hutcheon	Millhenc	Rylander	

The nays were, 5.

Bair	Hopkins	Osborn	Strachan
Finnern			

Absent or not voting, 15.

Ballew	Hanson of	Johnson of	Shields
Davis	Winnebago	Marion	Simmer
Greene	Hayes	Morton	Van Buren
Hansen of	Hush	Orr	Wamstad
Audubon		Reimers	

House recedes from its amendments to Senate File No. 297.

### CONSIDERATION OF BILLS

Senate File No. 358, a bill for an act to amend chapter seventy-eight (78), Code, 1927, relating to permits to sell cigarettes or cigarette papers and to the tax relating thereto, and to provide for refunds of tax in certain cases, with report of sifting committee recommending amendment and passage, was taken up for consideration.

On motion of Elliott of Scott, the amendment proposed by the committee, found in the Journal of April 2nd, was adopted.

Mr. Elliott moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 85.

Aiken	Felter	Koch	Ratliff
Allen	Figgins	Kohler	Rawlings
Augustine	Finnern	Lamb	Reed
Avery	Forsling	Langland	Reimers
Babcock	Gallagher	Laughlin	Roe
Bair	Gilmore	Lepley	Rutledge
Ballew	Gissel	Lichty	Ryder
Beath	Greaser	Long	Short
Berry	Greene	McCaulley	Sours
Bonnstetter	Hansen of Scott	McDermott	Stanzel
Brown	Helgason	McLain	Strachan
Byers	Hesse	Malone	Tamisiea
Craven	Hollingsworth	Mathews	TePaske
Dayton	Hollis	Mead	Thiessen
Donlon	Hook	Millhone	Torgeson
Drake of Keokuk	Hopkins	Nelson of Story	Van Buren
Drake of Muscatine	Hunt	Osborn	Van Wert
Durant	Hush	Paisley	Watts
Elliott	Hutcheon	Pattison	Whiting
Ellsworth	Johnson of	Peaco	Witt
Fabritz	Marion	Pendray	Mr. Speaker
	Kern	Randolph	

The nays were, none.

Absent or not voting, 23.

Davis	Hayes	Nelson of	Simmer
Ditto	Husted	Cherokee	Snyder
Garrett	McCreery	O'Donnell	Stiger
Hansen of	Mayne	Orr	Thompson
Audubon	Miller	Randall	Wamstad
Hanson of	Morton	Rylander	Wearin
Winnebago		Shields	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTIONS TO RECONSIDER CALLED UP

Gallagher of Iowa called up his motion to reconsider the vote by which Senate File No. 41 passed the House, found in the Journal of April 6th.

Ditto of Osceola moved that the motion to reconsider be laid on the table.

Motion to lay on the table prevailed.

Rutledge of Webster moved to reconsider the vote by which the motion to reconsider Senate File No. 111 was laid on the table.

On the question "Shall the House reconsider?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 77.

Allen	Forsling	Laughlin	Rawlings
Augustine	Gallagher	Lichty	Reed
Avery	Gissel	Long	<b>Reimers</b>
Babcock	Greaser	McCaulley	Rutledge
Beath	Greene	McDermott	Ryder
Berry	Hansen of	McLain	Rylander
Bonnstetter	Audubon	Malone	Shields
Brown	Hesse	Mathews	Short
Byers	Hollingsworth	Mayne	Snyder
Craven	Hopkins	Mead	Sours
Dayton	Hunt	Millhone	Stanzel
Ditto	Hush	Nelson of	Stiger
Donlon	Hutcheon	Cherokee	Strachan
Drake of Keokuk	Johnson of	Nelson of Story	Tamisiea
Drake of	Marion	O'Donnell	TePaske
Muscatine	Kern	Paisley	Thiessen
Durant	Koch	Pattison	Wearin
Elliott	Kohler	Randall	Whiting
Ellsworth	Lamb	Randolph	Witt
Fabritz	Langland	Ratliff	Mr. Speaker
Felter			

The nays were, 24.

Aiken	Hansen of Scott	Husted	Thompson
Bair	Hanson of	Lepley	Torgeson
Ballew	Winnebago	Miller	Van Buren
Davis	Helgason	Osborn	Van Wert
Figgins	Hollis	Pendray	Wamstad
Finnern	Hook	Roe	Watts
Gilmore			

Absent or not voting, 7.

Garrett	McCreery	Orr	Simmer
Hayes	Morton	Peaco	

Motion prevailed and Senate File No. 111 was taken from the table.

Rutledge of Webster called up his motion to reconsider the vote by which Senate File No. 111 failed to pass the House, found in the Journal of April 4th, and moved its adoption.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 69.

Allen	Babcock	Berry	Byers
Augustine	Bair	Bonnstetter	Craven
Avery	Beath	Brown	Dayton

Ditto	Hansen of	Lichty	Randall
Donlon	Audubon	Long	Randolph
Drake of Keokuk	Hesse	McCaulley	Reed
Drake of	Hollingsworth	McDermott	Roe
Muscatine	Hunt	McLain	Rutledge
Durant	Hush	Malone	Ryder
Elliott	Hutcheon	Mathews	Rylander
Ellsworth	Johnson of	Mayne	Snyder
Fabritz	Marion	Mead	Sours
Felter	Kern	Millhone	Stanzel
Forsling	Koch	Nelson of	Stiger
Gallagher	Kohler	Cherokee	Strachan
Gissel	Lamb	O'Donnell	TePaske
Greaser	Langland	Paisley	Whiting
Greene	Laughlin	Pattison	Witt
			Mr. Speaker

The nays were, 21.

Aiken	Hanson of	Husted	Torgeson
Ballew	Winnebago	Lenley	Van Buren
Figgins	Helgason	Osborn	Van Wert
Finnern	Hollis	Pendray	Wamstad
Gilmore	Hook	Thompson	Watts
Hansen of Scott	Hopkins		

Absent or not voting, 18.

Davis	Morton	Rawlings	Simmer
Garrett	Nelson of Story	Reimers	Tamisiea
Hayes	Orr	Shields	Thiessen
McCreery	Peaco	Short	Wearin
Miller	Ratliff		

Motion to reconsider prevailed.

Rutledge of Webster moved to reconsider the vote by which Senate File No. 111 passed to its third reading.

Motion prevailed.

#### SPECIAL ORDER MADE

Rutledge of Webster asked and obtained unanimous consent to have Senate File No. 111 made a special order for Wednesday, April 15th, at 10:30 a. m.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 450, a bill for an act to amend section twenty-five hundred sixty-four (2564), of the code, 1927, pertaining to the requirements necessary for training school for nurses.

Dayton of Washington asked and obtained unanimous consent to have the amendment filed by him and found in the Journal of April 9th and amended on April 13th withdrawn.

Ellsworth of Hardin offered the following amendment and moved its adoption:

Amend House File No. 450 by striking in lines four (4) and five (5) of section one (1) the word and figures "twenty (20)" and inserting in lieu thereof the word and figures "ten (10)".

Amendment adopted.

Dayton 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, 65.

Avery	Gilmore	Lepley	Ratliff
Babcock	Greene	Lichty	Reed
Bair	Hansen of	McCaulley	Reimers
Ballew	Audubon	McCreery	Roe
Beath	Hansen of Scott	McDermott	Rylander
Bonnstetter	Hanson of	McLain	Snyder
Brown	Winnebago	Malone	Sours
Craven	Hesse	Mead	Stiger
Dayton	Hollingsworth	Millhone	TePaske
Donlon	Hollis	Nelson of	Thompson
Drake of	Hook	Cherokee	Torgeson
Muscatine	Husted	Osborn	Van Wert
Durant	Hutcheon	Paisley	Wamstad
Ellsworth	Koch	Pattison	Watts
Fabritz	Kohler	Pendray	Wearin
Felter	Lamb	Randall	Witt
Finnern	Langland	Randolph	Mr. Speaker
Gallagher			

The nays were, 10.

Allen	Greaser	Hush	Thiessen
Byers	Helgason	Laughlin	Whiting
Davis		Ryder	

Absent or not voting, 33.

Aiken	Gissel	Mathews	Rutledge
Augustine	Hayes	Mayne	Shields
Berry	Hopkins	Miller	Short
Ditto	Hunt	Morton	Simmer
Drake of Keokuk	Johnson of	Nelson of Story	Stanzel
Elliott	Marion	O'Donnell	Strachan
Figgins	Kern	Orr	Tamisiae
Forsling	Long	Peaco	Van Buren
Garrett		Rawlings	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 570, a bill for an act to amend Section sixty-nine hundred sixty-five (6965) Code of 1927, providing for the assessment of Grain, Ice and Coal Dealers, was taken up for consideration.

McCaulley 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, 72.

Avery	Greene	Laughlin	Roe
Babcock	Hansen of	Lepley	Ryder
Ballew	Audubon	Lichty	Rylander
Beath	Hansen of Scott	McCaulley	Simmer
Berry	Hanson of	McDermott	Sours
Bonnstetter	Winnebago	McLain	Stanzel
Brown	Hollingsworth	Malone	Stiger
Craven	Hollis	Mead	Strachan
Dayton	Hook	Millhone	TePaske
Ditto	Hopkins	Nelson of	Thiessen
Donlon	Hunt	Cherokee	Thompson
Drake of Keokuk	Hush	Nelson of Story	Torgeson
Durant	Husted	Osborn	Van Buren
Ellsworth	Hutcheon	Pattison	Van Wert
Felter	Johnson of	Pendray	Wamstad
Finnern	Marion	Randolph	Watts
Gallagher	Koch	Ratliff	Wearin
Gilmore	Lamb	Reed	Witt
Greaser	Langland	Reimers	Mr. Speaker
The nays were, 4.			
Bair	Davis	Forsling	McCreery

Absent or not voting, 32.

Aiken	Garrett	Mathews	Randall
Allen	Gissel	Mayne	Rawlings
Augustine	Hayes	Miller	Rutledge
Byers	Helgason	Morton	Shields
Drake of	Hesse	O'Donnell	Short
Muscatine	Kern	Orr	Snyder
Elliott	Kohler	Paisley	Tamisiea
Fabritz	Long	Peaco	Whiting
Figgins			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 571, a bill for an act to repeal section seven thousand twelve (7012) of the Code of 1927, was taken up for consideration.

Donlon of Palo Alto moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Augustine	Hanson of	Lichty	Ryder
Avery	Winnebago	Long	Short
Babcock	Helgason	McCaulley	Simmer
Ballew	Hollingsworth	McCreery	Snyder
Beath	Hollis	McDermott	Sours
Berry	Hook	McLain	Stanzel
Bonnstetter	Hopkins	Malone	Stiger
Brown	Hunt	Mead	TePaske
Craven	Hush	Millhone	Thiessen
Ditto	Husted	Nelson of	Thompson
Donlon	Hutcheon	Cherokee	Torgeson
Durant	Johnson of	Pattison	Van Buren
Felter	Marion	Pendray	Van Wert
Figgins	Koch	Randolph	Wamstad
Finnern	Kohler	Ratliff	Watts
Gilmore	Lamb	Reed	Wearin
Greaser	Langland	Reimers	Witt
Greene	Laughlin	Roe	Mr. Speaker
Hansen of Scott	Lepley		

The nays were, 1.

Osborn

Absent or not voting, 36.

Aiken	Ellsworth	Kern	Peaco
Allen	Fabritz	Mathews	Randall
Bair	Forsling	Mayne	Rawlings
Byers	Gallagher	Miller	Rutledge
Davis	Garrett	Morton	Rylander
Dayton	Gissel	Nelson of Story	Shields
Drake of Keokuk	Hansen of	O'Donnell	Strachan
Drake of	Audubon	Orr	Tamisiea
Muscatine	Hayes	Paisley	Whiting
Elliott	Hesse		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 573, a bill for an act to amend section sixty-nine hundred ninety-six (6996), Code of 1927, providing for the taxation of corporations organized under the provisions of section sixty-nine hundred ninety-four (6994), Code of 1927, was taken up for consideration.

Ditto of Osceola moved that the bill be read a third time now



and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Augustine	Gissel	Laughlin	Roe
Avery	Greaser	Lepley	Rylander
Babcock	Hanson of	Lichty	Snyder
Ballew	Winnebago	McCaulley	Sours
Beath	Helgason	McCreery	Stanzel
Berry	Hollingsworth	McLain	Stiger
Bonnstetter	Hollis	Malone	TePaske
Craven	Hook	Mead	Thiessen
Davis	Hopkins	Millhone	Thompson
Ditto	Hunt	O'Donnell	Torgeson
Donlon	Hush	Osborn	Van Buren
Durant	Husted	Pattison	Van Wert
Ellsworth	Johnson of	Pendray	Wamstad
Felter	Marion	Randolph	Watts
Figgins	Koch	Ratliff	Wearin
Finnern	Kohler	Rawlings	Whiting
Forsling	Lamb	Reed	Witt
Gallagher	Langland	Reimers	Mr. Speaker
Gilmore			

The nays were, none.

Absent or not voting, 37.

Aiken	Fabritz	Long	Paisley
Allen	Garrett	McDermott	Peaco
Bair	Greene	Mathews	Randall
Brown	Hansen of	Mayne	Rutledge
Byers	Audubon	Miller	Ryder
Dayton	Hansen of Scott	Morton	Shields
Drake of Keokuk	Hayes	Nelson of	Short
Drake of	Hesse	Cherokee	Simmer
Muscatine	Hutcheon	Nelson of Story	Strachan
Elliott	Kern	Orr	Tamisiea

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 574, a bill for an act to amend Section sixty-nine hundred fifty-three (6953), Code of 1927, relating to the taxation of real and personal property, was taken up for consideration.

Johnson of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 67.

Avery	Hansen of Scott	Lepley	Ryder
Babcock	Hanson of	Long	Snyder
Bair	Winnebago	McCaulley	Sours
Ballew	Hollingsworth	McCreery	Stiger
Beath	Hollis	McLain	Strachan
Berry	Hook	Malone	TePaske
Bonnstetter	Hopkins	Mead	Thiessen
Davis	Hunt	Millhone	Thompson
Drake of Keokuk	Husted	Nelson of	Torgeson
Durant	Hutcheon	Cherokee	Van Buren
Ellsworth	Johnson of	Osborn	Van Wert
Felter	Marion	Pattison	Wamstad
Figgins	Kern	Pendray	Watts
Finnern	Koch	Randall	Wearin
Gallagher	Kohler	Randolph	Whiting
Garrett	Langland	Ratliff	Witt
Gissel	Laughlin	Reed	Mr. Speaker
Greaser		Roe	

The nays were, 2.

Craven                      McDermott

Absent or not voting, 39.

Aiken	Fabritz	Lamb	Peaco
Allen	Forsling	Lichty	Rawlings
Augustine	Gilmore	Mathews	Reimers
Brown	Greene	Mayne	Rutledge
Byers	Hansen of	Miller	Rylander
Dayton	Audubon	Morton	Shields
Ditto	Hayes	Nelson of Story	Short
Donlon	Helgason	O'Donnell	Simmer
Drake of	Hesse	Orr	Stanzel
Muscatine	Hush	Paisley	Tamisiea
Elliott			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 575, a bill for an act to amend section sixty-nine hundred eighty-eight (6988), Code of 1927, providing for the deduction of indebtedness in the assessment of moneys and credits, was taken up for consideration.

Hollingsworth of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 75.

Avery	Greaser	Lepley	Reimers
Babcock	Hansen of	Lichty	Roe
Bair	Audubon	Long	Ryder
Ballew	Hansen of Scott	McCaulley	Rylander
Beath	Hanson of	McCreery	Snyder
Berry	Winnebago	McLain	Sours
Bonnstetter	Helgason	Malone	Stanzel
Brown	Hollingsworth	Mead	Stiger
Craven	Hollis	Millhone	Strachan
Davis	Hook	Nelson of	TePaske
Ditto	Hopkins	Cherokee	Thiessen
Donlon	Hunt	Orr	Thompson
Durant	Hush	Osborn	Torgeson
Ellsworth	Husted	Pattison	Van Buren
Fabritz	Hutcheon	Pendray	Van Wert
Felter	Kern	Randall	Wamstad
Figgins	Koch	Randolph	Whiting
Finnern	Kohler	Ratliff	Witt
Garrett	Lamb	Reed	Mr. Speaker
Gissel	Langland		

The nays were, none.

Absent or not voting, 33.

Aiken	Forsling	McDermott	Rawlings
Allen	Gallagher	Mathews	Rutledge
Augustine	Gilmore	Mayne	Shields
Byers	Greene	Miller	Short
Dayton	Hayes	Morton	Simmer
Drake of Keokuk	Hesse	Nelson of Story	Tamisiea
Drake of	Johnson of	O'Donnell	Watts
Muscatine	Marion	Paisley	Wearin
Elliott	Laughlin	Peaco	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 65, a bill for an act to repeal the law as it appears in sections seventy-three hundred fourteen (7314), seventy-three hundred sixteen (7316), and seventy-three hundred forty (7340) of the code of Iowa 1927, and to amend the law as it appears in sections seventy-three hundred seven (7307), seventy-three hundred eight (7308), seventy-three hundred thirteen (7313), seventy-three hundred thirty-one (7331), and seventy-three hundred sixty-one (7361) of the code of Iowa 1927, relating to the rates, imposition, levy and collection of an inheritance tax, and to provide exemptions in connection therewith, was taken up for consideration.

McCaulley of Calhoun offered the following amendment and moved its adoption:

Amend Senate File No. 65, by striking section ten (10).

Reed of Mahaska moved the previous question.

Motion prevailed.

Amendment lost.

McCaulley 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?" Rule 18 was invoked.

The ayes were, 74.

Augustine	Gissel	Lepley	Reed
Avery	Greaser	Lichty	Reimers
Babcock	Hansen of	McCaulley	Roe
Ballew	Audubon	McCreery	Rylander
Beath	Hansen of Scott	McDermott	Short
Berry	Hanson of	McLain	Simmer
Bonnstetter	Winnebago	Malone	Snyder
Brown	Helgason	Mayne	Sours
Craven	Hollis	Mead	Stiger
Davis	Hook	Millhone	Strachan
Ditto	Hopkins	Nelson of	Tamisiea
Donlon	Hunt	Cherokee	TePaske
Drake of Keokuk	Hush	Orr	Thiessen
Durant	Husted	Osborn	Thompson
Elliott	Hutcheon	Pattison	Torgeson
Felter	Kern	Pendray	Van Buren
Finnern	Koch	Randolph	Van Wert
Forsling	Langland	Ratliff	Whiting
Gallagher	Laughlin	Rawlings	Mr. Speaker
Garrett			

The nays were, 23.

Bair	Hollingsworth	Mathews	Rutledge
Ellsworth	Johnson of	Nelson of Story	Ryder
Fabritz	Marion	O'Donnell	Stanzel
Figgins	Kohler	Paisley	Watts
Gilmore	Lamb	Peaco	Wearin
Hayes	Long	Randall	Witt

Absent or not voting, 11.

Aiken	Dayton	Greene	Morton
Allen	Drake of	Hesse	Shields
Byers	Muscatine	Miller	Wamstad

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

McCaulley of Calhoun moved that the vote by which Senate

File No. 65 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MOTION TO RECONSIDER CALLED UP

Kern of Polk called up the motion by Reed of Mahaska to reconsider the vote by which House File No. 390 failed to pass the House, found in the Journal of April 9th and moved its adoption.

McCaulley of Calhoun moved to lay the motion to reconsider on the table.

On the question "Shall the motion to reconsider be laid on the table?" a roll call was demanded.

The ayes were, 27.

Augustine	McCreery	Nelson of Story	Roe
Ballev	McDermott	O'Donnell	Short
Ellsworth	McLain	Orr	Sours
Felter	Mathews	Pendray	Stanzel
Figgins	Mead	Randall	TePaske
Kohler	Nelson of	Reed	Mr. Speaker
Lamb	Cherokee	Reimers	
McCaulley			

The nays were, 55.

Avery	Gallagher	Hunt	Peaco
Babcock	Garrett	Hush	Randolph
Bair	Gilmore	Husted	Rawlings
Beath	Greaser	Hutcheon	Ryder
Berry	Hansen of	Kern	Rylander
Bonnstetter	Audubon	Koch	Thiessen
Brown	Hanson of	Langland	Thompson
Ditto	Winnebago	Laughlin	Torgeson
Donlon	Hayes	Lepley	Van Buren
Drake of Keokuk	Helgason	Long	Van Wert
Drake of	Hollingsworth	Malone	Wamstad
Muscatine	Hollis	Mayne	Watts
Durant	Hook	Millhone	Wearin
Elliott	Hopkins	Osborn	Witt
Finnern		Pattison	

Absent or not voting, 26.

Aiken	Forsling	Lichty	Simmer
Allen	Gissel	Miller	Snyder
Byers	Greene	Morton	Stiger
Craven	Hansen of Scott	Paisley	Strachan
Davis	Hesse	Ratliff	Tamisiea
Dayton	Johnson of	Rutledge	Whiting
Fabritz	Marion	Shields	

Motion to lay on the table lost.

Van Buren of Jones moved the previous question.

Motion prevailed.

On the question "Shall the House reconsider?" a roll call was demanded?" Rule 18 was invoked.

The ayes were, 82.

Aiken	Garrett	Koch	Randall
Allen	Greaser	Kohler	Randolph
Augustine	Greene	Lamb	Rawlings
Avery	Hansen of	Langland	Roe
Babcock	Audubon	Laughlin	Ryder
Bair	Hansen of Scott	Lepley	Rylander
Beath	Hanson of	Lichty	Snyder
Berry	Winnebago	Long	Sours
Bonnstetter	Hayes	McCreery	Stanzel
Brown	Helgason	McDermott	Stiger
Craven	Hesse	McLain	TePaske
Davis	Hollingsworth	Malone	Thiessen
Dayton	Hollis	Mayne	Thompson
Ditto	Hook	Mead	Torgeson
Donlon	Hopkins	Millhone	Van Buren
Drake of Keokuk	Hunt	Nelson of	Van Wert
Drake of	Hush	Cherokee	Wamstad
Muscatine	Husted	Nelson of Story	Watts
Durant	Hutcheon	Orr	Wearin
Elliott	Johnson of	Osborn	Whiting
Finnern	Marion	Paisley	Witt
Gallagher	Kern	Peaco	

The nays were, 18.

Ballew	Gilmore	Pattison	Rutledge
Ellsworth	Gissel	Pendray	Short
Felter	McCaulley	Ratliff	Strachan
Figgins	Mathews	Reed	Mr. Speaker
Forsling	O'Donnell		

Absent or not voting, 8.

Byers	Miller	Reimers	Simmer
Fabritz	Morton	Shields	Tamisia

Motion prevailed and House reconsidered.

On the question "Shall the bill pass?"

The ayes were, 79.

Aiken	Berry	Ditto	Elliott
Augustine	Bonnstetter	Donlon	Finnern
Avery	Brown	Drake of Keokuk	Gallagher
Babcock	Craven	Drake of	Garrett
Bair	Davis	Muscatine	Greaser
Beath	Dayton	Durant	Greene

Hansen of	Hutcheon	Malone	Ryder
Audubon	Johnson of	Mayne	Rylander
Hansen of Scott	Marion	Millhone	Snyder
Hanson of	Kern	Nelson of	Sours
Winnnebago	Koch	Cherokee	Stiger
Hayes	Kohler	Nelson of Story	TePaske
Helgason	Lamb	Orr	Thiessen
Hesse	Langland	Osborn	Thompson
Hollingsworth	Laughlin	Paisley	Torgeson
Hollis	Lepley	Peaco	Van Wert
Hook	Lichty	Randall	Wamstad
Hopkins	Long	Randolph	Watts
Hunt	McCreery	Rawlings	Wearin
Hush	McDermott	Roe	Whiting
Husted	McLain	Rutledge	Witt

The nays were, 18.

Ballew	Gilmore	Pattison	Short
Ellsworth	Gissel	Pendray	Stanzel
Felter	McCaulley	Ratliff	Strachan
Figgins	Mathews	Reed	Mr. Speaker
Forsling	O'Donnell		

Absent or not voting, 11.

Allen	Mead	Reimers	Tamisiea
Byers	Miller	Shields	Van Buren
Fabritz	Morton	Simmer	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Kern of Polk moved that the vote by which House File No. 390 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 222, a bill for an act to amend section forty-seven hundred fifty-three-a seventeen (4753-a17) of the code, 1927, as amended by chapter twenty-three (23) acts of the forty-third (43rd) general assembly, relating to the limitation of indebtedness for the financing of improvement of the highways, was taken up for consideration.

Torgeson of Worth offered the following amendment and moved its adoption:

Amend by striking the period (.) at end of Section one (1) thereof and inserting in lieu thereof a semi colon (;) and adding the following: "provided however that the limitation of this act shall not apply to bonds authorized but not issued previous to the taking effect of this act".

Amendment adopted.

Torgeson of Worth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 46.

Aiken	Hansen of	Nelson of Story	Stanzel
Augustine	Audubon	O'Donnell	Strachan
Beath	Hanson of	Peaco	TePaske
Berry	Winnebago	Pendray	Thiessen
Bonnstetter	Helgason	Randall	Thompson
Craven	Hook	Randolph	Torgeson
Davis	Hopkins	Rawlings	Van Buren
Donlon	Hush	Roe	Van Wert
Felter	Hutcheon	Rylander	Wamstad
Figgins	Lamb	Shields	Watts
Finnern	Langland	Short	Wearin
Gissel	Lepley	Snyder	Mr. Speaker

The nays were, 53.

Avery	Forsling	Kern	Nelson of
Babcock	Gallagher	Koch	Cherokee
Bair	Garrett	Kohler	Orr
Ballew	Greaser	Lichty	Osborn
Brown	Greene	Long	Pattison
Dayton	Hansen of Scott	McCaulley	Ratliff
Ditto	Hayes	McCreery	Reed
Drake of Keokuk	Hesse	McDermott	Rutledge
Drake of	Hollingsworth	McLain	Ryder
Muscatine	Hollis	Malone	Sours
Durant	Hunt	Mathews	Stiger
Elliott	Husted	Mayne	Tamisiea
Ellsworth	Johnson of	Mead	Whiting
Fabritz	Marion	Millhone	Witt

Absent or not voting, 9.

Allen	Laughlin	Morton	Reimers
Byers	Miller	Paisley	Simmer
Gilmore			

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Johnson of Marion moved that the vote by which House File No. 222 failed to pass the House be reconsidered and the motion to reconsider be laid on the table.

**Motion prevailed.**



## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 236 and 309.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*Chairman Senate Committee.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 249, 302, 345, 368 and 372.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 236 and 309. Also, House Files Nos. 249, 302, 345, 368, 372.

## BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 249, 302, 345, 368, 372.

C. J. ORR, *Chairman*.

Report adopted.

On motion of Fabritz of Wapello the House adjourned until 1:30 p. m. today.

### AFTERNOON SESSION

House reconvened, Speaker Johnson in the chair.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has adopted the report of the conference committee, and the supplemental report of said committee on Senate File No. 133 relating to motor vehicles and traffic on highways.

WALTER H. BEAM, *Secretary*.

### CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 133

Bair of Buena Vista, chairman of the conference committee on Senate File No. 133 on the part of the House, submitted the following report of the conference committee and moved its adoption:

MR. PRESIDENT AND MR. SPEAKER: We, the members of your Conference Committee, appointed on April 6, 1931, to confer relative to Senate File No. 133, report that we have agreed as follows:

1. That Section four (4) of said Senate File No. 133, as the same passed the House, be amended by inserting after the word "vehicle" at the end of line one (1) and preceding the word "which" at the beginning of line two (2), the following: ", except fire fighting apparatus,".

2. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking from lines three (3) and four (4) thereof, the word and figures "forty (40)" and substituting in lieu thereof the words and figures "forty-five (45)".

3. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking from line ten (10) thereof the word "primary" and by striking from line eleven (11) thereof the word "only".

4. That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by striking all of line thirteen (13) to eighteen (18) inclusive, and inserting in lieu thereof the following: "Construction equipment or material which exceeds the limits of size or weight specified in this act may be moved over the highways, after first securing the approval of the board or body in control of such highways, or its authorized representative."

5. That Section eight (8) of said Senate File No. 133, as the same passed the House, be amended by striking therefrom lines five (5) to thirty-three (33) inclusive, and substituting in lieu thereof the following: "By striking all of said section five thousand sixty-five (5065) following the word "weight" in line five (5) thereof and substituting in lieu thereof the following: "of any vehicle or combination of vehicles and load shall not in any event exceed twelve (12) tons plus four hundred fifty (450) pounds for each foot, or fraction thereof, of distance between the front and rear axles of the vehicle or first and last axles of a combination of vehicles. Two or more wheels on the same end of a given axle shall be considered as one wheel."

6. That Section nine (9) of said Senate File No. 133, as the same passed the House, be amended by adding to said section the following: "Provided that permits issued under this section for the operation of combinations, which include a trailer or semi-trailer more than thirty (30) feet in length, shall terminate on December thirty-first (31), Nineteen Hundred Thirty-one (1931)."

7. That Section ten (10) of said Senate File No. 133, as the same passed the House, be amended by striking from line five (5) the word and figure "eight (8)" and substituting in lieu thereof the word and figure "four (4)".

8. That Section ten (10) of said Senate File No. 133, as the same passed the House, be further amended by striking all of said section following the word "the" in line seven (7) thereof and substituting the following: "board or body in control of said highways, or its authorized representative,".

9. That said Senate File No. 133, as the same passed the House, be further amended by striking therefrom all of Section eleven (11) and substituting the following in lieu thereof:

"Sec. 11. That Section two (2) of Chapter one hundred twenty-eight (128) of the Acts of the Forty-third (43rd) General Assembly, be amended by striking therefrom all of line twelve (12) to twenty (20) inclusive, and substituting the following in lieu thereof: "a. Thirty-five (35) miles per hour for any freight carrying vehicle which is equipped with pneumatic tires.

b. Twenty (20) miles per hour for any freight carrying vehicle equipped with solid rubber tires, if the weight of the vehicle and load is less than six (6) tons, and twelve (12) miles per hour for any freight

carrying vehicle equipped with solid rubber tires, if the weight of the vehicle and load is more than six (6) tons."

10. That Senate File No. 133, as the same passed the House, be further amended by adding thereto the following:

"Sec. 12. That Section five thousand one hundred five A 34 (5105-A34) of the Code of 1927 be amended by striking from lines three (3) and four (4) thereof the words "thirty-five" and substituting in lieu thereof the words "forty-five".

And that said section be further amended by substituting a period (.) for a comma (,) following the word "hour" in line four (4) thereof and striking all of the remainder of said section.

11. That the title to said Senate File No. 133, as the same passed the House, be amended by striking the period (.) at the end thereof and adding thereto the following: "and to amend Section five thousand one hundred five A-34 (5105-A34) of the Code of 1927, relating to the speed of motor vehicle carriers."

12. That in all other respects, said Senate File No. 133 be approved as same passed the House.

CHAS. D. BOOTH, *Chairman.*

E. R. HICKLIN,

O. P. BENNETT,

J. H. HAGER,

*On Part of the Senate.*

J. PARK BAIR, *Chairman,*

E. O. HELGASON,

FRED B. WITT,

E. H. FABRITZ,

*On Part of the House.*

Bair of Buena Vista, chairman of the conference committee on Senate File No. 133 on the part of the House, submitted the following supplemental report of the conference committee and moved its adoption.

MR. PRESIDENT AND MR. SPEAKER: We, the members of your conference committee appointed on April 6, 1931 to confer relative to Senate File No. 133 move that section 6 of the report filed on April 13 and appearing on pages 1351, 1352 and 1353 of the Senate Journal, be amended as follows:

By striking paragraph six (6) as therein incorporated and inserting in lieu thereof the following:

That Section four (4) of said Senate File No. 133, as the same passed the House, be further amended by adding to said section the following: "Provided that permits issued under section nine (9) hereof for the operation of combinations, which include a trailer or semi-trailer more

than thirty (30) feet in length, shall terminate on December thirty-first (31), Nineteen Hundred Thirty-one (1931)."

CHAS. D. BOOTH, *Chairman*,

O. P. BENNETT,

J. H. HAGER,

E. R. HICKLIN,

*On the Part of the Senate.*

J. PARK BAIR, *Chairman*,

E. O. HELGASON,

FRED B. WITT,

E. H. FABRITZ,

*On the Part of the House.*

On the question "Shall the supplemental report of the conference committee and the amendments recommended therein be adopted?" a roll call was demanded.

The ayes were, 82.

Aiken	Gissel	Lichty	Rawlings
Allen	Greaser	Long	Reed
Avery	Greene	McCaulley	Rutledge
Babcock	Hansen of Scott	McDermott	Ryder
Bair	Hayes	McLain	Rylander
Beath	Helgason	Mathews	Shields
Byers	Hollingsworth	Mayne	Snyder
Davis	Hollis	Mead	Sours
Dayton	Hook	Millhone	Stanzel
Donlon	Hunt	Miller	Stiger
Drake of Keokuk	Hush	Nelson of	Strachan
Drake of	Hutcheon	Cherokee	Tamisiea
Muscatine	Johnson of	Nelson of Story	TePaske
Durant	Marion	O'Donnell	Thiessen
Elliott	Kern	Osborn	Thompson
Ellsworth	Koch	Paisley	Torgeson
Fabritz	Kohler	Pattison	Van Buren
Figgins	Lamb	Peaco	Wearin
Finnern	Langland	Pendray	Whiting
Gallagher	Laughlin	Randolph	Witt
Garrett	Lepley	Ratliff	Mr. Speaker
Gilmore			

The nays were, none.

Absent or not voting, 26.

Augustine	Felter	Hopkins	Reimers
Ballew	Forsling	Husted	Roe
Berry	Hansen of	McCreery	Short
Bonnstetter	Audubon	Malone	Simmer
Brown	Hanson of	Morton	Van Wert
Craven	Winnebago	Orr	Wamstad
Ditto	Hesse	Randall	Watts

The supplemental report of the conference committee adopted.

On the question "Shall the report of the conference committee, together with the supplemental report, be adopted?" a roll call was demanded.

The ayes were, 77.

Aiken	Gissel	Lepley	Ratliff
Avery	Greaser	Lichty	Rawlings
Babcock	Greene	Long	Reed
Bair	Hansen of Scott	McCaulley	Ryder
Beath	Hayes	McLain	Rylander
Byers	Helgason	Mathews	Short
Davis	Hollingsworth	Mayne	Snyder
Dayton	Hollis	Mead	Sours
Donlon	Hook	Millhone	Stanzel
Drake of Keokuk	Hunt	Nelson of	Stiger
Drake of	Hush	Cherokee	Strachan
Muscatine	Hutcheon	Nelson of Story	Tamisiea
Durant	Johnson of	O'Donnell	TePaske
Elliott	Marion	Orr	Thiessen
Ellsworth	Kern	Osborn	Torgeson
Fabritz	Koch	Paisley	Van Buren
Figgins	Kohler	Pattison	Wearin
Gallagher	Lamb	Peaco	Whiting
Garrett	Langland	Pendray	Witt
Gilmore	Laughlin	Randolph	Mr. Speaker

The nays were, none.

Absent or not voting, 31.

Allen	Finnern	Husted	Roe
Augustine	Forsling	McCreery	Rutledge
Ballew	Hansen of	McDermott	Shields
Berry	Audubon	Malone	Simmer
Bonnstetter	Hanson of	Miller	Thompson
Brown	Winnebago	Morton	Van Wert
Craven	Hesse	Randall	Wamstad
Ditto	Hopkins	Reimers	Watts
Felter			

Conference report, as amended by the supplemental report, adopted.

### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel

license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system.

Drake of Keokuk asked and obtained unanimous consent to have the amendment filed by him, found in the Journal of April 10th, withdrawn.

Helgason of Emmet asked and obtained unanimous consent to have the amendment filed by him, found in the Journal of April 13th, withdrawn.

Wamstad of Mitchell asked and obtained unanimous consent to have the amendment filed by him, found in the Journal of April 9th, withdrawn.

Reimers of Lyon, Simmer of Wapello, Shields of Clarke, Greene of Pottawattamie, McCreery of Linn, and Johnson of Marion, offered the following substitute amendments and moved their adoption:

**MR. SPEAKER:** As a substitute for all pending amendments we move to amend House File No. 576 as follows:

1. Amend by striking section two (2) and by substituting in lieu thereof the following:

"Sec. 2. To provide funds with which to pay the principal of county primary road bonds and bonds issued to refund county primary road bonds maturing or callable, and to provide the funds with which to aid in meeting the cost of the primary road improvement program outlined in article XIII of the constitution of the state of Iowa, the executive council from time to time as may be necessary shall issue and sell bonds of the state of Iowa, to be known as state primary road bonds. The total amount of such bonds issued under this act shall not exceed one hundred million dollars (\$100,000,000)."

2. Amend section three (3) by striking from line six (6) thereof the word and figures "twenty (20)" and by substituting in lieu thereof the word and figures "fifteen (15)", and by striking the period (.) at the end of line seven (7) thereof and inserting a comma (,) and adding thereto the following:

"and no bonds shall be issued with maturity date later than 1950."

3. Amend section five (5) by striking therefrom paragraphs (a) and (b) and by substituting in lieu thereof the following:

"(a) To pay the principal of maturing and callable county primary road bonds and bonds issued to refund county primary road bonds.

"(b) To defray the cost of the improvement of primary roads as provided in article XIII of the constitution of the state of Iowa, and costs incident thereto."

4. Amend section seven (7) by striking therefrom the sentence beginning with the word "for" in line four (4) thereof, and ending with the words and figures eight million dollars (\$8,000,000) in line nine (9) thereof and by substituting in lieu thereof the following:

"For the year 1932, three hundred thousand dollars (\$300,000); for the year 1933, nine hundred thousand dollars (\$900,000); for the year 1934, one million five hundred thousand dollars (\$1,500,000); for the year 1935, and for each year thereafter until all bonds issued hereunder shall have been paid, nine million dollars (\$9,000,000)."

5. Further amend section seven (7) by striking therefrom lines twenty-three (23), twenty-four (24), twenty-five (25) and twenty-six (26), and by substituting in lieu thereof the following:

"The executive council, in issuing bonds hereunder, shall so fix the maturity dates of such bonds that the bonds maturing and the interest accruing in each year, after the year 1934, shall be substantially, but shall not exceed nine million dollars (\$9,000,000)."

6. Amend by striking section eleven (11) and by substituting in lieu thereof the following:

"Sec. 11. Additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system as of July 4, 1931, has all been graded, drained, bridged and surfaced."

7. Amend by striking section thirteen (13) and section fourteen (14) and by substituting in lieu thereof the following:

"Sec. 13. Until such time as all of the primary roads designated for paving by article XIII of the constitution shall have been so improved, at least eighty-five (85) per cent of the mileage of pavement built on the primary road system in any year shall be located upon those roads designated for paving by said article XIII of the constitution of the state of Iowa. Any other pavement built in any year shall be constructed on those primary roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by said article XIII of the constitution, or as the same may have been relocated since that date.

"Sec. 14. After the primary roads designated for paving by article XIII of the constitution have been so improved, at least eighty (80) per cent of the mileage of pavement constructed in any one year shall be upon those primary roads as of April 11, 1929, or relocations thereof and not designated for paving by article XIII of the constitution of the



state of Iowa. The remaining twenty (20) per cent of the mileage of the pavement so built may be upon any other primary roads or additions to the primary road system."

Johnson of Marion moved that the House reconsider the vote by which the amendment to Section two (2) was adopted.

Motion prevailed and the House reconsidered.

Motion prevailed and the substitution was made.

Substitute amendment adopted.

Wamstad of Mitchell called up the amendment filed by him, found in the Journal of April 13th, and moved its adoption.

Amendment adopted.

Johnson of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 91.

Allen	Gissel	Lichty	Roe
Augustine	Greaser	Long	Rutledge
Avery	Greene	McCreery	Ryder
Babcock	Hansen of Scott	McDermott	Rylander
Bair	Hanson of	McLain	Shields
Ballew	Winnebago	Malone	Short
Beath	Hayes	Mathews	Snyder
Brown	Helgason	Mayne	Sours
Byers	Hollingsworth	Mead	Stanzel
Craven	Hollis	Millhorne	Stiger
Dayton	Hook	Miller	Strachan
Donlon	Hopkins	Nelson of	Tamisiea
Drake of Keokuk	Hunt	Cherokee	TePaske
Drake of	Hush	Nelson of Story	Thiessen
Muscatine	Husted	Orr	Torgeson
Durant	Hutcheon	Osborn	Van Buren
Elliott	Johnson of	Paisley	Van Wert
Ellsworth	Marion	Pattison	Wamstad
Felter	Kern	Peaco	Watts
Figgins	Koch	Pendray	Wearin
Finnern	Kohler	Randolph	Whiting
Gallagher	Lamb	Ratliff	Witt
Garrett	Langland	Reed	Mr. Speaker
Gilmore	Lepley	Reimers	

The nays were, 1.

Rawlings

Absent or not voting, 16.

Aiken	Ditto	Hesse	O'Donnell
Berry	Fabritz	Laughlin	Randall
Bonnstetter	Forsling	McCaulley	Simmer
Davis	Hansen of	Morton	Thompson
	Audubon		

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Johnson of Marion moved that the vote by which House File No. 576 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 519, a bill for an act to repeal sections forty-seven hundred fifty-three-a ten (4753-a10), forty-seven hundred fifty-five-b thirty-two (4755-b32), forty-seven hundred fifty-five-b thirty-three (4755-b33), forty-seven hundred fifty-five-b thirty-four (4755-b34), forty-seven hundred fifty-eight (4758), and forty-seven hundred sixty-two (4762), code, 1927; to repeal sections forty-seven hundred fifty-three-a eleven (4753-a11), forty-seven hundred sixty-four (4764), and forty-seven hundred sixty-six (4766), code, 1927, and to enact substitutes therefor; and to amend sections forty-seven hundred fifty-three-a twelve (4753-a12), forty-seven hundred fifty-six (4756), forty-seven hundred fifty-seven (4757), forty-seven hundred sixty (4760), forty-seven hundred sixty-one (4761), forty-seven hundred sixty-five (4765), and forty-seven hundred seventy (4770), code, 1927, all relating to county primary road bonds and bonds issued to refund county primary road bonds; and to enact certain measures relative to the improvement of primary roads and to the issuance and payment of county primary road bonds and bonds issued to refund county primary road bonds, was taken up for consideration.

Greene of Pottawattamie, Elliott of Scott, Shields of Clarke, Reimers of Lyon and Simmer of Wapello offered the following amendments as a substitute for all pending amendments and moved their adoption.

We move to amend House File No. 519 as follows:

1. By striking all of Section one (1) to ten (10) inclusive.
2. By striking that part of Section eleven beginning with the word "Provided" in line 142, and ending with the word "paving" in line 149, and by renumbering said section Number one (1).
3. By striking Sections twelve (12) to sixteen (16), inclusive, and substituting the following in lieu thereof:

"Sec. 2. No county primary road bonds shall be voted by any county after July 4, 1931. Any county primary road bonds voted previous to July 4, 1931 may be issued under the provisions of the law previous to the time when this act becomes effective.

Sec. 3. A county primary road bond redemption fund is hereby created. The State Highway Commission shall each year transfer from the primary road fund to the county primary road bond redemption fund the following amounts:

(a) For each of the years 1932, 1933, 1934, an amount sufficient to pay all interest accruing on county primary road bonds and bonds issued to refund county primary road bonds.

(b) For the year 1935 and each year thereafter until all county primary road bonds and bonds issued to refund county primary road bonds shall have been paid, a sum which, together with any unexpended balance remaining in said county primary road bond redemption fund shall make up a fund of nine million (\$9,000,000) dollars.

Sec. 4. Said county primary road bond redemption fund is hereby appropriated for:

1. The payment of accruing interest on county primary road bonds and bonds issued to refund county primary road bonds, and

2. The payment of the principal of maturing or callable county primary road bonds or bonds issued to refund county primary road bonds, and shall be used for no other purpose.

Sec. 5. If in any year the funds remaining in the county primary road bond redemption fund after setting aside enough to pay all accruing interest on county primary road bonds and bonds issued to refund county primary road bonds are not sufficient to pay the principal of all such bonds maturing, said remaining fund shall be pro rated among the counties on the basis of the amount of such bonds maturing in each county in said year. If in any year the funds remaining in the county primary road bond redemption after setting aside enough to pay all accruing interest on county primary road bonds and bonds issued to refund county primary road bonds should be more than sufficient to pay the principal of such bonds maturing in such year, the excess funds shall be used to call in and pay any county primary road bonds then subject to call.

Sec. 6. Thirty days prior to the date when interest on any of the said bonds accrues, or any of said bonds mature or become subject to call, and for the payment of which there are funds available in the county primary road bond redemption fund, the State Highway Commission shall prepare a voucher therefor, in favor of the county treasurer, and drawn against the county primary road bond redemption fund. Said voucher shall be paid from the county primary road bond redemption fund. The fund so received by the county treasurer shall be used for paying the interest and principal of such bonds and for no other purpose.

Sec. 7. If in any year the funds available in the county primary road bond redemption fund should be not sufficient to pay the accruing interest and maturing principal of county primary road bonds and bonds issued to refund county primary road bonds, said county primary road bond redemption fund shall be used:

First, for the payment of accruing interest, and

Second, for the payment of maturing principal of county primary road bonds and bonds issued to refund county primary road bonds.

Sec. 8. Any such bonds for which there are not sufficient county primary road bond redemption funds to pay the maturing principal, shall be refunded by the county. Any county primary road bonds or bonds issued to refund county primary road bonds maturing in the years 1932, 1933, and 1934 shall be refunded by the county. The maturity dates of any bonds required to be refunded under the provisions of this act shall be so fixed that the interest accruing and principal maturing on such bonds in any year shall not exceed nine million dollars (\$9,000,000).

Sec. 9. Until such time as all of the primary roads designated for paving in Section one (1) of this act shall have been so improved, at least eighty-five per cent (85%) of the mileage of pavement built on the primary road system in any year shall be located on those roads designated for paving in Section one (1) of this act. Any pavement constructed in any year and not located on those primary roads designated for paving by Section one (1) of this act shall be located on those roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by Section one (1) of this act, or as the same may have been relocated since that date.

Sec. 10. After the primary roads designated for paving by Section one (1) of this act have been so improved, at least eighty per cent (80%) of the mileage of pavement built in any one year shall be upon those primary roads as of April 11, 1929, and not designated for paving by Section one (1) of this act, or as the same may have been relocated since that date. The remaining twenty per cent (20%) of the mileage of pavement so built may be upon any other primary roads or additions to the primary road system.

Sec. 11. Additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system as of July 4, 1931 has all been graded, bridged, and surfaced.

Sec. 12. Should the proposed amendment to the Constitution of the State of Iowa, to be known as Article XIII, as set forth in House Joint Resolution No. 6 of the Forty-third General Assembly and Senate Joint Resolution No. 1 of the Forty-fourth General Assembly become effective, this act shall be null and void."

4. Amend the title to read as follows:

"An act to provide for the improvement of primary roads; to designate certain primary roads to be improved by paving; to provide for the payment of county primary road bonds and bonds issued to refund

county primary road bonds; to limit additions to the primary road system; and to prevent the voting of county primary road bonds after July 4, 1931."

Forsling of Woodbury offered the following amendment to the amendment and moved its adoption:

Amend by striking in line six (6) of section twelve (12) of the amendment the words "null and void". and substituting in lieu thereof the following: "of no effect from and after the time said amendment becomes effective."

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Shields 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, 76.

Augustine	Gilmore	Lamb	Reimers
Avery	Gissel	Langland	Roe
Babcock	Greaser	Lepley	Rylander
Beath	Greene	Long	Shields
Berry	Hansen of	McCreery	Short
Brown	Audubon	McDermott	Snyder
Byers	Hansen of Scott	McLain	Stanzel
Craven	Hanson of	Malone	Stiger
Davis	Winnebago	Mathews	Strachan
Dayton	Hayes	Mayne	TePaske
Donlon	Helgason	Mead	Thiessen
Durant	Hollingsworth	Miller	Thompson
Elliott	Hook	Nelson of	Torgeson
Ellsworth	Hopkins	Cherokee	Van Wert
Fabritz	Hush	Nelson of Story	Wamstad
Felter	Husted	Peaco	Watts
Figgins	Hutcheon	Pendray	Wearin
Finnern	Kern	Randall	Whiting
Forsling	Koch	Randolph	Mr. Speaker
Gallagher	Kohler	Reed	

The nays were, 16.

Aiken	Hunt	Orr	Ryder
Allen	Johnson of	Osborn	Sours
Bair	Marion	Ratliff	Tamisiea
Garrett	Lichty	Rawlings	Witt
Hollis			

Absent or not voting, 16.

Ballew	Drake of	Milhone	Pattison
Bonnstetter	Muscatine	Morton	Rutledge
Ditto	Hesse	O'Donnell	Simmer
Drake of Keokuk	Laughlin	Paisley	Van Buren
	McCauley		

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

Shields of Clarke moved that the vote by which House File No. 519 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 389, a bill for an act to make an appropriation to William E. Quinn, with report of committee on appropriations recommending passage, was taken up for consideration.

Donlon of Palo Alto moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Augustine	Greaser	McCaulley	Reimers
Avery	Hansen of Scott	McDermott	Roe
Babcock	Helgason	McLain	Rutledge
Bair	Hollingsworth	Malone	Ryder
Ballew	Hollis	Mathews	Rylander
Berry	Hook	Mead	Short
Bonnstetter	Hopkins	Miller	Sours
Davis	Hunt	Nelson of	Stanzel
Dayton	Hush	Cherokee	Stiger
Donlon	Husted	Nelson of Story	Strachan
Drake of Keokuk	Hutcheon	Osborn	TePaske
Drake of	Johnson of	Paisley	Thompson
Muscatine	Marion	Pattison	Van Buren
Durant	Koch	Peaco	Van Wert
Fabritz	Kohler	Pendray	Wamstad
Figgins	Lamb	Randall	Watts
Finnern	Langland	Randolph	Wearin
Gallagher	Lepley	Ratliff	Whiting
Garrett	Lichty	Rawlings	Witt
Gilmore	Long	Reed	Mr. Speaker
Gissel			

The nays were, 1.

Brown

Absent or not voting, 29.

Aiken	Felter	Hesse	Orr
Allen	Forsling	Kern	Shields
Beath	Greene	Laughlin	Simmer
Byers	Hansen of	McCreery	Snyder
Craven	Audubon	Mayne	Tamisia
Ditto	Hanson of	Millhone	Thiessen
Elliott	Winnebago	Morton	Torgeson
Ellsworth	Hayes	O'Donnell	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 579, a bill for an act to make an appropriation to E. M. Badgerow, R. M. Lampman, E. E. Cavanaugh, J. W. Hazard, Dr. E. E. Speaker, J. C. Mabry, Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, and A. L. Wise, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren of Jones offered the following amendment and moved its adoption:

Amend House File No. 579 by striking section one (1).

Elliott of Scott moved the previous question.

Motion prevailed.

Amendment adopted.

Drake of Muscatine moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 70.

Aiken	Finnern	Kohler	Peaco
Augustine	Gallagher	Lamb	Pendray
Avery	Garrett	Langland	Randall
Babcock	Gilmore	Lepley	Rawlings
Bair	Greaser	Lichty	Reed
Berry	Hansen of	Long	Reimers
Bonnstetter	Audubon	McCaulley	Rylander
Brown	Hansen of Scott	McCreery	Short
Byers	Helgason	McDermott	Sours
Craven	Hollis	Malone	Stanzel
Drake of Keokuk	Hook	Mathews	Strachan
Drake of	Hopkins	Mead	TePaske
Muscatine	Hunt	Millhone	Thompson
Durant	Hush	Nelson of	Torgeson
Elliott	Husted	Cherokee	Van Buren
Ellsworth	Johnson of	Orr	Watts
Fabritz	Marion	Paisley	Whiting
Felter	Kern	Pattison	Mr. Speaker
Figgins	Koch		

The nays were, 12.

Ballew	Gissel	O'Donnell	Thiessen
Dayton	Hutcheon	Ratiff	Wamstad
Donlon	McLain	Rutledge	Wearin

## Absent or not voting, 26.

Allen	Hanson of	Miller	Shields
Beath	Winnebago	Morton	Simmer
Davis	Hayes	Nelson of Story	Snyder
Ditto	Hesse	Osborn	Stiger
Forsling	Hollingsworth	Randolph	Tamisiea
Greene	Laughlin	Roe	Van Wert
	Mayne	Ryder	Witt

So the bill having failed to receive a two-thirds majority was declared to have failed to pass the House.

House File No. 580, a bill for an act to make an appropriation to Laura E. Sellers, with report of committee on appropriations recommending passage, was taken up for consideration.

Kohler 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?" Rule 18 was invoked.

## The ayes were, 83.

Aiken	Garrett	Long	Reed
Allen	Greene	McCaulley	Reimers
Augustine	Hansen of	McCreery	Rutledge
Avery	Audubon	McDermott	Ryder
Babcock	Hansen of Scott	McLain	Rylander
Bair	Hayes	Mayne	Short
Bonnstetter	Hollis	Mead	Snyder
Brown	Hook	Millhone	Stanzel
Byers	Hopkins	Miller	Stiger
Craven	Hush	Nelson of	Strachan
Dayton	Husted	Cherokee	TePaske
Donlon	Hutcheon	O'Donnell	Thompson
Drake of Keokuk	Johnson of	Orr	Torgeson
Drake of	Marion	Osborn	Van Buren
Muscatine	Kern	Paisley	Van Wert
Elliott	Koch	Pattison	Wamstad
Fabritz	Kohler	Peaco	Watts
Felter	Lamb	Pendray	Wearin
Figgins	Langland	Randall	Whiting
Finnern	Laughlin	Randolph	Witt
Forsling	Lepley	Ratliff	Mr. Speaker
Gallagher	Lichty	Rawlings	

## The nays were, 11.

Ballew	Gilmore	Helgason	Sours
Durant	Gissel	Malone	Thiessen
Ellsworth	Greaser	Mathews	

## Absent or not voting, 14.

Beath	Hanson of	Hunt	Shields
Berry	Winnebago	Morton	Simmer
Davis	Hesse	Nelson of Story	Tamisiea
Ditto	Hollingsworth	Roe	



So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Kohler of Plymouth moved that the vote by which House File No. 580 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 581, a bill for an act to make an appropriation to J. O. Gilchrist, with report of committee on appropriations 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?" Rule 18 was invoked.

The ayes were, 89.

Aiken	Garrett	Lepley	Reimers
Allen	Gilmore	Lichty	Roe
Augustine	Greaser	Long	Rutledge
Avery	Greene	McCaulley.	Ryder
Babcock	Hansen of	McLain	Rylander
Bair	Audubon	Mathews	Short
Ballew	Hansen of Scott	Mead	Snyder
Beath	Hayes	Millhorne	Sours
Berry	Helgason	Miller	Stanzel
Byers	Hollis	Nelson of	Stiger
Craven	Hook	Cherokee	Strachan
Dayton	Hopkins	Nelson of Story	TePaske
Donlon	Hush	Orr	Thiessen
Drake of Keokuk	Husted	Osborn	Thompson
Drake of	Hutcheon	Paisley	Torgeson
Muscatine	Johnson of	Pattison	Van Buren
Durant	Marion	Peaco	Van Wert
Elliott	Kern	Pendray	Wamstad
Ellsworth	Koch	Randall	Watts
Fabritz	Kohler	Randolph	Wearin
Figgins	Lamb	Ratliff	Whiting
Finnern	Langland	Rawlings	Witt
Forsling	Laughlin	Reed	Mr. Speaker
Gallagher			

The nays were, 1.

McDermott

Absent or not voting, 18.

Bonnstetter	Gissel	Hunt	Roe
Brown	Hanson of	Malone	Shields
Davis	Winnebago	Mayne	Simmer
Ditto	Hesse	Morton	Tamisiea
Felter	Hollingsworth	O'Donnell	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Hansen of Scott moved that the vote by which House File No. 581 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 248, a bill for an act relating to final orders in divorce proceedings relative to the maintenance of parties and children.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 308, a bill for an act relating to taxation of jury fees as costs.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 477, a bill for an act to limit the civil liability of owners and operators of automobiles.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 408, a bill for an act to make an appropriation to George F. Van Note.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 146, a bill for an act relating to the state sinking fund for public deposits.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 374, a bill for an act relating to the superintendent of the Iowa Juvenile Home.

WALTER H. BEAM, *Secretary*.

## SENATE MESSAGES CONSIDERED

Senate File No. 248, a bill for an act to amend section ten thousand four hundred eighty-one (10481), Code, 1927, relating to final orders in divorce proceedings relative to the maintenance of parties and children.

Read first and second times and referred to sifting committee.

Senate File No. 308, a bill for an act to amend section eleven thousand six hundred twenty-nine (11,629), Code, 1927, relating to taxation of jury fees as costs.

Read first and second times and referred to sifting committee.

McCaulley of Calhoun in the chair.

## CONSIDERATION OF BILLS

House File No. 569, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Wert of Franklin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 85.

Aiken	Finnern	Kern	Pendray
Allen	Forsling	Koch	Randall
Augustine	Gallagher	Kohler	Randolph
Avery	Garrett	Lamb	Ratliff
Babcock	Gilmore	Lepley	Rawlings
Bair	Gissel	Lichty	<b>Reed</b>
Ballew	Greaser	Long	Reimers
Beath	Greene	McCreery	Roe
Berry	Hansen of Scott	McLain	Rutledge
Bonnstetter	Hanson of	Malone	Rylander
Craven	Winnebago	Mathews	Short
Donlon	Hayes	Mead	Snyder
Drake of Keokuk	Hollingsworth	Millhone	Sours
Drake of	Hollis	Nelson of	Strachan
Muscatine	Hook	Cherokee	<b>TePasko</b>
Durant	Hopkins	Nelson of Story	Thiessen
Elliott	Hush	Orr	Thompson
Ellsworth	Husted	Osborn	Torgeson
Fabritz	Hutcheon	Paisley	Van Buren
Felter	Johnson of	Pattison	Van Wert
Figgins	Marion	Peaco	Wamstad

Watts  
Wearin

Whiting

Witt

Mr. Speaker

The nays were, none.

Absent or not voting, 23.

Brown  
Byers  
Davis  
Dayton  
Ditto  
Hansen of  
Audubon

Helgason  
Hesse  
Hunt  
Langland  
Laughlin

McCaulley  
McDermott  
Mayne  
Miller  
Morton  
O'Donnell

Ryder  
Shields  
Simmer  
Stanzel  
Stiger  
Tamisiea

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Van Wert of Franklin moved that the vote by which House File No. 569 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MOTION TO RECONSIDER

Forsling of Woodbury moved that the House reconsider the vote by which House File No. 579 failed to pass the House.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 75.

Aiken  
Avery  
Babcock  
Ballew  
Beath  
Berry  
Brown  
Byers  
Craven  
Donlon  
Drake of Keokuk  
Drake of  
Muscatine  
Durant  
Elliott  
Fabritz  
Finnern  
Forsling  
Gallagher  
Garrett

Gilmore  
Gissel  
Greaser  
Greene  
Hansen of  
Audubon  
Hansen of Scott  
Helgason  
Hollingsworth  
Hollis  
Hopkins  
Hush  
Husted  
Hutcheon  
Johnson of  
Marion  
Kern  
Koch  
Kohler  
Lamb

Langland  
Lepley  
Lichty  
Long  
McCaulley  
McCreery  
McLain  
Malone  
Mathews  
Mayne  
Millhone  
Nelson of  
Cherokee  
Nelson of Story  
Osborn  
Pattison  
Peaco  
Randolph  
Rawlings  
Reed

Reimers  
Rutledge  
Ryder  
Rylander  
Shields  
Short  
Snyder  
Sours  
Stanzel  
Stiger  
Strachan  
TePaske  
Thiessen  
Thompson  
Van Buren  
Van Wert  
Wamstad  
Watts  
Witt

The nays were, 8.

Figgins	Paisley	Randall	Wearin
Hook	Pendray	Roe	Mr. Speaker

Absent or not voting, 25.

Allen	Ellsworth	Laughlin	Orr
Augustine	Felter	McDermott	Ratliff
Bair	Hanson of	Mead	Simmer
Bonnstetter	Winnebago	Miller	Tamisiea
Davis	Hayes	Morton	Torgeson
Dayton	Hesse	O'Donnell	Whiting
Ditto	Hunt		

Motion prevailed and House reconsidered.

Forsling of Woodbury moved to reconsider the vote by which House File No. 579 passed to its third reading.

Motion prevailed.

Hutcheon of Greene moved to reconsider the vote by which the amendment striking section one (1) was adopted.

On the question "Shall the House reconsider?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 59.

Aiken	Helgason	McCaulley	Reimers
Avery	Hollingsworth	McCreery	Rutledge
Bair	Hollis	McLain	Ryder
Beath	Hopkins	Mathews	Rylander
Byers	Hush	Mayne	Short
Craven	Husted	Millhone	Snyder
Drake of Keokuk	Hutcheon	Nelson of	Stanzel
Drake of	Johnson of	Cherokee	Stiger
Muscatine	Marion	Nelson of Story	Strachan
Durant	Kern	Osborn	Thiessen
Forsling	Koch	Pattison	Torgeson
Gallagher	Kohler	Peaco	Van Wert
Garrett	Langland	Randall	Wamstad
Greene	Lichty	Randolph	Watts
Hansen of	Long	Ratliff	Whiting
Audubon		Rawlings	Witt

The nays were, 31.

Babcock	Figgins	Laughlin	Roe
Ballew	Finnern	Lepley	Sours
Berry	Gilmore	McDermott	TePaske
Brown	Gissel	Malone	Thompson
Donlon	Greaser	O'Donnell	Van Buren
Elliott	Hansen of Scott	Paisley	Wearin
Ellsworth	Hook	Pendray	Mr. Speaker
Fabritz	Lamb	Reed	

Absent or not voting, 18.

Allen	Ditto	Hesse	Orr
Augustine	Felter	Hunt	Shields
Bonnstetter	Hanson of	Mead	Simmer
Davis	Winnebago	Miller	Tamisiea
Dayton	Hayes	Morton	

Motion prevailed and the House reconsidered.

House resumed consideration of the amendment striking Section one (1) from the bill.

Elliott of Scott moved the previous question.

Motion prevailed.

Amendment lost.

Brown 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?" Rule 18 was invoked.

The ayes were, 60.

Aiken	Greaser	Langland	Reimers
Avery	Greene	Lepley	Rutledge
Bair	Hansen of	Lichty	Ryder
Beath	Audubon	McCreery	Rylander
Byers	Helgason	Mathews	Short
Donlon	Hollingsworth	Millhone	Stanzel
Drake of Keokuk	Hollis	Nelson of	Stiger
Drake of	Hopkins	Cherokee	Strachan
Muscatine	Hush	Nelson of Story	TePaske
Durant	Husted	Osborn	Thiessen
Elliott	Hutcheon	Paisley	Thompson
Figgins	Johnson of	Pattison	Van Wert
Finnern	Marion	Peaco	Wamstad
Forsling	Kern	Randall	Watts
Gallagher	Koch	Randolph	Whiting
Garrett	Kohler	Rawlings	Witt

The nays were, 26.

Babcock	Gissel	McDermott	Shields
Ballew	Hansen of Scott	Malone	Snyder
Berry	Hanson of	O'Donnell	Torgeson
Brown	Winnebago	Pendray	Van Buren
Ellsworth	Hook	Ratliff	Wearin
Fabritz	Lamb	Reed	Mr. Speaker
Gilmore	Long	Roe	

Absent or not voting, 22.

Allen	Ditto	McCaulley	Morton
Augustine	Felter	McLain	Orr
Bonnstetter	Hayes	Mayne	Simmer
Craven	Hesse	Mead	Sours
Davis	Hunt	Miller	Tamisiea
Dayton	Laughlin		

So the bill having failed to receive a two-thirds majority was declared to have failed to pass the House.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 300, a bill for an act to make an appropriation to Verna P. Marks.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 376, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy game wardens in a suit for damages growing out of official acts.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 409, a bill for an act to make an appropriation to J. G. Minert, and to Etta S. Minert and Phyllis S. Davenport as executrices under the will of Adeline C. Schreiner, deceased.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 415, a bill for an act to make an appropriation to Ethel F. Katz.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 414, a bill for an act to make an appropriation to certain doctors and Will Kuhlman.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 427, a bill for an act to make an appropriation to Elmer Ruisch.

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 relating to county aid for county agricultural societies and the use of such funds.

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 to make an appropriation to Mrs. K. E. Anderson for services rendered to the state by her deceased husband.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 409, a bill for an act to make an appropriation to Brown & Cook, Ottumwa, Iowa, and Harry Yoss, Scranton, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 542, a bill for an act to make an appropriation to Earl E. Hunt.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 518, a bill for an act to refund to the town of West Branch, Iowa, interest which has been wrongfully diverted to the state sinking fund for public deposits.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 517, a bill for an act to make an appropriation to the Independence Corrugated Culvert Company for materials furnished to the Fish and Game Department of the state of Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 410, a bill for an act to make appropriation to various counties of Iowa for drainage and secondary road assessments.



Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 351, a bill for an act to make an appropriation to various persons for damages done by articles thrown by a rotary snow plow, operated by the Iowa State Highway Commission.

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 make an appropriation to W. F. Dollen and Sons of Neola, 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 to make appropriation to certain persons for services rendered to the state of Iowa, for which former appropriation has not been made.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 197, a bill for an act relating to general duties of county officers, deputies and clerks.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 551

Amend by striking out the publication clause. Section three (3).

#### RESOLUTION

Thompson of Fayette, Strachan of Humboldt, Donlon of Palo Alto, and Bonnstetter of Kossuth offered the following resolution:

*Be It Resolved By the House of Representatives of the Forty-fourth General Assembly of Iowa:*

*Whereas, charges have been made against Arch W. McFarlane lieutenant governor of the state of Iowa, that he has used his political in-*

fluence in the solicitation and securing of contracts for the sale of coal by the Arch W. McFarlane Fuel Company, or by or for other companies in which he is interested, and in particular that he has used his office of lieutenant governor in connection therewith and as a means of securing said contracts, and has used his political influence and his office of lieutenant governor of Iowa in influencing legislation, to the advantage and gain of certain railroads, public utilities and other interests and corporations in consideration of securing contracts for sale of coal to them, all in violation of his trust and of his oath of office; and,

*Whereas* it has been charged that the said Arch W. McFarlane has also violated his oath of office by organizing certain fictitious companies or associations for the express purpose of dealing with and securing contracts for coal from certain institutions operated by boards or commissions which are agencies of and a part of the government of the state of Iowa; and that he has done the same without complying with the statutes of the state of Iowa, particularly chapter four hundred twenty-nine a-one (429-a1) section ninety-eight hundred sixty-six a-one, a-four (9866-a1-a4) which acts constitute a misdemeanor as therein provided; and,

*Whereas* through the said fictitious companies or associations he has demanded and received a commission upon sales to said state institutions, particularly the State University of Iowa, upon sales which he or said company did not make:

*Therefore Be It Resolved:*

That a committee of seven (7) members of this House of Representatives be appointed by the Speaker thereof to fully and thoroughly investigate the conduct and action of the said Arch W. McFarlane, lieutenant governor of Iowa; that said committee is hereby authorized and empowered to summon and subpoena witnesses from any place within the state of Iowa and to compel the attendance thereof at any place within the state where said committee may deem it advisable to hold hearings and to subpoena and to order brought before it the books and records of any corporation chartered by or doing business within this state, and of any and all institutions by whatsoever board or commission governed in the state of Iowa, and to take testimony under oath either within or without the state of Iowa, and that any person refusing to answer to a subpoena or refusing to give testimony will be punished for contempt in the manner provided by the laws of the state of Iowa:

That said committee is hereby directed to make such investigation and to make a written report and such recommendations to this House of Representatives upon such matters as it may deem advisable.

Rutledge of Webster moved that the resolution be laid on the table.

## REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your sifting committee reports out the following bills for passage:

	S. F. 68	} On Previous Calendar.
	S. F. 69	
	S. F. 70	
H. F. 199	S. F. 125	
H. F. 425	S. F. 135	
H. F. 426	S. F. 136	
H. F. 440	S. F. 138	
H. F. 464	S. F. 139	
H. F. 494	S. F. 140	
H. F. 533	S. F. 141	
H. F. 535	S. F. 143	
H. F. 548	S. F. 144	
H. F. 549	S. F. 239	
	S. F. 266	
	S. F. 426	

H. F. 445	S. F. 290
H. F. 303	S. F. 280
H. F. 509	S. F. 293
H. F. 546	S. F. 214
H. F. 140	S. F. 215
H. F. 183	S. F. 217
	S. F. 218
	S. F. 219
	S. F. 220

Senate Joint Resolution 2.

H. N. HANSON, *Chairman*.

On motion of Elliott of Scott 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, APRIL 15, 1931.

House met pursuant to adjournment, Speaker Johnson in the chair.

Prayer was offered by the Rev. William E. Guy, pastor of the St. Paul's African Methodist Episcopal Church, Des Moines.

Journal of April 14th corrected and approved.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Hansen of Scott, from citizens of Forest City and Leland, favoring a regulation of trucks and motor busses. Motor vehicles and transportation.

By Rylander of Marshall, from the Hawthorne club of Marshalltown, favoring an appropriation for vocational education. Appropriations.

## ADDITIONAL COPIES OF MAPS ORDERED PRINTED

Tamisiea of Harrison asked and obtained unanimous consent to have one thousand additional copies of maps in connection with House File No. 442 ordered printed.

## ADDITIONAL COPIES OF BILLS ORDERED PRINTED

Torgeson of Worth asked and obtained unanimous consent to have five hundred additional copies of House Files Nos. 519 and 576 as passed by the House, printed.

## SPECIAL MOTION

Pendray of Jackson moved that no persons be admitted to the House Chamber for the balance of the Forty-fourth General Assembly, except representatives, employees of the House, representatives of the press and Senators who may wish to confer with members of this House.

Johnson of Marion moved that the motion be referred to the sifting committee.

Elliott of Scott moved to amend the motion by Johnson of Marion by referring the same to the committee on rules.

Amendment adopted.

Elliott of Scott moved the previous question.

Motion prevailed.

On the question "Shall the motion by Mrs. Pendray be referred to the rules committee?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 53.

Aiken	Hollingsworth	McCaulley	Randolph
Avery	Hollis	McDermott	Ratcliff
Bair	Hopkins	McLain	Rawlings
Dayton	Hunt	Malone	Reed
Ditto	Husted	Mayne	Rutledge
Drake of	Johnson of	Millhone	Ryder
Muscatine	Marion	Nelson of	Rylander
Durant	Kern	Cherokee	Simmer
Elliott	Koch	Nelson of Story	Sours
Gilmore	Kohler	Orr	Stiger
Greene	Langland	Paisley	Tamisiea
Hansen of Scott	Laughlin	Pattison	Thiessen
Hayes	Lichty	Peaco	Whiting
Helgason	Long	Randall	Witt

The nays were, 37.

Allen	Finnern	Lepley	Stanzel
Augustine	Gallagher	Mead	Strachan
Babcock	Garrett	Miller	TePaske
Beath	Gissel	O'Donnell	Thompson
Berry	Greaser	Osborn	Torgeson
Bonnstetter	Hansen of	Pendray	Van Wert
Donlon	Audubon	Shields	Watts
Drake of Keokuk	Hook	Short	Wearin
Fabritz	Hutcheon	Snyder	Mr. Speaker
Figgins	Lamb		

Absent or not voting, 18.

Ballew	Ellsworth	Hesse	Reimers
Brown	Felter	Hush	Roe
Byers	Forsling	McCreery	Van Buren
Craven	Hanson of	Mathews	Wamstad
Davis	Winnebago	Morton	

Motion, as amended, referred to committee on rules.

Greene of Pottawattamie moved that Rule 64 be suspended.

On the question "Shall Rule 64 be suspended?" a roll call was demanded.

The ayes were, 35.

Aiken	Hansen of	Laughlin	Randall
Avery	Audubon	Long	Ratliff
Bair	Hayes	McLain	Reed
Ditto	Helgason	Mayne	Rutledge
Drake of	Hollingsworth	Nelson of	Ryder
Muscataine	Hollis	Cherokee	Rylander
Gallagher	Hunt	Orr	Stanzel
Gilmore	Husted	Paisley	Stiger
Greene	Johnson of	Pattison	Torgeson
	Marion	Peaco	Witt

The nays were, 48.

Allen	Garrett	Lepley	Shields
Augustine	Gissel	Malone	Short
Babcock	Greaser	Mathews	Simmer
Beath	Hook	Mead	Snyder
Berry	Hopkins	Miller	Sours
Bonnstetter	Hush	Nelson of	Story Strachan
Dayton	Hutcheon	O'Donnell	TePaske
Donlon	Kern	Osborn	Thiessen
Durant	Koch	Pendray	Van Wert
Fabritz	Kohler	Randolph	Watts
Figgins	Lamb	Rawlings	Whiting
Finnern	Langland	Roe	Mr. Speaker

Absent or not voting, 25.

Ballew	Ellsworth	Lichty	Reimers
Brown	Felter	McCaulley	Samisica
Byers	Forsling	McCreery	Thompson
Craven	Hansen of Scott	McDermott	Van Buren
Davis	Hanson of	Millhone	Wamstad
Drake of Keokuk	Winnebago	Morton	Wearin
Elliott	Hesse		

Motion lost.

#### HOUSE RESOLUTION CALLED UP

Donlon of Palo Alto called up the House resolution filed by him, and found in the Journal of April 14th, and moved its adoption.

Elliott of Scott raised the point of order that the motion by Rutledge of Webster to table the resolution was pending before the House, and as such must be disposed of before passing to the consideration of the resolution.

Speaker Johnson held the point of order not well taken, for the reason that Mr. Rutledge's motion to table was out of order in as much as unanimous consent, or a motion to suspend the rules for the consideration of the resolution had not been obtained, the rules providing that a resolution must be laid over 24 hours.

Allen of Pocahontas asked and obtained unanimous consent to file at the Chief Clerk's desk that part of the transcript of the testimony which is applicable to the dealings and transactions of the O'Hagan Coal Company of which Hon. Arch W. McFarlane was or is president; which testimony was given to the special investigating committee of the University of Iowa.

Rutledge of Webster moved that action on the resolution be deferred until the report of the special investigating committee on the University of Iowa is filed.

Witt of Butler moved the previous question.

Motion prevailed.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, respectfully request a call of the House for the consideration of the Donlon of Palo Alto, Bonnstetter of Kossuth, Strachan of Humboldt and Thompson of Fayette resolution.

HOMER HUSH  
FRED W. NELSON  
JOHN F. RYLANDER  
LEWIS GREASER  
OVE T. ROE

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Morton of Wright, Davis of Delaware and Byers of Linn, who, on motion, were excused.

On the question "Shall action on the resolution be deferred?" a roll call was demanded.

The ayes were, 61.

Augustine	Greene	Lichty	Reed
Avery	Hansen of	Long	Reimers
Bair	Audubon	McCaulley	Rutledge
Ballew	Hansen of Scott	McCreery	Ryder
Brown	Hanson of	McLain	Simmer
Craven	Winnebago	Mathews	Sours
Dayton	Hayes	Mayne	Stanzel
Ditto	Helgason	Millhone	Stiger
Drake of Keokuk	Hesse	Nelson of	Tamisiea
Drake of	Hollingsworth	Cherokee	Thiessen
Muscatine	Hollis	Orr	Torgeson
Elliott	Hunt	Paisley	Van Wert
Ellsworth	Husted	Pattison	Wamstad
Fabritz	Johnson of	Peaco	Wearin
Figgins	Marion	Randall	Witt
Forsling	Kern	Ratliff	Mr. Speaker
Gilmore	Laughlin		

The nays were, 44.

Aiken	Garrett	Lepley	Roe
Allen	Gissel	McDermott	Rylander
Babcock	Greaser	Malone	Shields
Beath	Hook	Mead	Short
Berry	Hopkins	Miller	Snyder
Bonnstetter	Hush	Nelson of Story	Strachan
Donlon	Hutcheon	O'Donnell	TePaske
Durant	Koch	Osborn	Thompson
Felter	Kohler	Pendray	Van Buren
Finnern	Lamb	Randolph	Watts
Gallagher	Langland	Rawlings	Whiting

Absent or not voting, 3.

Byers	Davis	Morton
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Motion to defer action on the resolution prevailed.

### CONSIDERATION OF BILLS

The hour having arrived for special order, Senate File No. 111, a bill for an act to repeal sections forty-nine hundred forty-three (4943) to forty-nine hundred sixty (4960), inclusive, Code, 1927, to prohibit the operation of motor vehicles upon public highways by persons who are not licensed as operators, or as chauffeurs, to provide for the issuance of such licenses, to prohibit the issuance of such licenses to certain persons, to prescribe the conditions of such licenses, to fix and declare the liability of persons for the operation of motor vehicles, to require a report of convictions of violations of laws regulatory of motor vehicles, to provide



for the revocation and suspension of such licenses, to declare certain acts relative to the subject matter of this chapter to be public offenses, to provide for the punishment of such acts, to fix the time when this act shall take effect, to amend section forty-nine hundred ninety-nine (4999), relating to the disposition of motor vehicles and other fees, and to provide that this enactment shall be a part of chapter two hundred fifty-one (251), Code, 1927, was taken up for consideration.

Hutcheon of Greene asked and obtained unanimous consent to offer the following amendment to Senate File No. 111, as amended, by the House.

Amend Senate File No. 111, as amended, as follows:

1. By striking from line ten (10) of sub-section five (5) of Section thirteen (13) the words and figures "twenty-five cents (25c)" and insert in lieu thereof "fifteen cents (15c)."

Also, further amend lines one (1) and two (2) of sub-section six (6) of section thirteen (13) by striking the words and figures "fifty cents (50c)" and insert in lieu thereof "twenty-five cents (25c)."

Also by striking Section 31.

2. By striking all of Section 22.

3. By striking from line six (6) of sub-section two (2) of Section fifteen (15) the words "in court", and by inserting "within reasonable time".

4. That wherever the word and figures "sixteen (16)" appear in Sections four (4) and five (5), they be stricken and the word and figures "fifteen (15)" be inserted in lieu thereof.

Further, amend by striking the word and figures "eighteen (18)" in line four (4) of Section six (6) and insert in lieu thereof "sixteen (16)".

5. By inserting for Section seven (7), which has been previously stricken, the following:

Sec. 7. Instruction.

Nothing in this act shall be construed to prevent the operation of motor vehicles by persons under fifteen (15) years of age in the manner provided for in Section 5025 of the Code, 1927.

6. That Section twenty-nine (29) be stricken and the following enacted in lieu thereof:

Sec. 29. Penalties; misdemeanor. It shall be a misdemeanor for any person to violate any of the provisions of this act unless such violation is

by this act or other law of this state, declared to be a felony, or indictable misdemeanor, and shall be punishable as provided in Section five thousand eighty-nine (5089), Code, 1927.

7. Amend by renumbering all sections following section twenty-one (21).

Amendments adopted.

Reed of Mahaska offered the following amendment and moved its adoption:

Amend section fifteen (15) by placing a period (.) after the word "demand" in line twelve (12) and by striking out the balance of said sentence.

Amendment adopted.

Gissel of Buchanan moved the previous question.

Motion prevailed.

Rutledge 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, 81.

Augustine	Greene	Lichty	Reimers
Avery	Hansen of	Long	Roe
Babcock	Audubon	McCaulley	Rutledge
Bair	Hansen of Scott	McLain	Ryder
Beath	Hanson of	Malone	Rylander
Berry	Winnebago	Mathews	Short
Brown	Hayes	Mayne	Simmer
Byers	Helgason	Mead	Snyder
Craven	Hesse	Millhone	Sours
Dayton	Hollingsworth	Nelson of	Stanzel
Ditto	Hollis	Cherokee	Stiger
Drake of	Hook	Nelson of Story	Strachan
Muscatine	Hunt	O'Donnell	Tamisiea
Durant	Hutcheon	Orr	TePaske
Elliott	Johnson of	Paisley	Thiessen
Ellsworth	Marion	Pattison	Thompson
Felter	Kern	Peaco	Wamstad
Figgins	Koch	Randall	Wearin
Gallagher	Kohler	Randolph	Whiting
Garrett	Lamb	Ratliff	Witt
Gilmore	Langland	Reed	Mr. Speaker
Gissel	Laughlin		

The nays were, 16.

Ballew	Hopkins	McDermott	Rawlings
Finnern	Hush	Miller	Van Buren
Forsling	Lepley	Osborn	Van Wert
Greaser	McCreery	Pendray	Watts

Absent or not voting, 11.

Aiken  
Allen  
Bonnstetter

Davis  
Donlon  
Drake of Keokuk

Fabritz  
Husted  
Morton

Shields  
Torgeson

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rutledge of Webster moved that the vote by which Senate File No. 111 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 199, a bill for an act to specify the purposes for which any accumulation or surplus in the county public hospital fund may be used by the trustees of such hospitals; to provide the time during which said trustees shall make their reports; to authorize said trustees to waive, reduce or cancel certain accounts; to specify the legal services which the county attorney shall perform for said trustees; and to provide for the payment of services rendered in said hospitals to private patients, and to this end, to amend section fifty-three hundred fifty-three (5353), fifty-three hundred fifty-nine (5359), fifty-three hundred sixty-three (5363) and fifty-three hundred sixty-four (5364), code, 1927, relating to said hospitals, was taken up for consideration.

Brown of Polk offered the following amendment and moved its adoption:

Amend by striking from lines five (5) and six (6) of section one (1), the following: "for additional buildings, improvements to existing buildings, purchase of additional sites, or".

Amendment adopted.

Brown 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, 70.

Avery  
Babcock  
Bair  
Ballew  
Beath

Berry  
Bonnstetter  
Brown  
Dayton  
Ditto

Donlon  
Durant  
Ellsworth  
Felter  
Figgins

Finnern  
Forsling  
Gallagher  
Gilmore  
Gissel

Greaser	Langland	Paisley	Snyder
Greene	Laughlin	Pattison	Sours
Hansen of Scott	Lepley	Pendray	Stanzel
Hanson of	Lichty	Randall	Stiger
Winnebago .	Long	Randolph	Tamisiea
Hayes	McCreery	Ratliff	TePaske
Hollis	McDermott	Rawlings	Thiessen
Hook	McLain	Reed	Thompson
Hopkins	Mathews	Reimers	Van Wert
Hunt	Millhone	Roe	Wamstad
Hutcheon	Nelson of	Ryder	Whiting
Kern	Cherokee	Rylander	Witt
Koch	Osborn	Short	Mr. Speaker

The nays were, none.

Absent or not voting, 38.

Aiken	Garrett	Kohler	Orr
Allen	Hansen of	Lamb	Peaco
Augustine	Audubon	McCaulley	Rutledge
Byers	Helgason	Malone	Shields
Craven	Hesse	Mayne	Simmer
Davis	Hollingsworth	Mead	Strachan
Drake of Keokuk	Hush	Miller	Torgeson
Drake of	Husted	Morton	Van Buren
Muscatine	Johnson of	Nelson of Story	Watts
Elliott	Marion	O'Donnell	Wearin
Fabritz			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Brown of Polk moved that the vote by which House File No. 199 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion lost.

Lichty of Black Hawk asked and obtained unanimous consent to have Senate File No. 325 withdrawn from sifting committee and substituted for House File No. 425.

Senate File No. 325, a bill for an act to amend Section six thousand six hundred sixty-nine (6669) of the Code of 1927, relating to the duties of city manager, was taken up for consideration.

Lichty 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?" Rule 18 was invoked.

The ayes were, 60.

Babcock	Hansen of Scott	McDermott	Ryder
Bair	Hanson of	McLain	Rylander
Beath	Winnebago	Mathews	Sours
Brown	Hayes	Mayne	Stiger
Ditto	Hollingsworth	Millhone	Tamisiea
Drake of Keokuk	Hollis	Nelson of	TePaske
Drake of	Hopkins	Cherokee	Thompson
Muscatine	Hutcheon	Nelson of Story	Torgeson
Durant	Johnson of	Orr	Van Buren
Elliott	Marion	Osborn	Van Wert
Ellsworth	Lamb	Paisley	Wamstad
Felter	Langland	Pattison	Watts
Gallagher	Lichty	Randolph	Wearin
Greaser	Long	Ratliff	Whiting
Greene	McCaulley	Rawlings	Witt
Hansen of	McCreery	Reed	Mr. Speaker
Audubon			

The nays were, 27.

Berry	Garrett	Lepley	Shields
Bonnstetter	Gilmore	Mead	Short
Craven	Helgason	O'Donnell	Snyder
Donlon	Hook	Pendray	Stanzel
Fabritz	Hush	Randall	Strachan
Figgins	Kohler	Reimers	Thiessen
Finnern	Laughlin	Roe	

Absent or not voting, 21.

Aiken	Davis	Hunt	Miller
Allen	Dayton	Husted	Morton
Augustine	Forsling	Kern	Peaco
Avery	Gissel	Koch	Rutledge
Ballew	Hesse	Malone	Simmer
Byers			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Lichty of Black Hawk moved that the vote by which Senate File No. 325 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### MOTION TO RECONSIDER

Brown of Polk moved that the motion to reconsider the vote by which House File No. 199 passed the House be laid on the table.

Motion prevailed.

Lichty of Black Hawk asked and obtained unanimous consent

to have Senate File No. 333 withdrawn from the sifting committee and substituted for House File No. 426.

Senate File No. 333, a bill for an act to amend Section five thousand eight hundred eighteen (5818) of the Code of 1927, and Section five thousand eight hundred twenty-two (5822) of the Code of 1927, relating to River Front Improvement Commission, was taken up for consideration.

Lichty 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, 80.

Avery	Greaser	McCaulley	Ryder
Babcock	Greene	McCreery	Rylander
Bair	Hansen of	McDermott	Shields
Ballew	Audubon	McLain	Short
Beath	Hansen of Scott	Mathews	Simmer
Berry	Hanson of	Mayne	Snyder
Brown	Winnebago	Mead	Sours
Ditto	Hayes	Millhone	Stiger
Donlon	Helgason	Nelson of	Strachan
Drake of Keokuk	Hollingsworth	Cherokee	Tamisica
Drake of	Hollis	Nelson of Story	TePaske
Muscatine	Hopkins	Orr	Thissen
Durant	Hutcheon	Osborn	Thompson
Elliott	Johnson of	Pattison	Van Buren
Ellsworth	Marion	Randall	Van Wert
Felter	Koch	Randolph	Wamstad
Figgins	Kohler	Ratliff	Watts
Finnern	Lamb	Rawlings	Wearin
Gallagher	Langland	Reed	Whiting
Garrett	Lepley	Reimers	Witt
Gilmore	Lichty	Roe	Mr. Speaker
Gissel			

The nays were, 9.

Bonnstetter	Hush	Pendray	Stanzel
Fabritz	O'Donnell	Rutledge	Torgeson
Hook			

Absent or not voting, 19.

Aiken	Davis	Husted	Miller
Allen	Dayton	Kern	Morton
Augustine	Forsling	Laughlin	Paisley
Byers	Hesse	Long	Peaco
Craven	Hunt	Malone	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## REPORTS OF COMMITTEE

Hanson of Winnebago, from the sifting committee, submitted the following reports:

MR. SPEAKER: Your Sifting Committee has introduced to the House, Houst File No. 584, a bill for an act to amend the law as it appears in section ninety-two hundred fifty-three (9253) of the code, 1927, relating to the determination of the liability of stockholders and the collection of stock assessments from stockholders in failed banks.

The sifting committee recommends to the House that the bill do pass.

H. N. HANSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your Sifting Committee has introduced to the House, House File No. 585, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and the corporate acts and proceedings relating to the incorporation of Rucker's Incorporation of Ottumwa, Iowa.

The sifting committee recommends to the House that the bill do pass.

H. N. HANSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your Sifting Committee has introduced to the House, House File No. 586, a bill for an act to amend an act known in the legislative proceedings of the forty-fourth (44th) general assembly of the state of Iowa as House file five hundred twenty-seven (527) entitled "an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools," said amendment being to effect the repeal of sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927.

The sifting committee recommends to the House that the bill do pass.

H. N. HANSON, *Chairman.*

Report adopted.

## INTRODUCTION OF BILLS

House File No. 583, by committee on aeronautics, a bill for an act to amend the law as it appears in chapter one hundred thirty-eight (138) of the code, 1927, relating to airports so as

to extend the provisions thereof to counties and to cities and towns when enacting jointly with each other, and to extend the provisions hereof relative to condemnation.

Read first and second times and referred to sifting committee.

House File No. 584, by sifting committee, a bill for an act to amend the law as it appears in section ninety-two hundred fifty-three (9253) of the code, 1927, relating to the determination of the liability of stockholders and the collection of stock assessments from stockholders in failed banks.

Read first and second times and passed on file.

House File No. 585, by sifting committee, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and the corporate acts and proceedings relating to the incorporation of Rucker's Incorporation of Ottumwa, Iowa.

Read first and second times and passed on file.

House File No. 586, by sifting committee, a bill for an act to amend an act known in the legislative proceedings of the forty-fourth (44th) general assembly of the state of Iowa as House File five hundred twenty-seven (527) entitled "an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers' institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools," said amendment being to effect the repeal of sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927.

Read first and second times and passed on file.

#### SENATE MESSAGES CONSIDERED

Senate File No. 414, a bill for an act to make an appropriation to Dr. W. E. Sharp, Dr. L. M. Getz, Dr. J. S. Potter, Dr. F. L. Buck, Dr. J. M. Lichty, Dr. March Green, Dr. C. J. Scott, Dr. J. F. McCabe, Dr. John W. Haxby, Dr. J. E. Frank, Dr. G. A. Evans, Dr. F. C. Roach, Dr. Chas. Murray, Dr. G. C. Bevan, Dr. J. E. Robertson, Dr. C. E. Baxter, Dr. Edd Scantlebury, and Will Kuhlman.



Read first and second times and referred to committee on appropriations.

Senate File No. 415, a bill for an act to make an appropriation to Ethel F. Katz.

Read first and second times and referred to committee on appropriations.

Senate File No. 427, a bill for an act to make an appropriation to Elmer Ruisch.

Read first and second times and referred to committee on appropriations.

Senate File No. 300, a bill for an act to make an appropriation to Verna P. Marks for damages resulting from an injury due to the negligent maintenance of a highway.

Read first and second times and referred to committee on appropriations.

Senate File No. 376, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy game wardens in a suit for damages growing out of official acts.

Read first and second times and referred to committee on appropriations.

Senate File No. 409, a bill for an act to make an appropriation to J. G. Minert, and to Etta S. Minert and Phyllis S. Davenport as executrices under the will of Adeline C. Schreiner, Deceased.

Read first and second times and referred to committee on appropriations.

#### RESOLUTION

Nelson of Story offered the following resolution:

*Whereas*, Divine Providence has called home the spirit of the beloved Dr. L. H. Pammel, of Ames, Iowa; and

*Whereas*, Dr. Pammel has been professor of botany at the Iowa State College at Ames, Iowa, for over forty-one years past; and

*Whereas*, The life and work of Dr. Pammel have always been devoted to the interests of conservation in the State of Iowa; and

*Whereas*, Said Dr. Pammel was from the time of the creation of the State Board of Conservation in 1918, Chairman of said board until 1927; and

*Whereas*, During the time said Dr. L. H. Pammel was Chairman of the Board of Conservation, the State acquired thirty-eight state parks, which parks are now frequented by thousands each year from all parts of the United States; and

*Whereas*, In recognition of the great service rendered by the said Dr. L. H. Pammel as a professor of botany and because of his interests in conservation, the State Board of Conservation did in 1930 change the name of the park known as Devil's Backbone Park at Winterset, to Pammel State Park; and

*Whereas*, The said Dr. L. H. Pammel has contributed many books in the interests of botany and conservation of the resources of the State, chief of which are his, "Weed Flora of Iowa", "Grasses of Iowa", and did just prior to his death complete the proof reading of his last work, "Honey Plants of Iowa", which last publication was made for the purpose of increasing the interest in and development of the production of honey in the State of Iowa; and

*Whereas*, The life of said Dr. L. H. Pammel has been one of real service to the community, state and nation;

*Therefore, Be It Resolved by the House of the Forty-fourth General Assembly of the State of Iowa*, That in the passing of Dr. L. H. Pammel the State has lost a most valuable and honored citizen, a man of strong character and sterling worth and the House of Iowa does by this Resolution render its sympathy to the widow and children who survive.

*Be It Further Resolved*, That a copy of these Resolutions be spread upon the journal of the House as an expression of the life and worth of the deceased, and an engrossed copy hereof be transmitted to the widow at Ames, Iowa.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Nelson moved its adoption.

Motion prevailed and the resolution was adopted.

#### RESOLUTION

Thompson of Fayette offered the following resolution and moved its adoption:

*Whereas*, The Honorable Christian Miller former member of the House of Representatives from Fayette County in the twenty-seventh and twenty-eighth (27th and 28th) General Assemblies died August twenty-fifth (25) 1927 at Rock Rapids, South Dakota,

*Therefore, Be It Resolved by the Forty-fourth (44th) General Assembly of the House of Representatives, That the speaker appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this state and nation.*

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Thompson moved its adoption.

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Thompson of Fayette, Orr of Clayton and Langland of Winneshiek.

#### RESOLUTION

Gissel of Buchanan offered the following resolution:

*Whereas, The Honorable John B. Truax of Independence, Iowa, who was a member of the House in the Forty-first, Forty-second, Forty-second Special and Forty-third General Assemblies, died at his home in Independence, Iowa on November 19th, 1930 at the age of seventy-one years.*

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.*

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Gissel moved its adoption.

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Gissel of Buchanan, Lichty of Black Hawk and Torgeson of Worth.

#### RESOLUTION

Hayes of Dubuque offered the following resolution:

*Whereas, The Honorable A. F. Frudden, who was a member of the House in the Twenty-ninth, Thirtieth, and Thirty-first General Assemblies, from the Sixty-ninth District composed of Dubuque County, died at his home in Beverly Hills, California, on the eighth of April, 1931,*

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.*

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Hayes moved its adoption.

Motion prevailed and the resolution was adopted. The Speaker appointed as members of such committee: Hayes of Dubuque, Ryder of Dubuque and Orr of Clayton.

On motion of Berry of Monroe the House recessed until the sound of the gavel.

#### 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. 353, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held in the city of Chicago, Illinois, in the year, 1933.

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 relative to listing delinquent special assessments upon the tax list.

Also, that the Senate has receded from its amendments to the following bill:

House file No. 288, a bill for an act relating to state aid to short courses in counties where no county or district fairs are held.

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 relating to the audit of claims against the state and certain agencies thereof.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 358, a bill for an act relating to cigarettes.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 38, a bill for an act relating to the suspension, cancellation, or remission of taxes.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 576, a bill for an act relative to the improvement of primary roads.

WALTER H. BEAM, *Secretary*.

## SENATE AMENDMENTS TO HOUSE FILE NO. 28

Strike out all after the enacting clause and insert the following:

Section 1. The Board of Education and the Board of Control shall annually have their books and all receipts and expenditures audited by an expert firm of accountants selected by the Executive Council and a certified copy of the report of said expert accountants shall be filed with the State Board of Audit.

Sec. 2. There is hereby annually appropriated from any funds in the state treasury, not otherwise appropriated, a sum sufficient to defray the compensation of such expert public accountants.

Also strike out the title and substitute the following:

An Act to provide for an annual examination of the books of the State Board of Education and Board of Control and the filing of a copy of the report of same with the State Board of Audit, and to make an appropriation therefor.

## SENATE AMENDMENTS TO HOUSE FILE NO. 38

Amend by striking out all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Sections sixty-nine hundred fifty (6950) to sixty-nine hundred fifty-two (6952), inclusive, Code, 1927, are amended by adding immediately after said section sixty-nine hundred fifty-two (6952) the following, to-wit:

'6952-d1. Suspended tax list. The county auditor shall keep and maintain in his office a book which shall be known as the "Suspended Tax List" and in which he shall enter the following data relative to all taxes, and polls, the collection of which have been suspended by order of the board of supervisors, to-wit:

1. A governmental or platted description of the land on which the said tax has been levied or on which it is a lien.
2. The name of the owner of said land.
3. The amount, and current year, of said tax.
4. The date of the order suspending collection of said tax.

Said book shall be so prepared, ruled, and headed that all entries of taxes and polls against the land in a given section or in a given city or town plat addition, or auditor's plat shall be separate from the entry of taxes against the land in any other section, or city or town plat, addition, or auditor's plat.

The county auditor shall, prior to January 1, 1932, enter in said book the aforesaid data as to all unpaid, uncanceled and unremitted taxes,

and polls, the collection of which have been ordered suspended by the board of supervisors since July 4, 1921. The data relative to all other suspended taxes and polls shall be entered immediately following the entry of such suspension.

If a tax or poll on said book be paid, or be subsequently legally cancelled and remitted, the auditor shall enter in said book and over his official signature a satisfaction thereof.'"

Amend the title by striking out the words and figures "section sixty-nine hundred fifty-one (6951)" and inserting in lieu thereof the words and figures "sections sixty-nine hundred fifty (6950) to sixty-nine hundred fifty-two (6952) inclusive".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 576

Amend as follows:

After the word "upon" and before the word "those" in line 4 of Sec. 14, insert the following:

"interstate primary roads, primary roads now connecting county seats of adjoining counties, and".

Amend as follows:

At the end of line 7 of Sec. 13, insert the following:

"interstate primary roads, primary roads now connecting county seats of adjoining counties, and".

Amend as follows: After Section 12 add as Section 13 the following:

"Sec. 13. In addition to the primary roads designated for paving in Article XIII of the Constitution of Iowa, interstate primary roads, primary roads now connecting county seats of adjoining counties, and at least ninety per cent (90%) of those primary roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by Article XIII of the Constitution, or as the same may have been relocated since that date, shall be surfaced with paving. Payment of the costs of such additional paving shall be made from the current primary road funds."

Re-number Sections 13 and 14.

Further amend by adding at the end of Section 14 the following:

"Until ninety per cent (90%) of the road construction program as provided for and outlined in this act shall have been completed, at least sixty-five per cent (65%) of the primary road fund available for construction purposes in any year shall be used for paving in accordance with the provisions, hereof."

## SENATE MESSAGE CONSIDERED

Senate File No. 353, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held in the city of Chicago, Illinois, in the year, 1933, and to make an appropriation and to create a commission therefor.

Read first and second times and referred to committee on appropriations.

## SIFTING COMMITTEE EXCUSED

On request of Hanson of Winnebago, the sifting committee was excused.

## CONSIDERATION OF BILLS

House File No. 464, a bill for an act to amend section eighty-eight hundred thirty (8830), of the code, 1927, relating to deposit of securities with the commissioner of insurance, was taken up for consideration.

Koch of Bremer moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 65.

Aiken	Hollingsworth	McDermott	Rawlings
Avery	Hollis	McLain	Reed
Babcock	Hook	Malone	Rutledge
Beath	Hunt	Mathews	Rylander
Dayton	Hush	Mayne	Shields
Ditto	Husted	Mead	Sours
Donlon	Johnson of	Millhone	Stanzel
Drake of Keokuk	Marion	Nelson of	Stiger
Elliott	Kern	Cherokee	Strachan
Ellsworth	Koch	Nelson of Story	TePaske
Fabritz	Kohler	Orr	Thiessen
Gallagher	Lamb	Osborn	Torgeson
Gilmore	Langland	Paisley	Van Buren
Gissel	Laughlin	Pattison	Watts
Greaser	Leoley	Peaco	Whiting
Helgason	Long	Pendray	Witt
	McCaulley	Ratcliff	Mr. Speaker

The nays were, none.

Absent or not voting, 43.

Allen	Durant	Hayes	Reimers
Augustine	Felter	Hesse	Roe
Bair	Figgins	Hopkins	Ryder
Ballew	Finnern	Hutcheon	Short
Berry	Forsling	Lichty	Simmer
Bonnstetter	Garrett	McCreery	Snyder
Brown	Greene	Miller	Tamisiea
Byers	Hansen of	Morton	Thompson
Craven	Audubon	O'Donnell	Van Wert
Davis	Hansen of Scott	Randall	Wamstad
Drake of	Hanson of	Randolph	Wearin
Muscatine	Winnebago		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 494, a bill for an act to amend section forty-eight hundred thirty-five (4835), code, 1927, relating to the removal of obstructions in highway, was taken up for consideration.

Langland of Winneshiek offered the following amendment and moved its adoption:

Amend House File No. 494 by striking section two (2).

Amendment lost.

Langland of Winneshiek moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was head a third time.

On the question "Shall the bill pass?"

The ayes were, 58.

Augustine	Gallagher	Kohler	Pendray
Avery	Gilmore	Lamb	Randall
Babcock	Gissel	Langland	Randolph
Bair	Hansen of	Laughlin	Ratliff
Beath	Audubon	Long	Short
Ditto	Hayes	McDermott	Simmer
Donlon	Helgason	McLain	Snyder
Drake of Keokuk	Hesse	Mathews	Sours
Drake of	Hollingsworth	Mayne	Stanzel
Muscatine	Hollis	Mead	Strachan
Durant	Hush	Millhone	Tamisiea
Elliott	Husted	Nelson of	TePaske
Ellsworth	Johnson of	Cherokee	Van Buren
Fabritz	Marion	O'Donnell	Watts
Figgins	Kern	Peaco	Mr. Speaker
Finnern	Koch		



The nays were, 16.

Dayton	Hunt	Nelson of Story	Rylander
Garrett	Lepley	Osborn	Shields
Greaser	Lichty	Paisley	Thiessen
Hook	Malone	Reed	Whiting

Absent or not voting, 34.

Aiken	Felter	McCreery	Ryder
Allen	Forsling	Miller	Stiger
Ballew	Greene	Morton	Thompson
Berry	Hansen of Scott	Orr	Torgeson
Bonnstetter	Hanson of	Pattison	Van Wert
Brown	Winnebago	Rawlings	Wamstad
Byers	Hopkins	Reimers	Wearin
Craven	Hutcheon	Roe	Witt
Davis	McCaulley	Rutledge	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 533, a bill for an act to amend paragraph fifteen (15) of section fifty-six hundred sixty-three (5663) of the code, 1927, relating to the purchase of supplies by cities and towns, was taken up for consideration.

Kern 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, 70.

Augustine	Gissel	Laughlin	Ratliff
Avery	Greaser	McCaulley	Rawlings
Babcock	Hayes	McDermott	Reed
Bair	Helgason	McLain	Rutledge
Beath	Hesse	Malone	Rylander
Dayton	Hollingsworth	Mathews	Shields
Ditto	Hollis	Mayne	Short
Donlon	Hook	Mead	Simmer
Drake of Keokuk	Hunt	Millhone	Sours
Drake of	Hush	Nelson of	Stanzel
Muscatine	Husted	Cherokee	Strachan
Durant	Johnson of	Nelson of Story	Tamisiea
Elliott	Marion	Orr	Thiessen
Ellsworth	Kern	Osborn	Thompson
Fabritz	Koch	Paisley	Van Buren
Figgins	Kohler	Peaco	Watts
Finnern	Lamb	Pendray	Whiting
Gallagher	Langland	Randolph	Mr. Speaker
Garrett			

The nays were, none.

Absent or not voting, 38.

Aiken	Forsling	Lepley	Roe
Allen	Gilmore	Lichty	Ryder
Ballew	Greene	Long	Snyder
Berry	Hansen of	McCreery	Stiger
Bonnstetter	Audubon	Miller	TePaske
Brown	Hansen of Scott	Morton	Torgeson
Byers	Hanson of	O'Donnell	Van Wert
Craven	Winnebago	Pattison	Wamstad
Davis	Hopkins	Randall	Wearin
Felter	Hutcheon	Reimers	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 548, a bill for an act to repeal section fifteen hundred forty-six-a one (1546-a1) of the code, 1927, as amended, and to enact a substitute therefor, relating to employment agencies, and the fee to be charged for services rendered thereby, was taken up for consideration.

Thompson 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, 72.

Aiken	Hansen of Scott	McCaulley	Rutledge
Avery	Hayes	McDermott	Rylander
Babcock	Helgason	McLain	Shields
Bair	Hollingsworth	Malone	Short
Beath	Hollis	Mathews	Simmer
Dayton	Hook	Mayne	Snyder
Ditto	Hunt	Mead	Sours
Donlon	Hush	Millhone	Stanzel
Drake of Keokuk	Husted	Nelson of Story	Stiger
Durant	Johnson of	Osborn	Strachan
Elliott	Marion	Paisley	TePaske
Fabritz	Koch	Peaco	Thiessen
Figgins	Kohler	Pendray	Thompson
Finnern	Lamb	Randall	Van Buren
Gallagher	Langland	Randolph	Wearin
Garrett	Laughlin	Ratliff	Whiting
Gilmore	Lichty	Rawlings	Witt
Gissel	Long	Reed	Mr. Speaker
Greaser			

The nays were, 1.

Ellsworth

Absent or not voting, 35.

Allen	Drake of	Hopkins	Orr
Augustine	Muscatine	Hutcheon	Pattison
Ballew	Felter	Kern	Reimers
Berry	Forsling	Lepley	Roe
Bonnstetter	Greene	McCreery	Ryder
Brown	Hansen of	Miller	Tamisiea
Byers	Audubon	Morton	Torgeson
Craven	Hanson of	Nelson of	Van Wert
Davis	Winnebago	Cherokee	Wamstad
	Hesse	O'Donnell	Watts

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 549, a bill for an act to amend sections fifteen hundred twenty-six (1526) and fifteen hundred thirty (1530) of the code, 1927, relating to child labor and the regulation thereof, with report of committee recommending passage, was taken up for consideration.

Thompson 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, 72.

Aiken	Hansen of	Long	Reed
Avery	Audubon	McCaulley	Rutledge
Bair	Hayes	McDermott	Short
Beath	Helgason	McLain	Simmer
Dayton	Hesse	Mathews	Snyder
Ditto	Hollingsworth	Mayne	Sours
Donlon	Hollis	Mead	Stanzel
Drake of Keokuk	Hook	Millhone	Stiger
Durant	Hunt	Nelson of Story	Strachan
Elliott	Hush	O'Donnell	TePaske
Ellsworth	Husted	Orr	Thiessen
Fabritz	Kern	Paisley	Thompson
Figgins	Koch	Pattison	Van Buren
Finnern	Kohler	Peaco	Watts
Gallagher	Lamb	Pendray	Wearin
Garrett	Langland	Randolph	Whiting
Gilmore	Laughlin	Ratliff	Witt
Gissel	Lepley	Rawlings	Mr. Speaker
	Lichty		

The nays were, none.

Absent or not voting, 36.

Allen	Berry	Craven	Felter
Augustine	Bonnstetter	Davis	Forsling
Babcock	Brown	Drake of	Greaser
Ballew	Byers	Muscatine	Greene

Hansen of Scott	McCreery	Osborn	Shields
Hanson of	Malone	Randall	Tamisiea
Winnebago	Miller	Reimers	Torgeson
Hopkins	Morton	Roe	Van Wert
Hutcheon	Nelson of	Ryder	Wamstad
Johnson of	Cherokee	Rylander	
Marion			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 68, a bill for an act to amend section thirty-six hundred forty-nine (3649), Code, 1927, relating to the commitment and discharge of neglected, dependent, and delinquent children, 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?"

The ayes were, 73.

Aiken	Gissel	Malone	Shields
Augustine	Greaser	Mathews	Short
Avery	Hayes	Mayne	Simmer
Babcock	Helgason	Mead	Snyder
Bair	Hollingsworth	Millhone	Sours
Beath	Hollis	Nelson of	Stanzel
Ditto	Hook	Cherokee	Stiger
Donlon	Hunt	Nelson of Story	Strachan
Drake of Keokuk	Husted	Orr	TePaske
Durant	Koch	Paisley	Thiessen
Elliott	Kohler	Pattison	Thompson
Ellsworth	Lamb	Peaco	Torgeson
Fabritz	Laughlin	Pendray	Van Buren
Figgins	Lepley	Randall	Watts
Finnern	Lichty	Randolph	Wearin
Gallagher	Long	Ratliff	Whiting
Garrett	McCaulley	Reed	Witt
Gilmore	McDermott	Rutledge	Mr. Speaker
	McLain	Rylander	

The nays were, none.

Absent or not voting, 35.

Allen	Felter	Hush	O'Donnell
Ballew	Forsling	Hutcheon	Osborn
Berry	Greene	Johnson of	Rawlings
Bonnstetter	Hansen of	Marion	Reimers
Brown	Audubon	Kern	Roe
Byers	Hansen of Scott	Langland	Ryder
Craven	Hanson of	McCreery	Tamisiea
Davis	Winnebago	Miller	Van Wert
Dayton	Hesse	Morton	Wamstad
Drake of	Hopkins		
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 69, a bill for an act to amend section thirty-four hundred five (3405), Code, 1927, relating to the release of inmates of the institution for feeble-minded at Glenwood, was taken up for consideration.

Wearin 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, 74.

Aiken	Greaser	Malone	Rylander
Augustine	Hayes	Mathews	Shields
Avery	Helgason	Mayne	Short
Babcock	Hollingsworth	Mead	Simmer
Bair	Hollis	Millhone	Snyder
Beath	Hook	Nelson of Cherokee	Sours
Ditto	Hunt	O'Donnell	Stanzel
Donlon	Husted	Orr	Stiger
Drake of Keokuk	Johnson of Marion	Paisley	Strachan
Durant	Kern	Pattison	TePaske
Elliott	Koch	Peaco	Thiessen
Ellsworth	Lamb	Pendray	Torgeson
Fabritz	Laughlin	Randall	Van Buren
Figgins	Lepley	Randolph	Watts
Finnern	Long	Ratliff	Wearin
Gallagher	McCaulley	Rawlings	Whiting
Garrett	McDermott	Reed	Witt
Gilmore	McLain	Rutledge	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 34.

Allen	Drake of	Hesse	Morton
Ballew	Muscatine	Hopkins	Nelson of Story
Berry	Felter	Hush	Osborn
Bonnstetter	Forsling	Hutcheon	Reimers
Brown	Greene	Kohler	Roe
Byers	Hansen of	Langland	Ryder
Craven	Audubon	Lichty	Tamisiea
Davis	Hansen of Scott	McCreery	Van Wert
Dayton	Hanson of Winnebago	Miller	Wamstad

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rylander of Marshall moved that the vote by which Senate File

No. 69 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 70, a bill for an act to amend section twelve thousand five hundred fifty-four (12554) of the Code, 1927, relating to fines and forfeitures and the disposition thereof, was taken up for consideration.

Hollingsworth of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Augustine	Hansen of	Lepley	Shields
Avery	Audubon	Long	Short
Babcock	Hansen of Scott	McCaulley	Snyder
Bair	Hayes	McDermott	Sours
Beath	Helgason	McLain	Stanzel
Donlon	Hesse	Mathews	Stiger
Drake of Keokuk	Hollingsworth	Mayne	Strachan
Durant	Hollis	Mead	Tamisiea
Elliott	Hook	Millhone	TePaske
Ellsworth	Hunt	Nelson of	Thiessen
Fabritz	Husted	Cherokee	Thompson
Figgins	Johnson of	Orr	Torgeson
Finnern	Marion	Pattison	Van Buren
Gallagher	Kern	Peaco	Watts
Garrett	Koch	Pendray	Wearin
Gilmore	Kohler	Randall	Whiting
Gissel	Lamb	Randolph	Witt
Greaser	Langland	Reed	Mr. Speaker
	Laughlin	Rutledge	

The nays were, none.

Absent or not voting, 37.

Aiken	Ditto	Hutcheon	Ratliff
Allen	Drake of	Lichty	Rawlings
Ballew	Muscatine	McCreery	Reimers
Berry	Felter	Malone	Roe
Bonnstetter	Forsling	Miller	Ryder
Brown	Greene	Morton	Rylander
Byers	Hanson of	Nelson of Story	Simmer
Craven	Winnebago	O'Donnell	Van Wert
Davis	Hopkins	Osborn	Wamstad
Dayton	Hush	Paisley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 125, a bill for an act to amend section four thousand eight hundred sixty-seven (4867) of the Code, 1927, relating to general exemptions of motor vehicles, was taken up for consideration.

Greaser of Benton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Augustine	Hansen of	Lichty	Reed
Avery	Audubon	Long	Rutledge
Babcock	Hayes	McCaulley	Ryder
Bair	Helgason	McDermott	Shields
Beath	Hesse	Mathews	Short
Ditto	Hollingsworth	Mayne	Snyder
Donlon	Hollis	Mead	Sours
Durant	Hook	Millhone	Stanzel
Elliott	Hunt	Nelson of	Stiger
Ellsworth	Husted	Cherokee	Strachan
Fabritz	Johnson of	Nelson of Story	Tamisiea
Finnern	Marion	Orr	TePaske
Gallagher	Kern	Paisley	Thiessen
Garrett	Koch	Pattison	Thompson
Gilmore	Kohler	Peaco	Van Buren
Gissel	Lamb	Pendray	Watts
Greaser	Langland	Randall	Wearin
Greene	Lepley	Randolph	Whiting
		Ratliff	Mr. Speaker

The nays were, none.

Absent or not voting, 37.

Aiken	Drake of Keokuk	Hush	Rawlings
Allen	Drake of	Hutcheon	Reimers
Ballew	Muscatine	Laughlin	Roe
Berry	Felter	McCreery	Rylander
Bonnstetter	Figgins	McLain	Simmer
Brown	Forsling	Malone	Torgeson
Byers	Hansen of Scott	Miller	Van Wert
Craven	Hanson of	Morton	Wamstad
Davis	Winnebago	O'Donnell	Witt
Dayton	Hopkins	Osborn	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Greaser of Benton moved that the vote by which Senate File No. 125 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 239, a bill for an act to amend section sixty-one hundred eighty (6180), Code, 1927, relating to the fixing of rates for private consumers in cases of municipally owned water-works acquired and operated under and pursuant to Chapter three hundred fourteen (314), Code, 1927, was taken up for consideration.

Kern 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, 58.

Augustine	Hayes	Long	Ratliff
Avery	Helgason	McCaulley	Reed
Babcock	Hesse	McLain	Ryder
Bair	Hollingsworth	Mathews	Snyder
Beath	Hook	Mayne	Sours
Bonnstetter	Hunt	Millhone	Stanzel
Donlon	Hush	Nelson of	Stiger
Durant	Johnson of	Cherokee	Tamisiea
Elliott	Marion	Nelson of Story	TePaske
Fabritz	Kern	Orr	Thiessen
Figgins	Koch	Paisley	Thompson
Gallagher	Kohler	Pattison	Watts
Garrett	Lamb	Peaco	Whiting
Gilmore	Langland	Pendray	Witt
Hansen of Scott	Lichty	Randolph	Mr. Speaker

The nays were, 3.

Finnern	Gissel	Hansen of
		Audubon

Absent or not voting, 47.

Aiken	Ellsworth	Lepley	Roe
Allen	Felter	McCreery	Rutledge
Ballew	Forsling	McDermott	Rylander
Berry	Greaser	Malone	Shields
Brown	Greene	Mead	Short
Byers	Hanson of	Miller	Simmer
Craven	Winnebago	Morton	Strachan
Davis	Hollis	O'Donnell	Torgeson
Dayton	Hopkins	Osborn	Van Buren
Ditto	Husted	Randall	Van Wert
Drake of Keokuk	Hutcheon	Rawlings	Wamstad
Drake of	Laughlin	Reimers	Wearin
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.



## REPORT OF COMMITTEE

Hanson of Winnebago, from the sifting committee, submitted the following report:

MR. SPEAKER: Your sifting committee, to whom was referred Senate File No. 266, a bill for an act authorizing the sheriff of each county, with the cooperation of the Bureau of Investigation, to hold an annual conference and school of instruction for certain peace officers, and authorizing the payment of expenses of all officers attending, beg leave to report they have had the same 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 two (2).

H. N. HANSON, *Chairman*.

Report adopted.

## CONSIDERATION OF BILLS

Senate File No. 266, a bill for an act authorizing the sheriff of each county, with the cooperation of the Bureau of Investigation, to hold an annual conference and school of instruction for certain peace officers, and authorizing the payment of expenses of all officers attending, with report of sifting committee recommending amendment and passage, was taken up for consideration.

Torgeson of Worth moved that the amendment proposed by the committee, found in the Journal of today, be adopted.

On the question "Shall the amendment proposed by the committee be adopted?" a roll call was demanded.

The ayes were, 48.

Bair	Hansen of	Kohler	Reed
Beath	Audubon	Lamb	Roe
Ditto	Hansen of Scott	Depley	Ryder
Donlon	Hayes	Mayne	Rylander
Durant	Hollingsworth	Mead	Short
Elliott	Hook	Millhone	Simmer
Ellsworth	Hunt	Nelson of Story	Stanzel
Fabritz	Husted	O'Donnell	TePaske
Figgins	Hutcheon	Orr	Thiessen
Gilmore	Johnson of	Pattison	Whiting
Gissel	Marion	Peaco	Witt
Greaser	Kern	Randall	Mr. Speaker
	Koch	Rawlings	

The nays were, 24.

Augustine	Garrett	Malone	Sours
Babcock	Helgason	Mathews	Strachan
Drake of Keokuk	Hesse	Osborn	Tamisiea
Drake of	Hush	Pendray	Thompson
Muscatine	Langland	Rutledge	Torgeson
Finnern	McLain	Snyder	Van Buren
Gallagher			

Absent or not voting, 36.

Aiken	Dayton	Long	Randolph
Allen	Felter	McCaulley	Ratliff
Avery	Forsling	McCreery	Reimers
Ballew	Greene	McDermott	Shields
Berry	Hanson of	Miller	Stiger
Bonnstetter	Winnabago	Morton	Van Wert
Brown	Hollis	Nelson of	Wamstad
Byers	Hopkins	Cherokee	Watts
Craven	Laughlin	Paisley	Wearin
Davis	Lichty		

Amendment adopted.

Torgeson of Worth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 82.

Augustine	Gissel	Long	Roe
Avery	Greaser	McCaulley	Rutledge
Babcock	Hansen of	McDermott	Ryder
Beath	Audubon	McLain	Rylander
Berry	Hansen of Scott	Malone	Short
Brown	Hayes	Mathews	Simmer
Craven	Helgason	Millhone	Snyder
Ditto	Hesse	Nelson of	Sours
Donlon	Hollingsworth	Cherokee	Stanzel
Drake of Keokuk	Hollis	Nelson of Story	Stiger
Drake of	Hopkins	O'Donnell	Strachan
Muscatine	Hunt	Orr	Tamisiea
Durant	Hush	Osborn	TePaske
Elliott	Hutcheon	Paisley	Thiessen
Ellsworth	Johnson of	Pattison	Thompson
Fabritz	Marion	Peaco	Torgeson
Felter	Kern	Pendray	Van Buren
Figgins	Koch	Randall	Wamstad
Finnern	Lamb	Randolph	Whiting
Gallagher	Langland	Ratliff	Witt
Garrett	Lepley	Rawlings	Mr. Speaker
Gilmore	Lichty		

The nays were, 6.

Bonnstetter	Husted	Mead	Watts
Hook	Kohler		

Absent or not voting, 20.

Aiken	Dayton	Laughlin	Reed
Allen	Forsling	McCreery	Reimers
Bair	Greene	Mayne	Shields
Ballew	Hanson of	Miller	Van Wert
Byers	Winnebago	Morton	Wearin
Davis			

So the bill having received a constitutional majority was declared to have passed the House.

Torgeson of Worth offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 266, by striking from lines four (4) and five (5) the following: “, and authorizing the payment of expenses of all officers attending”.

Amendment adopted, and the title, as amended, was agreed to.

Senate File No. 135, a bill for an act to amend sections twelve thousand eight hundred thirty-seven (12837) and twelve thousand eight hundred forty (12840), thirteen thousand nine hundred ninety-seven (13997), Code, 1927, relating to the perfecting of an appeal to the Supreme Court, was taken up for consideration.

Brown 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, 87.

Augustine	Garrett	Johnson of	Nelson of
Avery	Gilmore	Marion	Cherokee
Babcock	Gissel	Kern	Nelson of Story
Ballew	Greaser	Koch	Orr
Beath	Greene	Kohler	Osborn
Bonnstetter	Hansen of Scott	Lamb	Paisley
Brown	Hanson of	Langland	Peaco
Craven	Winnebago	Laughlin	Pendray
Ditto	Hayes	Lepley	Randall
Donlon	Helgason	Lichty	Randolph
Drake of Keokuk	Hesse	Long	Ratliff
Durant	Hollingsworth	McCaulley	Rawlings
Elliott	Hollis	McDermott	Reed
Ellsworth	Hook	McLain	Roe
Fabritz	Hopkins	Malone	Ryder
Figgins	Hunt	Mathews	Rylander
Finnern	Husted	Mayne	Shields
Forsling	Hutcheon	Mead	Short
Gallagher		Millhone	Snyder

Sours	Tamisiea	Torgeson	Whiting
Stanzel	TePaske	Van Buren	Witt
Stiger	Thiessen	Wamstad	Mr. Speaker
Strachan	Thompson	Wearin	

The nays were, none.

Absent or not voting, 21.

Aiken	Dayton	Hush	Reimers
Allen	Drake of	McCreery	Rutledge
Bair	Muscatine	Miller	Simmer
Berry	Felter	Morton	Van Wert
Byers	Hansen of	O'Donnell	Watts
Davis	Audubon	Pattison	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 136, a bill for an act to amend section one hundred fifty-seven (157), Code, 1927, relative to the legislative recommendations of the code editor, was taken up for consideration.

Brown 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, 82.

Augustine	Gilmore	Laughlin	Rawlings
Avery	Gissel	Lichty	Reed
Babcock	Greaser	Long	Roe
Beath	Greene	McCaulley	Ryder
Berry	Hanson of	McCreery	Shields
Bonnstetter	Winnebago	McDermott	Short
Brown	Hayes	McLain	Simmer
Craven	Helgason	Malone	Sours
Dayton	Hesse	Mathews	Stanzel
Ditto	Hollis	Mayne	Stiger
Donlon	Hook	Mead	Tamisiea
Drake of Keokuk	Hopkins	Millhone	Thiessen
Durant	Hunt	Nelson of	Thompson
Elliott	Husted	Cherokee	Torgeson
Ellsworth	Hutcheon	Orr	Van Buren
Fabritz	Johnson of	Osborn	Van Wert
Felter	Marion	Paisley	Wamstad
Figgins	Kern	Peaco	Wearin
Finnern	Koch	Pendray	Whiting
Forsling	Kohler	Randolph	Witt
Gallagher	Langland	Ratcliff	Mr. Speaker
Garrett			

The nays were, none.

Absent or not voting, 26.

Aiken	Hansen of	Miller	Rutledge
Allen	Audubon	Morton	Rylander
Bair	Hansen of Scott	Nelson of Story	Snyder
Ballew	Hollingsworth	O'Donnell	Strachan
Byers	Hush	Pattison	TePaske
Davis	Lamb	Randall	Watts
Drake of	Lepley	Reimers	
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 138, a bill for an act to amend section ten (10), chapter sixty-six (66), acts of the forty-third (43) general assembly, relating to the investigations, findings, and orders of the state board of eugenics, 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, 81.

Augustine	Gissel	Lamb	Ratliff
Avery	Greaser	Langland	Rawlings
Babcock	Greene	Laughlin	Reed
Beath	Hansen of Scott	Lepley	Roe
Berry	Hanson of	Lichty	Ryder
Bonnstetter	Winnebago	Long	Rylander
Brown	Hayes	McCaulley	Shields
Craven	Helgason	McCreery	Short
Dayton	Hesse	McDermott	Snyder
Donlon	Hollingsworth	McLain	Sours
Drake of Keokuk	Hollis	Malone	Stiger
Durant	Hook	Mathews	Tamisiea
Elliott	Hopkins	Mayne	Thiessen
Ellsworth	Hunt	Millhone	Van Buren
Fabritz	Husted	Nelson of	Van Wert
Felter	Hutcheon	Cherokee	Wamstad
Finnern	Johnson of	Orr	Watts
Forsling	Marion	Osborn	Wearin
Gallagher	Kern	Peaco	Whiting
Garrett	Koch	Pendray	Witt
Gilmore	Kohler	Randolph	Mr. Speaker

The nays were, none.

Absent or not voting, 27.

Aiken	Byers	Drake of	Hansen of
Allen	Davis	Muscatine	Audubon
Bair	Ditto	Figgins	Hush
Ballew			Mead

Miller  
Morton  
Nelson of Story  
**O'Donnell**

Paisley  
Pattison  
Randall  
Reimers

Rutledge  
Simmer  
Stanzel  
Strachan

TePaske  
Thompson  
Torgeson

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 139, a bill for an act to repeal sections forty-six hundred eighty-six (4686) and forty-eight hundred forty-three (4843), Code, 1927, and to amend sections forty-five hundred sixty (4560), forty-six hundred seven (4607), forty-six hundred eight (4608), as amended by the forty-third (43rd) general assembly, chapter twenty (20), section sixty-seven (67), forty-six hundred fifty-seven (4657), forty-seven hundred fifty-five-b twenty-seven (4755-b27), forty-eight hundred thirty-one-b one (4831-b1), forty-eight hundred forty-two (4842), forty-eight hundred forty-seven (4847), forty-eight hundred sixty-two (4862), fifty-one hundred fifty-one (5151), fifty-five hundred fifty-six (5556), fifty-five hundred eighty-five (5585), Code, 1927, and chapter twenty-two (22), acts of the forty-third (43rd) general assembly, and to repeal sections forty-six hundred twenty-seven (4627), forty-six hundred twenty-eight (4628), forty-six hundred twenty-nine (4629), forty-eight hundred thirty-four (4834), forty-eight hundred thirty-seven (4837), forty-eight hundred thirty-eight (4838), forty-eight hundred forty-five (4845), forty-eight hundred fifty-six (4856), forty-eight hundred fifty-seven (4857), forty-eight hundred fifty-eight (4858), Code, 1927, and to enact substitutes therefor, relating to the establishment, vacation, alteration, change, construction, use, and maintenance of highways and to the funds and donations set apart and expended for highway purposes, to the duties of the state highway commission and other public officers and public employees with reference to highways, to obstructions in and along highways and the removal of such obstructions, and to coordinate and harmonize the law of this state on the subject of highways, 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, 74.

Augustine	Greaser	Laughlin	Ratliff
Avery	Hansen of Scott	Lepley	Reed
Beath	Hanson of	Lichty	Roe
Berry	Winnebago	Long	Ryder
Bonnstetter	Hayes	McCaulley	Rylander
Craven	Hesse	McCreery	Short
Dayton	Hollingsworth	McDermott	Sours
Donlon	Hollis	McLain	Stiger
Drake of Keokuk	Hook	Malone	Tamisiea
Durant	Hopkins	Mathews	Thiessen
Elliott	Husted	Mayne	Thompson
Ellsworth	Hutcheon	Millhone	Van Buren
Fabritz	Johnson of	Nelson of	Van Wert
Felter	Marion	Cherokee	Wamstad
Finnern	Kern	Nelson of Story	Watts
Forsling	Koch	Orr	Wearin
Gallagher	Kohler	Osborn	Whiting
Garrett	Lamb	Peaco	Witt
Gilmore	Langland	Pendray	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 34.

Aiken	Drake of	Mead	Reimers
Allen	Muscatine	Miller	Rutledge
Babcock	Figgins	Morton	Shields
Bair	Greene	O'Donnell	Simmer
Ballew	Hansen of	Paisley	Snyder
Brown	Audubon	Pattison	Stanzel
Byers	Helgason	Randall	Strachan
Davis	Hunt	Randolph	TePaske
Ditto	Hush	Rawlings	Torgeson

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 140, a bill for an act to provide for the swearing or affirmation of jurors in civil cases, was taken up for consideration.

Mayne 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, 84.

Augustine	Byers	Ellsworth	Garrett
Avery	Craven	Fabritz	Gilmore
Babcock	Dayton	Felter	Gissel
Beath	Donlon	Figgins	Greaser
Berry	Drake of Keokuk	Finnern	Hansen of Scott
Bonnstetter	Durant	Forsling	Hanson of
Brown	Elliott	Gallagher	Winnebago

Hayes	Laughlin	Nelson of Story	Simmer
Helgason	Lepley	Orr	Snyder
Hesse	Lichty	Osborn	Sours
Hollingsworth	Long	Paisley	Stiger
Hollis	McCaulley	Peaco	Strachan
Hook	McCreery	Pendray	Tamisiea
Hopkins	McDermott	Randall	TePaske
Hush	McLain	Ratliff	Thiessen
Husted	Malone	Reed	Thompson
Hutcheon	Mathews	Roe	Torgeson
Kern	Mayne	Ryder	Wamstad
Koch	Mead	Rylander	Watts
Kohler	Millhone	Shields	Whiting
Lamb	Nelson of	Short	Mr. Speaker
Langland	Cherokee		

The nays were, none.

Absent or not voting, 24.

Aiken	Greene	Morton	Rutledge
Allen	Hansen of	O'Donnell	Stanzel
Bair	Audubon	Pattison	Van Buren
Ballew	Hunt	Randolph	Van Wert
Davis	Johnson of	Rawlings	Wearin
Ditto	Marion	Reimers	Witt
Drake of	Miller		
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 141, a bill for an act to amend section eleven thousand two hundred ninety-one (11291), Code, 1927, relating to the use as evidence of certain records or certified copies thereof, was taken up for consideration.

Tamisiea of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question 'Shall the bill pass?'

The ayes were, 83.

Augustine	Fabritz	Helgason	Kohler
Babcock	Felter	Hollingsworth	Langland
Beath	Figgins	Hollis	Laughlin
Bonnstetter	Forsling	Hook	Lepley
Brown	Gallagher	Hopkins	Long
Craven	Garrett	Hunt	McCaulley
Dayton	Gilmore	Hush	McCreery
Ditto	Gissel	Husted	McDermott
Donlon	Greaser	Hutcheon	McLain
Drake of Keokuk	Hansen of Scott	Johnson of	Malone
Durant	Hanson of	Marion	Mathews
Elliott	Winnebago	Kern	Mayne
Ellsworth	Hayes	Koch	Mead



Millhone	Pendray	Short	Thompson
Nelson of	Randolph	Snyder	Van Buren
Cherokee	Ratliff	Sours	Van Wert
Nelson of Story	Reed	Stanzel	Wamstad
Orr	Roe	Stiger	Wearin
Osborn	Rutledge	Tamisiea	Whiting
Paisley	Ryder	TePaske	Witt
Pattison	Rylander	Thiessen	Mr. Speaker
Peaco	Shields		

The nays were, none.

Absent or not voting, 25.

Aiken	Davis	Hesse	Rawlings
Allen	Drake of	Lamb	Reimers
Avery	Muscatine	Lichty	Simmer
Bair	Finnern	Miller	Strachan
Ballew	Greene	Morton	Torgeson
Berry	Hansen of	O'Donnell	Watts
Byers	Audubon	Randall	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 143, a bill for an act to amend section eleven thousand fifty-five (11055), Code, 1927, relating to the contents of an original notice of suit, was taken up for consideration.

McCaulley 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, 86.

Augustine	Finnern	Hush	Millhone
Avery	Forsling	Husted	Nelson of
Babcock	Gallagher	Hutcheon	Cherokee
Beath	Garrett	Johnson of	Nelson of Story
Berry	Gilmore	Marion	O'Donnell
Bonnstetter	Gissel	Kern	Orr
Brown	Greaser	Koch	Osborn
Byers	Greene	Kohler	Paisley
Craven	Hansen of Scott	Langland	Pattison
Dayton	Hanson of	Laughlin	Peaco
Ditto	Winnebago	Lepley	Pendray
Donlon	Hayes	Long	Randolph
Drake of Keokuk	Helgason	McCaulley	Ratliff
Durant	Hesse	McCreery	Reed
Elliott	Hollingsworth	McDermott	Roe
Ellsworth	Hollis	McLain	Ryder
Fabritz	Hook	Mathews	Shields
Felter	Hopkins	Mayne	Short
Figgins	Hunt	Mead	Simmer

Snyder	Tamisiea	Thompson	Wamstad
Sours	TePaske	Torgeson	Witt
Stanzel	Thiessen	Van Buren	Mr. Speaker
Stiger			

The nays were, none.

Absent or not voting, 22.

Aiken	Hansen of	Morton	Strachan
Allen	Audubon	Randall	Van Wert
Bair	Lamb	Rawlings	Watts
Ballew	Lichty	Reimers	Wearin
Davis	Malone	Rutledge	Whiting
Drake of	Miller	Rylander	
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 144, a bill for an act to repeal section five hundred fourteen (514), Code, 1927, and to enact a substitute therefor, relating to the election and term of office of judges of the supreme court, was taken up for consideration.

Kern 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, 87.

Augustine	Gissel	Langland	Ratliff
Avery	Greaser	Laughlin	Rawlings
Babcock	Greene	Lepley	Reed
Beath	Hansen of Scott	Long	Roe
Berry	Hanson of	McCaulley	Ryder
Brown	Winnebago	McCreery	Rylander
Byers	Hayes	McDermott	Shields
Craven	Helgason	McLain	Simmer
Dayton	Hesse	Mathews	Snyder
Ditto	Hollingsworth	Mayne	Sours
Donlon	Hollis	Mead	Stanzel
Drake of Keokuk	Hook	Millhone	Stiger
Durant	Hopkins	Nelson of	Strachan
Elliott	Hunt	Cherokee	Tamisiea
Ellsworth	Hush	Nelson of Story	TePaske
Fabritz	Husted	O'Donnell	Thompson
Felter	Hutcheon	Orr	Torgeson
Figgins	Johnson of	Paisley	Van Buren
Finnern	Marion	Pattison	Wamstad
Forsling	Kern	Peaco	Wearin
Gallagher	Koch	Pendray	Witt
Garrett	Kohler	Randolph	Mr. Speaker
Gilmore	Lamb		

The nays were, none.

Absent or not voting, 21.

Aiken	Drake of	Miller	Short
Allen	Muscatine	Morton	Thiessen
Bair	Hansen of	Osborn	Van Wert
Ballew	Audubon	Randall	Watts
Bonnstetter	Lichty	Reimers	Whiting
Davis	Malone	Rutledge	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 426, a bill for an act to amend Chapter 402 of the Code of Iowa, 1927, relating to fraternal beneficiary societies, orders or associations, was taken up for consideration.

Byers 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, 80.

Augustine	Garrett	Laughlin	Rylander
Avery	Gissel	Long	Short
Babcock	Greaser	McCreery	Simmer
Ballew	Greene	McLain	Sours
Beath	Hansen of	Malone	Stanzel
Berry	Winnebago	Mathews	Stiger
Bonnstetter	Hayes	Mayne	Strachan
Brown	Helgason	Mead	Tamisiea
Byers	Hesse	Millhone	TePaske
Craven	Hollingsworth	Nelson of Story	Thiessen
Dayton	Hollis	Orr	Thompson
Ditto	Hopkins	Osborn	Torgeson
Drake of Keokuk	Hunt	Paisley	Van Buren
Durant	Hush	Pattison	Van Wert
Elliott	Hutcheon	Peaco	Wamstad
Ellsworth	Johnson of	Pendray	Watts
Fabritz	Marion	Ratliff	Wearin
Felter	Koch	Roe	Whiting
Figgins	Kohler	Rutledge	Witt
Forsling	Lamb	Ryder	Mr. Speaker
Gallagher	Langland		

The nays were, 1.

McDermott

Absent or not voting, 27.

Aiken	Gilmore	Lichty	Randall
Allen	Hansen of	McCaulley	Randolph
Bair	Audubon	Miller	Rawlings
Davis	Hansen of Scott	Morton	Reed
Donlon	Hook	Nelson of	Reimers
Drake of	Husted	Cherokee	Shields
Muscatine	Kern	O'Donnell	Snyder
Finnern	Lepley		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Byers of Linn moved that the vote by which Senate File No. 426 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 563, a bill for an act to make an appropriation to A. S. Christopher, with report of committee recommending passage, was taken up for consideration.

Rawlings of Monona moved that the bill be read a third time 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, 65.

Augustine	Hanson of	Mathews	Ryder
Avery	Winnebago	Mayne	Shields
Bair	Hayes	Millhone	Simmer
Beath	Helgason	Nelson of	Snyder
Berry	Hesse	Cherokee	Sours
Bonnstetter	Hollingsworth	Nelson of Story	Stanzel
Craven	Hunt	O'Donnell	Stiger
Drake of	Hush	Osborn	TePaske
Muscatine	Husted	Paisley	Thiessen
Fabritz	Kohler	Pattison	Thompson
Figgins	Lamb	Peaco	Torgeson
Finnern	Langland	Pendray	Van Buren
Garrett	Laughlin	Randolph	Van Wert
Gilmore	Lepley	Rawlings	Wamstad
Greene	Lichty	Reed	Wearin
Hansen of	Long	Roe	Whiting
Audubon	McCreery	Rutledge	Witt
	McLain		

The nays were, 30.

Babcock	Gallagher	Johnson of	Ratliff
Ballew	Gissel	Marion	Rylander
Brown	Greaser	Koch	Short
Dayton	Hansen of Scott	McDermott	Strachan
Donlon	Hollis	Malone	Tamisia
Durant	Hook	Mead	Watts
Ellsworth	Hopkins	Orr	Mr. Speaker
Felter	Hutcheon	Randall	

Absent or not voting, 13.

Aiken	Ditto	Forsling	Miller
Allen	Drake of Keokuk	Kern	Morton
Byers	Elliott	McCaulley	Reimers
Davis			

So the bill having failed to receive a two-thirds majority was declared to have failed to pass the House.

Hutcheon of Greene moved to reconsider the vote by which House File No. 563 failed to pass the House.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 54.

Augustine	Hayes	McCreery	Roe
Avery	Helgason	Malone	Rutledge
Babcock	Hesse	Mayne	Shields
Bair	Hollingsworth	Millhone	Simmer
Beath	Hunt	Nelson of	Snyder
Bonnstetter	Hush	Cherokee	Stanzel
Craven	Hutcheon	Nelson of Story	Stiger
Fabritz	Koch	O'Donnell	TePaske
Figgins	Kohler	Osborn	Thiessen
Finnern	Lamb	Paisley	Thompson
Garrett	Langland	Pattison	Van Wert
Greene	Laughlin	Peaco	Wamstad
Hansen of	Lichty	Pendray	Wearin
Audubon	Long	Randolph	Witt

The nays were, 33.

Ballew	Felter	Mead	Short
Berry	Gallagher	Orr	Sours
Brown	Gilmore	Randall	Strachan
Dayton	Gissel	Ratliff	Tamisia
Donlon	Greaser	Rawlings	Van Buren
Drake of	Hansen of Scott	Reed	Watts
Muscatine	Hook	Ryder	Whiting
Durant	Hopkins	Rylander	Mr. Speaker
Ellsworth	McLain		

Absent or not voting, 21.

Aiken	Elliott	Johnson of	Mathews
Allen	Forsling	Marion	Miller
Byers	Hanson of	Kern	Morton
Davis	Winnebago	Lepley	Reimers
Ditto	Hollis	McCauley	Torgeson
Drake of Keokuk	Husted	McDermott	

Motion to reconsider failed to receive two-thirds majority.

#### 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. 179, a bill for an act relating to the definition of a motor truck.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 429, a bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 411, a bill for an act to make an appropriation to William Hirsch and Fred Heldemier.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 545, a bill for an act to make appropriations to Tama, Iowa, Green and Story Counties, Iowa, for payment of taxes.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 544, a bill for an act to make an appropriation to H. A. Stearns.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 408, a bill for an act to make an appropriation to C. A. Knutson, administrator of the estate of Bertel M. Bertelsen.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 539, a bill for an act to make an appropriation for the purpose of enforcing the oleomargarine act.

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 18, relative to services of officers and employees following final adjournment of the legislature.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 179, a bill for an act to amend chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) general assembly by amending the definition of a "motor truck" in section one (1) thereof; to change the penalty for the violation of said

chapter in section twenty-six (26) thereof; to amend section eighteen (18) thereof relative to the manner in which the load shall be carried.

Read first and second times and substituted for House File No. 440.

Senate File No. 429, a bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses that are payable from the general fund of the State.

Read first and second times and referred to committee on appropriations.

### CONSIDERATION OF BILLS

Unanimous consent having been obtained, Senate File No. 179, a bill for an act to amend chapter one hundred twenty-nine (129) of the acts of the forty-third (43rd) general assembly by amending the definition of a "motor truck" in section one (1) thereof; to change the penalty for the violation of said chapter in section twenty-six (26) thereof; to amend section eighteen (18) thereof relative to the manner in which the load shall be carried, was taken up for consideration, having been substituted for House File No. 440.

Speaker pro tempore Rutledge in the chair.

Bair 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, 67.

Aiken	Ellsworth	Hollingsworth	Mayne
Augustine	Fabritz	Hollis	Millhone
Avery	Felter	Hopkins	Nelson of
Babcock	Figgins	Hush	Cherokee
Bair	Forsling	Hutcheon	O'Donnell
Ballew	Gallagher	Johnson of	Orr
Beath	Garrett	Marion	Paisley
Berry	Gilmore	Langland	Pattison
Brown	Gissel	Lepley	Peaco
Craven	Greene	Lichty	Randolph
Donlon	Hanson of	Long	Rawlings
Drake of Keokuk	Winnebago	McCreery	Reed
Durant	Hayes	McDermott	Ryder
Elliott	Hesse	McLain	Rylander

Snyder	Tamisiea
Stanzel	Thiessen
Stiger	Torgeson
Strachan	Van Buren

Van Wert	Wearin
Wamstad	Whiting
Watts	Witt

The nays were, 28.

Bonnstetter	Helgason	Malone	Roe
Dayton	Hook	Mathews	Rutledge
Drake of	Hunt	Mead	Shields
Muscatine	Husted	Nelson of Story	Short
Finnern	Koch	Osborn	Sours
Hansen of	Kohler	Pendray	TePaske
Audubon	Lamb	Ratliff	Thompson
Hansen of Scott	Laughlin		

Absent or not voting, 13.

Allen	Greasier	Miller	Reimers
Byers	Kern	Morton	Simmer
Davis	McCauley	Randall	Mr. Speaker
Ditto			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Bair of Buena Vista moved that the vote by which Senate File No. 179 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 382, a bill for an act to make an appropriation to the Iowa Bridge Company and the Olson Construction Company for damages growing out of contracts to build bridges, under the Iowa State Highway Commission, was taken up for consideration.

Hansen of Scott offered the following amendment and moved its adoption:

Amend by inserting in line three (3) of Section three (3) after the word "same" the following: "out of the primary road fund."

Amendment adopted.

Donlon of Palo Alto moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Augustine	Beath	Drake of	Felter
Avery	Bonnstetter	Muscatine	Figgins
Babcock	Dayton	Durant	Finnern
Bair	Donlon	Elliott	Gallagher
Ballew	Drake of Keokuk	Fabritz	Garrett



Gissel	Hutcheon	Nelson of	Stanzel
Greaser	Kern	Cherokee	Stiger
Greene	Koch	Nelson of Story	Strachan
Hansen of	Kohler	O'Donnell	Tamislea
Audubon	Lamb	Orr	TePaske
Hansen of Scott	Langland	Paisley	Thiessen
Hanson of	Lepley	Pattison	Thompson
Winnebago	Lichty	Pendray	Torgeson
Hayes	Long	Ratliff	Van Buren
Helgason	McCaulley	Rawlings	Van Wert
Hollingsworth	McCreery	Reed	Wamstad
Hollis	McDermott	Roe	Watts
Hook	McLain	Rutledge	Wearin
Hopkins	Malone	Ryder	Whiting
Hunt	Mathews	Rylander	Witt
Hush	Mead	Snyder	Mr. Speaker
Husted	Millhone	Sours	

The nays were, 3.

Brown	Ellsworth	Randall
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Absent or not voting, 22.

Aiken	Ditto	Laughlin	Randolph
Allen	Forsling	Mayne	Reimers
Berry	Gilmore	Miller	Shields
Byers	Hesse	Morton	Short
Craven	Johnson of	Osborn	Simmer
Davis	Marion	Peaco	

So the bill having received a two-thirds 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. 580, a bill for an act to make an appropriation to Laura E. Sellers.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 540, a bill for an act to make an appropriation to Van L. Woodruff for Iowa Soldier's bonus.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 541, a bill for an act to make an appropriation to H. D. Coe.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 581, a bill for an act to make an appropriation to J. O. Gilchrist.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 543, a bill for an act to make an appropriation to George Brown, Indianola, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 569, a bill for an act to make an appropriation to C. C. Mayhew and Reverend F. A. Moore.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa.

WALTER H. BEAM, *Secretary*.

### CONSIDERATION OF BILLS

House File No. 567, a bill for an act to make an appropriation to Martin McCarthy, with report of committee recommending passage, was taken up for consideration.

Hopkins 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, 84.

Augustine	Durant	Hansen of Scott	Lamb
Avery	Elliott	Hanson of	Langland
Babcock	Ellsworth	Winnebago	Lepley
Bair	Fabritz	Hayes	Lichty
Ballew	Felter	Helgason	Long
Beath	Figgins	Hollingsworth	McCreery
Berry	Finnern	Hook	McDermott
Bonnstetter	Gallagher	Hopkins	McLain
Brown	Garrett	Hunt	Malone
Craven	Gilmore	Hush	Mathews
Dayton	Gissel	Husted	Mead
Donlon	Greaser	Hutcheon	Millhone
Drake of Keokuk	Greene	Kern	Nelson of
Drake of	Hansen of	Koch	Cherokee
Muscatine	Audubon	Kohler	O'Donnell

Orr	Rawlings	Snyder	Van Buren
Osborn	Reed	Stiger	Van Wert
Pattison	Roe	Strachan	Wamstad
Pendray	Rutledge	Tamisiea	Watts
Randall	Ryder	Thiessen	Whiting
Randolph	Rylander	Thompson	Witt
Ratliff	Short	Torgeson	Mr. Speaker

The nays were, none.

Absent or not voting, 24.

Aiken	Hollis	Miller	Shields
Allen	Johnson of	Morton	Simmer
Byers	Marion	Nelson of Story	Sours
Davis	Laughlin	Paisley	Stanzel
Ditto	McCaulley	Peaco	TePaske
Forsling	Mayne	Reimers	Wearin
Hesse			

Absent or not voting, none.

So the bill having received a two-thirds majority was declared to have passed the House, and the title was agreed to.

Drake of Keokuk moved that Senate File No. 291 be withdrawn from the sifting committee and be considered immediately.

Speaker Johnson in the chair.

Garrett of Wayne moved the previous question. Motion prevailed.

On the question "Shall Senate File No. 291 be withdrawn?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 65.

Augustine	Hansen of Scott	McDermott	Roe
Avery	Hayes	McLain	Rutledge
Babcock	Helgason	Malone	Ryder
Bair	Hesse	Mathews	Rylander
Berry	Hollingsworth	Mead	Snyder
Bonnstetter	Hollis	Millhone	Stiger
Drake of Keokuk	Hopkins	Nelson of	Tamisiea
Drake of	Hunt	Cherokee	TePaske
Muscatine	Hutcheon	Nelson of Story	Thiessen
Ellsworth	Koch	O'Donnell	Thompson
Fabritz	Kohler	Orr	Torgeson
Figgins	Lamb	Paisley	Van Buren
Finnern	Langland	Pattison	Watts
Gallagher	Laughlin	Randall	Wearin
Gilmore	Lepley	Randolph	Whiting
Gissel	Lichty	Ratliff	Witt
Greene	Long	Rawlings	

The nays were, 34.

Ballew	Donlon	Garrett	Hanson of
Beath	Durant	Greaser	Winnebago
Brown	Elliott	Hansen of	Hook
Craven	Felter	Audubon	Hush
Dayton	Forsling		Husted

Johnson of	Osborn	Short	Strachan
Marion	Peaco	Simmer	Van Wert
Kern	Pendray	Sours	Wamstad
McCaulley	Reimers	Stanzel	Mr. Speaker
McCreery	Shields		

Absent or not voting, 9.

Aiken	Davis	Mayne	Morton
Allen	Ditto	Miller	Reed
Byers			

Motion having failed to receive a two-thirds majority lost.

Senate File No. 377, a bill for an act to make an appropriation to Matilda Blaise, executrix of the estate of A. M. Blaise, for balance due for rental on an armory erected and constructed for and leased to Troop E, First Iowa Cavalry, Iowa National Guard, with report of committee recommending passage, was taken up for consideration.

Drake of Muscatine moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 76.

Augustine	Hansen of	Lepley	Rutledge
Avery	Audubon	Lichty	Ryder
Bair	Hansen of Scott	Long	Shields
Ballew	Hanson of	McCaulley	Simmer
Beath	Winnebago	McCreery	Sours
Bonnstetter	Helgason	McLain	Stanzel
Craven	Hollingsworth	Mathews	Strachan
Donlon	Hook	Nelson of	Tamisiea
Drake of Keokuk	Hunt	Cherokee	TePaske
Drake of	Hush	Orr	Thiessen
Muscatine	Husted	Osborn	Thompson
Durant	Hutcheon	Paisley	Torgeson
Fabritz	Johnson of	Pattison	Van Buren
Felter	Marion	Peaco	Van Wert
Figgins	Kern	Randolph	Wamstad
Finnern	Koch	Ratliff	Watts
Gallagher	Kohler	Rawlings	Wearin
Garrett	Lamb	Reed	Whiting
Gissel	Langland	Reimers	Witt
Greaser	Laughlin	Roe	Mr. Speaker
Greene			

The nays were, none.

Absent or not voting, 32.

Aiken	Brown	Ditto	Gilmore
Allen	Byers	Elliott	Hayes
Babcock	Davis	Ellsworth	Hesse
Berry	Dayton	Forsling	Hollis

Hopkins  
McDermott  
Malone  
Mayne

Mead  
Millhone  
Miller  
Morton

Nelson of Story  
O'Donnell  
Pendray  
Randall

Rylander  
Short  
Snyder  
Stiger

So the bill having received a two-thirds majority was declared to have passed the House, and the title was agreed to.

### REPORTS OF COMMITTEE

Van Buren of Jones, from the committee on appropriations, submitted the following reports:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 300, a bill for an act to make an appropriation to Verna P. Marks for damages resulting from an injury due to the negligent maintenance of a highway, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred House File No. 587, a bill for an act to authorize the secretary of agriculture to incur expenses and employ assistance in carrying out the provisions of House File No. 377 of the Acts of the Forty-fourth General Assembly and to make an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 427, a bill for an act to make an appropriation to Elmer Ruisch, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 361, a bill for an act to amend Chapter 134, Acts of the 43rd General Assembly, relating to the registration of graves of

soldiers and sailors of the United States Army and Navy and to provide appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 376, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy game wardens in a suit for damages growing out of official acts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 409, a bill for an act to make an appropriation to J. G. Minert, and to Etta S. Minert and Phyllis S. Davenport as executrices under the will of Adeline C. Schreiner, 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 do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 415, a bill for an act to make an appropriation to Ethel F. Katz, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. J. VAN BUREN, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on appropriations, to whom was referred Senate File No. 414, a bill for an act to make an appropriation to Dr. W. E. Sharp, Dr. L. M. Getz, Dr. J. S. Potter, Dr. F. L. Buck, Dr. J. M. Lichty, Dr. March Green, Dr. C. J. Scott, Dr. J. F. McCabe, Dr. John W. Haxby, Dr. J. E. Frank, Dr. G. A. Evans, Dr. F. C. Roach, Dr. Chas. Murray, Dr. G. C. Bevan, Dr. J. E. Robertson, Dr. C. E. Baxter, Dr. Edd Scantlebury, and Will Kuhlman, beg leave to report they have

had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. J. VAN BUREN, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILL

House File No. 587, by committee on appropriations, a bill for an act to authorize the secretary of agriculture to incur expenses and employ assistance in carrying out the provisions of House File number 377 of the acts of the forty-fourth general assembly and to make an appropriation therefor.

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

Senate File No. 300, a bill for an act to make an appropriation to Verna P. Marks for damages resulting from an injury due to the negligent maintenance of a highway, with report of committee recommending passage, was taken up for consideration.

Witt of Butler moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 84.

Augustine	Greaser	Laughlin	Rawlings
Avery	Greene	Lepley	Reed
Babcock	Hansen of	Lichty	Reimers
Bair	Audubon	Long	Ryder
Beath	Hansen of Scott	McCaulley	Shields
Berry	Hanson of	McCreery	Short
Bonnstetter	Winnebago	McLain	Simmer
Brown	Helgason	Mead	Snyder
Craven	Hesse	Millhone	Sours
Dayton	Hollingsworth	Nelson of	Stanzel
Donlon	Hollis	Cherokee	Strachan
Drake of Keokuk	Hook	Nelson of Story	TePaske
Drake of	Hopkins	O'Donnell	Thiessen
Muscatine	Hunt	Orr	Thompson
Durant	Husted	Osborn	Torgeson
Ellsworth	Hutcheon	Paisley	Van Buren
Fabritz	Johnson of	Pattison	Van Wert
Felter	Marion	Peaco	Wamstad
Figgins	Koch	Pendray	Watts
Finnern	Kohler	Randall	Whiting
Gallagher	Lamb	Randolph	Witt
Garrett	Langland	Ratliff	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 24.

Aiken	Elliott	McDermott	Roe
Allen	Forsling	Malone	Rutledge
Ballew	Gilmore	Mathews	Rylander
Byers	Hayes	Mayne	Stiger
Davis	Hush	Miller	Tamisiea
Ditto	Kern	Morton	Wearin

So the bill having received a two-thirds majority was declared to have passed the House, and the title was agreed to.

House File No. 568, a bill for an act to make an appropriation to Fred Hill, Mrs. Victoria Hill and to Laura E. Hill, minor, with report of committee recommending passage, was taken up for consideration.

Donlon of Palo Alto moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 89.

Augustine	Hansen of	Long	Roe
Avery	Audubon	McCaulley	Rutledge
Babcock	Hansen of Scott	McCreery	Ryder
Bair	Hayes	McDermott	Shields
Beath	Helgason	McLain	Short
Bonnstetter	Hollingsworth	Malone	Simmer
Craven	Hollis	Mathews	Snyder
Dayton	Hook	Mead	Sours
Donlon	Hopkins	Millhone	Stanzel
Drake of Keokuk	Hunt	Nelson of	Stiger
Drake of	Hush	Cherokee	Strachan
Muscatine	Husted	O'Donnell	Tamisiea
Durant	Hutcheon	Orr	TePaske
Elliott	Johnson of	Osborn	Thiessen
Ellsworth	Marion	Paisley	Thompson
Fabritz	Kern	Pattison	Torgeson
Felter	Koch	Peaco	Van Buren
Figgins	Kohler	Pendray	Van Wert
Finnern	Lamb	Randall	Wamstad
Forsling	Langland	Randolph	Watts
Gallagher	Laughlin	Ratliff	Wearin
Garrett	Lepley	Rawlings	Whiting
Gissel	Lichty	Reed	Mr. Speaker
Greaser			

The nays were none.

Absent or not voting, 19.

Aiken	Byers	Hanson of	Morton
Allen	Davis	Winnebago	Nelson of Story
Ballew	Ditto	Hesse	Reimers
Berry	Gilmore	Mayne	Rylander
Brown	Greene	Miller	Witt



So the bill having received a two-thirds majority was declared to have passed the House, and the title was agreed to.

House File No. 564, a bill for an act to make an appropriation to Delpha Nelson, with report of committee recommending passage, was taken up for consideration.

Garrett of Wayne moved that the bill be read a third time 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, 79.

Augustine	Gallagher	Laughlin	Ratliff
Avery	Garrett	Lepley	Rawlings
Babcock	Gissel	Lichty	Rutledge
Bair	Greaser	Long	Ryder
Beath	Hansen of	McCreery	Rylander
Bonnstetter	Audubon	McDermott	Short
Brown	Hansen of Scott	McLain	Snyder
Craven	Helgason	Mead	Stanzel
Dayton	Hesse	Millhone	Strachan
Donlon	Hollingsworth	Nelson of	Tamisiea
Drake of Keokuk	Hollis	Cherokee	Thiessen
Drake of	Hook	Nelson of Story	Thompson
Muscatine	Hopkins	O'Donnell	Torgeson
Durant	Hunt	Orr	Van Buren
Elliott	Hush	Osborn	Van Wert
Ellsworth	Husted	Pattison	Wamstad
Fabritz	Hutcheon	Peaco	Watts
Felter	Koch	Pendray	Wearin
Figgins	Kohler	Randall	Whiting
Finnern	Lamb	Randolph	Mr. Speaker
Forsling	Langland		

The nays were, 1.

Mathews

Absent or not voting, 28.

Aiken	Greene	Malone	Roe
Allen	Hanson of	Mayne	Shields
Ballew	Winnebago	Miller	Simmer
Berry	Hayes	Morton	Sours
Byers	Johnson of	Paisley	Stiger
Davis	Marion	Reed	TePaske
Ditto	Kern	Reimers	Witt
Gilmore	McCaulley		

So the bill having received a two-thirds majority was declared to have passed the House, and the title was agreed to.

House File No. 562, a bill for an act to make an appropriation

to M. L. Haley, 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, 74.

Augustine	Hansen of	Long	Rawlings
Avery	Audubon	McCreery	Reed
Beath	Hansen of Scott	McDermott	Rutledge
Bonnstetter	Hanson of	McLain	Rylander
Dayton	Winnebago	Malone	Short
Donlon	Helgason	Mathews	Snyder
Drake of Keokuk	Hollingsworth	Millhone	Stanzel
Drake of	Hollis	Nelson of	Tamisiea
Muscatine	Hook	Cherokee	TePaske
Durant	Hopkins	Nelson of Story	Thiessen
Elliott	Hunt	O'Donnell	Thompson
Ellsworth	Hush	Osborn	Torgeson
Fabritz	Husted	Paisley	Van Buren
Felter	Hutcheon	Pattison	Van Wert
Figgins	Koch	Peaco	Wamstad
Finnern	Kohler	Pendray	Watts
Forsling	Lamb	Randall	Wearin
Gallagher	Langland	Randolph	Whiting
Garrett	Laughlin	Ratliff	Mr. Speaker
Greaser	Lepley		

The nays were, none.

Absent or not voting, 34.

Aiken	Davis	Kern	Roe
Allen	Ditto	Lichty	Ryder
Babcock	Gilmore	McCaulley	Shields
Bair	Gissel	Mayne	Simmer
Ballew	Greene	Mead	Sours
Berry	Hayes	Miller	Stiger
Brown	Hesse	Morton	Strachan
Byers	Johnson of	Orr	Witt
Craven	Marion	Reimers	

So the bill having received a two-thirds majority was declared to have passed the House, and the title was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 198, 335, 518, 323, 542, 517, 409, 320, 351, 410, 319.

Senate Files Nos. 107, 41, 297, 408, 374, 146.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 198, 335, 518, 323, 542, 517, 409, 320, 351, 410, 319.

Senate Files Nos. 107, 41, 297, 408, 374, 146.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 198, 335, 518, 323, 542, 517, 409, 320, 351, 410, 319.

C. J. ORR, *Chairman.*

Report adopted.

#### AMENDMENTS FILED

Torgeson of Worth filed the following amendment to Senate File No. 291:

Amend Senate File No. 291 as follows:

Strike all of Section One (1) thereof and insert in lieu thereof the following:

"Section 1. Amend Section Eleven (11) of Chapter Ten (10), Acts of the Forty-third (43rd) General Assembly, by adding after the word 'section' in line six (6) thereof the following: 'National banks under the supervision of the banking department of the United States and/or state and savings banks and trust companies under the supervision of

the banking department of Iowa shall be exempt from registration as dealers under the provisions of this Section, but may waive such exemption. Such banks and trust companies may sell any security exempt under the provisions of Section Four (4) and/or registered under the provisions of Sections Seven (7) and/or Eight (8) hereof.'"

Donlon of Palo Alto, Bonnstetter of Kossuth, Thompson of Fayette and Strachan of Humboldt filed the following amendment to the House Resolution, found in the Journal of April 14th:

MR. SPEAKER: We move to amend the resolution offered on April 14, 1931, relating to the appointment of a committee to investigate the activities of the lieutenant governor of the state of Iowa, and printed in the Journal of the House for April 14, 1931, beginning at the bottom of page sixteen hundred ninety-eight (1698) by adding at the end of paragraph two (2) on page sixteen hundred ninety-nine (1699) of the said House Journal the following: "and which acts, covering a period of more than three and a half (3½) years, subject the said Arch W. McFarlane to a penalty under said penal statutes of the state of Iowa, of not less than twenty-five thousand dollars (\$25,000) nor more than one hundred thousand dollars (\$100,000);

On motion of Reed of Mahaska, the House recessed until the sound of the gavel.

The House resumed session.

#### EXPLANATION OF VOTE

Pendray of Jackson filed the following explanation of vote:

MR. SPEAKER: I hereby offer an explanation of my vote on the motion by the gentleman from Keokuk to withdraw from the Sifting Committee Senate File No. 291, and I offer as such explanation the circular issued on April 15, 1931, by the Iowa Bankers Association which circular was placed in the hands of the members of the association and is as follows:

Des Moines, Iowa, April 15, 1931

#### PERSONAL COPY OF PROGRAM OF ACTION

(1) The following are the numbers of the Banking Association Bills:

1. H. F. 445 relating to false statements for credit.
2. S. F. 290 relating to stop-payment orders on checks.
3. S. F. 291 amending the "Blue Sky" Act relating to banks.  
(See attached amendment.)

4. S. F. 266 to permit County Schools of Instruction for Vigilantes and other peace officers.

5. S. F. 280 to authorize liability bonds in addition to fidelity bonds for Vigilantes and other County peace officers.

(2) Carry this program with you to the State House and have it available throughout the day so that you may have a "handy reference" on the Association's bills which it is planned will be up for discussion in the House today.

(3) Plan to sit with your Representative at his desk throughout the day until such time as the above I. B. A. Bills shall have been acted upon by the House.

(4) When you learn the attitude of your Representative upon the above bills kindly make a prompt report to Mr. C. E. Beman, Chairman I. B. A. Legislative Committee, and Mr. C. C. Jacobsen, President, who will be in and about the House Chamber.

(5) You are urged to watch the floor leaders and speakers. Urge your legislators to vote as said floor leaders may indicate, they being:

1. Rep. E. O. Ellsworth (The Gentleman from Hardin County)
2. Rep. Roy Drake (The Gentleman from Keokuk County)
3. Rep. S. R. Torgeson, Chairman House Banking Committee (The Gentleman from Worth County)
4. Other Representatives.

We have indicated after each of the name above the manner in which they are addressed with the hope that it may enable you to more easily identify the floor leaders.

(6) The session of the Legislature is rapidly drawing to a close. This will probably be the last day for considering aggressively any banking bills not yet acted upon by the House. The above bills are important bills—several of them exceedingly important. One or more of them while important are purely corrective measures.

(7) It is anticipated that the Association's Legislative work will be completed today; however, should the work on the Association bills be unfinished at the end of this legislative day, it is hoped that you will stay over until tomorrow. Should you find it absolutely impossible to do so, then please report to Chairman Beman or President Jacobsen how you may have left matters with your Representatives on any of the bills that may have to go over until tomorrow.

(8) Evening meeting and dinner—6:15 P. M. Des Moines Club; if consideration on any of the I. B. A. Bills should have to go over until tomorrow, then there will be a "get-together" dinner for all of you (who can remain over) at the Des Moines Club (8th and Locust Street) 5th

floor at 6:15 P. M. to discuss the results of the day and formulate further plans for the morrow.

(9) Thanks! The Officers and Committee of your Association are indeed profoundly grateful for the manifestation of loyalty and co-operation that has been extended by you men and the other bankers of the State throughout this Legislative session and as has been further evidenced by your presence here today. Every good wish is extended to you in the important work today committed to your hands and may success reward everyone of you. Sincere thanks.

#### LEGISLATIVE COMMITTEE

C. E. Beman, Chairman, Oskaloosa; J. M. Hutchinson, Cedar Rapids; R. D. McCullough, Wapello; Robert W. Turner, Council Bluffs; Ivan O. Hasbrouck, Jefferson; Jos. Sadowsky, Jr., Cedar Rapids; Fred J. Figge, Ossian; M. W. Fitz, Manson; A. W. Jones, Sac City; V. D. Koons, Britt; C. E. Okey, Corning; C. C. Jacobsen, President, Iowa Bankers Ass'n, Sioux City.

(GB No. 2955—250)

I renew my protest to the various lobbies which have been an annoyance and nuisance in connection with the transaction of the regular business of the House and I emphatically protest against the unethical methods which were used on the 15th in apparent attempt to intimidate the members of the House. I have been favorable to the passage of the bills proposed by the Iowa Bankers Association but I am emphatically opposed to the methods which have been and are being used to secure their passage.

CAROLYN C. PENDRAY.

#### REPORT OF SIFTING COMMITTEE

MR. SPEAKER: Your Sifting Committee reports out the following bills for passage:

H. F. 509

H. F. 535

H. F. 140

H. F. 183

S. F. 280

S. F. 214

S. F. 215

S. F. 217

S. F. 218

S. F. 219

S. F. 220

S. J. R. No. 2

H. F. 584

H. F. 582

} On previous calendar.

S. F. 264  
H. F. 353  
S. F. 425  
S. F. 420  
S. F. 412  
S. F. 312  
S. F. 245  
S. F. 145  
S. F. 391  
S. F. 347

S. F. 306  
S. F. 355  
S. F. 285  
H. F. 138  
S. F. 365  
S. F. 366  
S. F. 367  
H. F. 556  
S. F. 224

H. N. HANSON, *Chairman.*

Report adopted.

#### SENATE CONCURRENT RESOLUTION NO. 18

*Be It Resolved by the Senate, the House concurring,* That the Chief Clerk of the House and the Secretary of the Senate 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 Forty-fourth 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, and also for packing the supplies of members for shipment to their homes.

The Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the journals of the House and Senate, respectively, for the last day of the session.

Each of 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 Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

Laid over under Rule 34.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Johnson of Marion, unanimous consent having been given, House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for

the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 576

Amend as follows:

After the word "upon" and before the word "those" in line 4 of Sec. 14, insert the following:

"interstate primary roads, primary roads now connecting county seats of adjoining counties, and".

Amend as follows:

At the end of line 7 of Sec. 13, insert the following:

"interstate primary roads, primary roads now connecting county seats of adjoining counties, and".

Amend as follows: After Section 12 add as Section 13 the following:

"Sec. 13. In addition to the primary roads designated for paving in Article XIII of the Constitution of Iowa, interstate primary roads, primary roads now connecting county seats of adjoining counties, and at least ninety per cent (90%) of those primary roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by Article XIII of the Constitution, or as the same may have been relocated since that date, shall be surfaced with paving. Payment of the costs of such additional paving shall be made from the current primary road funds."

Re-number Sections 13 and 14.

Further amend by adding at the end of Section 14 the following:

"Until ninety per cent (90%) of the road construction program as provided for and outlined in this act shall have been completed, at least sixty-five per cent (65%) of the primary road fund available for construction purposes in any year shall be used for paving in accordance with the provisions, hereof."

Reimers of Lyon moved that further action on concurrence in



Senate amendments to House File No. 576 be deferred until 3:00 p. m. today by the Speaker's watch.

Garrett of Wayne moved the previous question.

Motion prevailed.

On the question "Shall action be deferred?" a roll call was demanded.

The ayes were, 41.

Augustine	Hook	Peaco	Stanzel
Beath	Hutcheon	Pendray	Stiger
Brown	Kohler	Randall	Strachan
Craven	Lamb	Randolph	TePaske
Davis	Langland	Rawlings	Thiessen
Felter	Malone	Reimers	Thompson
Figgins	Nelson of Story	Rylander	Torgeson
Finnern	O'Donnell	Shields	Wamstad
Forsling	Osborn	Short	Watts
Hanson of	Paisley	Simmer	Mr. Speaker
Winnebago		Snyder	

The nays were, 44.

Avery	Gallagher	Kern	Nelson of
Babcock	Garrett	Koch	Cherokee
Bair	Gilmore	Laughlin	Pattison
Ballew	Greaser	Lepley	Ratliff
Ditto	Greene	Lichty	Reed
Donlon	Hansen of	Long	Ryder
Drake of Keokuk	Audubon	McCreery	Sours
Drake of	Hansen of Scott	McLain	Tamisiea
Muscatine	Helgason	Mathews	Wearin
Durant	Hollis	Mayne	Whiting
Elliott	Husted	Mead	Witt
Fabritz	Johnson of	Millhone	
	Marion		

Absent or not voting, 23.

Aiken	Ellsworth	Hunt	Orr
Allen	Gissel	Hush	Roe
Berry	Hayes	McCaulley	Rutledge
Bonstetter	Hesse	McDermott	Van Buren
Byers	Hollingsworth	Miller	Van Wert
Dayton	Hopkins	Morton	

Motion to defer action until 3:00 p. m. today lost.

Simmer of Wapello moved that further action on concurrence in Senate amendments to House File No. 576 be deferred until 4:00 p. m. today by the Speaker's watch.

Reed of Mahaska moved the previous question.

Motion prevailed.

On the question "Shall action be deferred?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 45.

Allen	Gissel	O'Donnell	Simmer
Beath	Hanson of	Osborn	Snyder
Berry	Winnebago	Paisley	Stanzel
Bonnstetter	Hook	Peaco	Strachan
Craven	Hopkins	Pendray	TePaske
Davis	Hutcheon	Randall	Thiessen
Donlon	Kohler	Randolph	Thompson
Durant	Langland	Rawlings	Torgeson
Felter	Lepley	Reimers	Wamstad
Figgins	McDermott	Shields	Watts
Finnern	Malone	Short	Mr. Speaker
Forsling	Nelson of Story		

The nays were, 52.

Aiken	Garrett	Kern	Nelson of
Augustine	Gilmore	Koch	Cherokee
Avery	Greaser	Lamb	Pattison
Babcock	Greene	Laughlin	Ratliff
Bair	Hansen of	Lichty	Reed
Ballew	Audubon	Long	Ryder
Brown	Hansen of Scott	McCaulley	Rylander
Byers	Helgason	McCreery	Sours
Ditto	Hesse	McLain	Stiger
Drake of Keokuk	Hollingsworth	Mathews	Tamisiea
Drake of	Hollis	Mayne	Van Wert
Muscatine	Husted	Mead	Wearin
Elliott	Johnson of	Millhone	Whiting
Fabritz	Marion		Witt
Gallagher			

Absent or not voting, 11.

Dayton	Hunt	Morton	Rutledge
Ellsworth	Hush	Orr	Van Buren
Hayes	Miller	Roe	

Motion to defer action until 4:00 p. m. today lost.

Shields of Clarke offered the following amendment to the Senate amendments to House File No. 576 and moved its adoption:

Amend by striking in line seven (7) of section thirteen (13) of the Senate amendments found on page 1719 of today's Journal, the word "shall" and inserting in lieu thereof the word "may".

Fabritz of Wapello moved the previous question.

Motion prevailed.

On the question "Shall amendment to the Senate amendments be adopted?" a roll call was demanded.

The ayes were, 29.

Allen	Finnern	Langland	Simmer
Beath	Gissel	Peaco	TePaske
Berry	Hanson of	Pendray	Thiessen
Bonnstetter	Winnebago	Randall	Thompson
Craven	Hook	Reimers	Torgeson
Davis	Hopkins	Shields	Watts
Donlon	Hush	Short	Mr. Speaker
Felter	Lamb		

The nays were, 64.

Aiken	Garrett	Kohler	Osborn
Augustine	Gilmore	Laughlin	Paisley
Avery	Greaser	Lepley	Pattison
Babcock	Greene	Lichty	Randolph
Bair	Hansen of	Long	Ratliff
Ballew	Audubon	McCaulley	Rawlings
Byers	Hansen of Scott	McCreery	Reed
Dayton	Helgason	McDermott	Ryder
Ditto	Hesse	McLain	Rylander
Drake of Keokuk	Hollingsworth	Malone	Snyder
Drake of	Hollis	Mathews	Sours
Muscatine	Husted	Mayne	Stiger
Durant	Hutcheon	Mead	Tamisiea
Elliott	Johnson of	Millhone	Van Wert
Fabritz	Marion	Nelson of	Wearin
Figgins	Kern	Cherokee	Whiting
Gallagher	Koch	Nelson of Story	Witt

Absent or not voting, 15.

Brown	Hunt	Orr	Strachan
Ellsworth	Miller	Roe	Van Buren
Forsling	Morton	Rutledge	Wamstad
Hayes	O'Donnell	Stanzel	

Amendment to Senate amendments lost.

Shields of Clarke offered the following amendment to the Senate amendments to House File No. 576, and moved its adoption:

Amend by striking in section thirteen (13) of the Senate amendments, found on page 1719 of today's Journal the following words: "and at least ninety per cent (90%) of those primary roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by Article XIII of the Constitution, or as the same may have been relocated since that date,".

On the question "Shall the amendment to the Senate amendments be adopted?" a roll call was demanded.

The ayes were, 23.

Allen	Bonnstetter	Donlon	Gissel
Beath	Craven	Felter	Hook
Berry	Davis	Forsling	Hush

McDermott	Shields	Snyder	Thompson
Pendray	Short	Stanzel	Watts
Randall	Simmer	TePaske	

The nays were, 75.

Aiken	Gilmore	Lamb	Peaco
Augustine	Greaser	Langland	Randolph
Avery	Greene	Laughlin	Ratliff
Babcock	Hansen of	Lepley	Reed
Bair	Audubon	Lichty	Reimers
Ballew	Hansen of Scott	Long	Roe
Byers	Hanson of	McCaulley	Rutledge
Dayton	Winnebago	McCreery	Ryder
Ditto	Helgason	McLain	Rylander
Drake of Keokuk	Hesse	Malone	Sours
Drake of	Hollingsworth	Mathews	Stiger
Muscatine	Hollis	Mayne	Tamisiea
Durant	Hopkins	Mead	Thiessen
Elliott	Husted	Millhone	Torgeson
Ellsworth	Hutcheon	Miller	Van Buren
Fabritz	Johnson of	Nelson of	Van Wert
Figgins	Marion	Cherokee	Wearin
Finnern	Kern	Osborn	Whiting
Gallagher	Koch	Paisley	Witt
Garrett	Kohler	Pattison	Mr. Speaker

Absent or not voting, 10.

Brown	Morton	Orr	Strachan
Hayes	Nelson of Story	Rawlings	Wamstad
Hunt	O'Donnell		

Amendment to the amendment lost.

Torgeson of Worth moved to defer action on the motion by Johnson of Marion to concur in the Senate amendments to House File No. 576 until 3:30 p. m. today by the Speaker's watch.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned request a call of the House on the motion by Torgeson of Worth to defer action on the motion by Johnson of Marion to concur in the Senate amendments to House File No. 576.

S. R. TORGESON  
WALLACE M. SHORT  
HOMER HUSH  
W. H. GISSEL  
LEONARD SIMMER

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except

Hayes of Dubuque, Hunt of Louisa, Morton of Wright, and Orr of Clayton.

Hunt of Louisa and Morton of Wright were excused from the call of the House.

Kern of Polk moved that the call of the House be now raised. Motion lost.

Johnson of Marion moved that the absentees be excused till a vote on concurrence in Senate amendments on House File No. 576.

Motion prevailed.

On the question "Shall action be deferred until 3:30 p. m. today?" a roll call was demanded.

The ayes were, 49.

Allen	Hanson of	O'Donnell	Stanzel
Beath	Winnebago	Osborn	Stiger
Berry	Hook	Paisley	Strachan
Bonnstetter	Hopkins	Peaco	TePaske
Craven	Hush	Pendray	Thiessen
Davis	Hutcheon	Randolph	Thompson
Donlon	Kohler	Rawlings	Torgeson
Felter	Lamb	Reimers	Van Buren
Figgins	Langland	Roe	Van Wert
Finnern	McDermott	Shields	Wamstad
Forsling	Malone	Short	Watts
Gissel	Miller	Simmer	Mr. Speaker
	Nelson of Story	Snyder	

The nays were, 55.

Aiken	Ellsworth	Johnson of	Millhone
Augustine	Fabritz	Marion	Nelson of
Avery	Gallagher	Kern	Cherokee
Babcock	Garrett	Koch	Pattison
Bair	Gilmore	Laughlin	Randall
Ballew	Greaser	Lepley	Ratliff
Brown	Greene	Lichty	Reed
Byers	Hansen of	Long	Rutledge
Dayton	Audubon	McCaulley	Ryder
Ditto	Hansen of Scott	McCreery	Rylander
Drake of Keokuk	Helgason	McLain	Sours
Drake of	Hesse	Mathews	Tamisiea
Muscatine	Hollingsworth	Mayne	Wearin
Durant	Hollis	Mead	Whiting
Elliott	Husted		Witt

Absent or not voting, 4.

Hayes	Hunt	Morton	Orr
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Motion to defer until 3:30 p. m. today lost.

## CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, hereby request a call of the House on Senate amendments to House File No. 576.

J. H. JOHNSON

FRED WITT

MARION R. MCCAULLEY

FRANK W. ELLIOTT

E. M. LICHTY

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Morton of Wright, Hunt of Louisa and Hayes of Dubuque who, on motion, were excused.

Mr. Johnson moved that the House concur in the Senate amendments.

On the question "Shall the House concur?" Rule 18 was invoked.

The ayes were, 61.

Aiken	Fabritz	Kern	Orr
Augustine	Gallagher	Koch	Osborn
Avery	Gilmore	Lamb	Paisley
Babcock	Greaser	Laughlin	Pattison
Bair	Greene	Lichty	Randolph
Ballew	Hansen of	Long	Ratliff
Brown	Audubon	McCauley	Reed
Byers	Hansen of Scott	McCreery	Rutledge
Craven	Helgason	McLain	Ryder
Dayton	Hesse	Mathews	Rylander
Ditto	Hollis	Mayne	Shields
Drake of Keokuk	Hopkins	Mead	Sours
Drake of	Husted	Millhone	Tamisiea
Muscatine	Hutcheon	Miller	Wearin
Durant	Johnson of	Nelson of	Whiting
Elliott	Marion	Cherokee	Witt
Ellsworth			

The nays were, 44.

Allen	Forsling	Langland	Rawlings
Beath	Garrett	Lepley	Reimers
Berry	Gissel	McDermott	Roe
Bonnstetter	Hanson of	Malone	Short
Davis	Winnebago	Nelson of Story	Simmer
Donlon	Hollingsworth	O'Donnell	Snyder
Felter	Hook	Peaco	Stanzel
Figgins	Hush	Pendray	Stiger
Finnern	Kohler	Randall	Strachan

TePaske  
Thiessen  
Thompson

Torgeson  
Van Buren

Van Wert  
Wamstad

Watts  
Mr. Speaker

Absent or not voting, 3.

Hayes

Hunt

Morton

House concurred in Senate amendments to House File No. 576.

Kern of Polk moved that the House proceed with the consideration of appropriation bills, claims bills, bills now on the sifting committee calendar, bills reported by the sifting committee within the next twenty-four hours, reports of conference committees, Senate amendments to bills which have passed the House, the report of the committee on investigation of the University of Iowa, state millage bill and that no further business be considered by the House.

Allen of Pocahontas raised the point of order that the pending motion is in effect a suspension of the rules and as such would require a two-thirds vote.

Speaker Johnson held the point of order well taken.

Objection was made to the immediate consideration of the motion.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Allen of Pocahontas, unanimous consent having been given, House File No. 38, a bill for an act to amend section sixty-nine hundred fifty-one (6951), Code, 1927, relating to the suspension, cancellation, or remission of taxes, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 38

Amend by striking out all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Sections sixty-nine hundred fifty (6950) to sixty-nine hundred fifty-two (6952), inclusive, Code, 1927, are amended by adding immediately after said section sixty-nine hundred fifty-two (6952) the following, to-wit:

'6952-d1. Suspended tax list. The county auditor shall keep and maintain in his office a book which shall be known as the "Suspended Tax List" and in which he shall enter the following data relative to all taxes,

and polls, the collection of which have been suspended by order of the board of supervisors, to-wit:

1. A governmental or platted description of the land on which the said tax has been levied or on which it is a lien.
2. The name of the owner of said land.
3. The amount, and current year, of said tax.
4. The date of the order suspending collection of said tax.

Said book shall be so prepared, ruled, and headed that all entries of taxes and polls against the land in a given section or in a given city or town plat addition, or auditor's plat shall be separate from the entry of taxes against the land in any other section, or city or town plat, addition, or auditor's plat.

The county auditor shall, prior to January 1, 1932, enter in said book the aforesaid data as to all unpaid, uncanceled and unremitted taxes, and polls, the collection of which have been ordered suspended by the board of supervisors since July 4, 1921. The data relative to all other suspended taxes and polls shall be entered immediately following the entry of such suspension.

If a tax or poll on said book be paid, or be subsequently legally cancelled and remitted, the auditor shall enter in said book and over his official signature a satisfaction thereof."

Amend the title by striking out the words and figures "section sixty-nine hundred fifty-one (6951)" and inserting in lieu thereof the words and figures "sections sixty-nine hundred fifty (6950) to sixty-nine hundred fifty-two (6952) inclusive".

Mr. Allen moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 80.

Allen	Durant	Hesse	Long
Augustine	Ellsworth	Hollingsworth	McCreery
Avery	Fabritz	Hollis	McDermott
Babcock	Felter	Hook	McLain
Ballew	Figgins	Hopkins	Malone
Beath	Gallagher	Hush	Mathews
Berry	Garrett	Husted	Mayne
Brown	Gilmore	Johnson of	Mead
Byers	Gissel	Marion	Millhone
Davis	Greasier	Kern	Nelson of
Dayton	Hansen of	Koch	Cherokee
Ditto	Audubon	Lamb	O'Donnell
Donlon	Hansen of Scott	Langland	Orr
Drake of	Hanson of	Laughlin	Pattison
Muscatine	Winnebago	Lepley	Peaco



Pendray	Ryder	Strachan	Van Buren
Randolph	Simmer	Tamislea	Van Wert
Rawlings	Snyder	TePaske	Wamstad
Reed	Sours	Thiessen	Watts
Reimers	Stanzel	Thompson	Wearin
Roe	Stiger	Torgeson	Mr. Speaker
Rutledge			

The nays were, 3.

Hutcheon	Osborn	Paisley
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Absent or not voting, 25.

Aiken	Forsling	Lichty	Ratliff
Bair	Greene	McCauley	Rylander
Bonnstetter	Hayes	Miller	Shields
Craven	Helgason	Morton	Short
Drake of Keokuk	Hunt	Nelson of Story	Whiting
Elliott	Kohler	Randall	Witt
Finnern			

House concurred in Senate amendments to House File No. 38.

On request of Van Buren of Jones, unanimous consent having been given, House File No. 28, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the Code, 1927, and to enact a substitute therefor, relating to the audit of claims against the state and certain agencies thereof, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 28

Strike out all after the enacting clause and insert the following:

Section 1. The Board of Education and the Board of Control shall annually have their books and all receipts and expenditures audited by an expert firm of accountants selected by the Executive Council and a certified copy of the report of said expert accountants shall be filed with the State Board of Audit.

Sec. 2. There is hereby annually appropriated from any funds in the state treasury, not otherwise appropriated, a sum sufficient to defray the compensation of such expert public accountants.

Also strike out the title and substitute the following:

An Act to provide for an annual examination of the books of the State Board of Education and Board of Control and the filing of a copy of the report of same with the State Board of Audit, and to make an appropriation therefor.

Mr. Van Buren moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 14.

Augustine	Hook	Osborn	Rylander
Dayton	Hopkins	Randolph	Watts
Hansen of	Lamb	Rawlings	Whiting
Audubon	Lepley	Ryder	

The nays were, 55.

Aiken	Ellsworth	Kern	Shields
Avery	Felter	Kohler	Short
Babcock	Figgins	Langland	Simmer
Ballew	Finnern	Long	Snyder
Beath	Forsling	McCreery	Stiger
Bonnstetter	Gilmore	Mead	Strachan
Brown	Greaser	Paisley	TePaske
Byers	Hansen of Scott	Pendray	Thompson
Davis	Hanson of	Randall	Torgeson
Ditto	Winnebago	Ratcliff	Van Buren
Donlon	Hesse	Reed	Van Wert
Drake of Keokuk	Hollingsworth	Reimers	Wamstad
Drake of	Hush	Roe	Wearin
Muscatine	Hutcheon	Rutledge	Mr. Speaker
Durant			

Absent or not voting, 39.

Allen	Helgason	McDermott	Nelson of Story
Bair	Hollis	McLain	O'Donnell
Berry	Hunt	Malone	Orr
Craven	Husted	Mathews	Pattison
Elliott	Johnson of	Mayne	Peaco
Fabritz	Marion	Millhone	Sours
Gallagher	Koch	Miller	Stanzel
Garrett	Laughlin	Morton	Tamisiea
Gissel	Lichty	Nelson of	Thiessen
Greene	McCaulley	Cherokee	Witt
Hayes			

House refuses to concur in Senate amendments to House File No. 28.

### CONSIDERATION OF BILLS

House File No. 586, a bill for an act to amend an act known in the legislative proceedings of the forty-fourth (44th) general assembly of the state of Iowa as House File five hundred twenty-seven (527) entitled "an act to repeal sections forty-one hundred eight (4108) to forty-one hundred eighteen (4118) inclusive, code, 1927, relating to county teachers' institutes and to enact a substitute therefor to provide a plan for improving instruction in the public schools," said amendment being to effect the repeal of sections forty-one hundred eight (4108) to forty-one hundred

eighteen (4118) inclusive, code, 1927, with report of sifting committee recommending passage, was taken up for consideration.

Hollingsworth of Boone moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 72.

Augustine	Gissel	Lepley	Reed
Avery	Greaser	Long	Reimers
Babcock	Hansen of	McCreery	Roe
Bair	Audubon	McDermott	Rylander
Beath	Hansen of Scott	Malone	Simmer
Berry	Hanson of	Mathews	Snyder
Bonnstetter	Winnebago	Mead	Sours
Brown	Hesse	Millhone	Stanzel
Davis	Hollingsworth	Nelson of	Stiger
Dayton	Hollis	Cherokee	Strachan
Ditto	Hook	Orr	TePaske
Donlon	Hopkins	Osborn	Thiessen
Drake of	Hush	Paisley	Thompson
Muscatine	Hutcheon	Pattison	Torgeson
Durant	Kern	Peaco	Van Wert
Ellsworth	Koch	Pendray	Wamstad
Figgins	Kohler	Randolph	Wearin
Finnern	Lamb	Ratliff	Whiting
Gilmore	Langland	Rawlings	Mr. Speaker

The nays were, none.

Absent or not voting, 36.

Aiken	Gallagher	Laughlin	Randall
Allen	Garrett	Lichty	Rutledge
Ballew	Greene	McCaulley	Ryder
Byers	Hayes	McLain	Shields
Craven	Helgason	Mayne	Short
Drake of Keokuk	Hunt	Miller	Tamisia
Elliott	Husted	Morton	Van Buren
Fabritz	Johnson of	Nelson of Story	Watts
Felter	Marion	O'Donnell	Witt
Forsling			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 299, a bill for an act to make an appropriation to the H. H. C. Equipment Corporation and the Johnson Oil Refining Company as refunds for overpayment of taxes, with report of committee on appropriations recommending passage, was taken up for consideration.

Drake of Muscatine moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 77.

Aiken	Garrett	Lepley	Reimers
Augustine	Gilmore	Long	Roe
Avery	Gissel	McCreery	Ryder
Babcock	Greaser	McLain	Simmer
Bair	Hansen of	Malone	Snyder
Beath	Audubon	Mathews	Sours
Bonnstetter	Hansen of Scott	Mead	Stanzel
Brown	Hanson of	Millhone	Stiger
Davis	Winnebago	Nelson of	Strachan
Dayton	Hollingsworth	Cherokee	Tamisiea
Ditto	Hollis	O'Donnell	Thiessen
Donlon	Hook	Orr	Thompson
Drake of	Hopkins	Osborn	Torgeson
Muscatine	Hush	Paisley	Van Buren
Durant	Husted	Pattison	Wamstad
Ellsworth	Hutcheon	Peaco	Watts
Fabritz	Koch	Randolph	Wearin
Felter	Kohler	Ratliff	Whiting
Figgins	Lamb	Rawlings	Witt
Finnern	Langland	Reed	Mr. Speaker
Gallagher			

The nays were, none.

Absent or not voting, 31.

Allen	Greene	Laughlin	Pendray
Ballew	Hayes	Lichty	Randall
Berry	Helgason	McCaulley	Rutledge
Byers	Hesse	McDermott	Rylander
Craven	Hunt	Mayne	Shields
Drake of Keokuk	Johnson of	Miller	Short
Elliott	Marion	Morton	TePaske
Forsling	Kern	Nelson of Story	Van Wert

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 252, a bill for an act to make appropriation to the Montgomery County Farmers Institute, the Lyon County Farmers Institute, the Atlantic Community Corn Show or Farmers Institute, and the Johnson County Poultry Show, with report of committee on appropriations 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, 79.

Aiken	Gilmore	Langland	Reed
Augustine	Gissel	Lepley	Reimers
Babcock	Greaser	Long	Roe
Bair	Hansen of	McCreery	Ryder
Beath	Audubon	McDermott	Simmer
Bonnstetter	Hansen of Scott	McLain	Snyder
Brown	Hanson of	Malone	Sours
Dayton	Winnebago	Mathews	Stanzel
Ditto	Hesse	Mead	Stiger
Donlon	Hollingsworth	Millhone	Strachan
Drake of	Hollis	Nelson of	Tamisiea
Muscatine	Hook	Cherokee	TePaske
Durant	Hopkins	O'Donnell	Thiessen
Ellsworth	Hush	Orr	Thompson
Fabritz	Husted	Osborn	Van Wert
Felter	Hutcheon	Paisley	Wamstad
Figgins	Johnson of	Pattison	Watts
Finnern	Marion	Peaco	Wearin
Forsling	Kern	Randolph	Whiting
Gallagher	Koch	Ratliff	Witt
Garrett	Lamb	Rawlings	Mr. Speaker

The nays were, none.

Absent or not voting, 29.

Allen	Elliott	Lichty	Randall
Avery	Greene	McCauley	Rutledge
Ballew	Hayes	Mayne	Rylander
Berry	Helgason	Miller	Shields
Byers	Hunt	Morton	Short
Craven	Kohler	Nelson of Story	Torgeson
Davis	Laughlin	Pendray	Van Buren
Drake of Keokuk			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 405, a bill for an act to make an appropriation to Ruth Harper, Martha Nichols, Robert Honegger, and A. E. McGlothlen, with report of committee on appropriations recommending passage, was taken up for consideration.

Rawlings of Monona moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 81.

Aiken	Avery	Ballew	Bonnstetter
Allen	Babcock	Beath	Brown
Augustine	Bair	Berry	Craven

Davis	Hanson of	McCreery	Reed
Dayton	Winnebago	McDermott	Reimers
Ditto	Hesse	McLain	Roe
Donlon	Hollingsworth	Malone	Ryder
Drake of	Hollis	Mathews	Snyder
Muscatine	Hook	Mead	Stanzel
Durant	Hopkins	Millhone	Strachan
Elliott	Hush	Nelson of	Tamislea
Ellsworth	Husted	Cherokee	TePaske
Felter	Hutcheon	O'Donnell	Thiessen
Figgins	Johnson of	Orr	Thompson
Finnern	Marion	Osborn	Van Wert
Gallagher	Kern	Paisley	Wamstad
Garrett	Koch	Pattison	Watts
Gissel	Kohler	Peaco	Wearin
Greaser	Lamb	Randolph	Whiting
Hansen of	Langland	Ratliff	Witt
Audubon	Lepley	Rawlings	Mr. Speaker
Hansen of Scott	Long		

The nays were, none.

Absent or not voting, 27.

Byers	Helgason	Morton	Short
Drake of Keokuk	Hunt	Nelson of Story	Simmer
Fabritz	Laughlin	Pendray	Sours
Forsling	Lichty	Randall	Stiger
Gilmore	McCaulley	Rutledge	Torgeson
Greene	Mayne	Rylander	Van Buren
Hayes	Miller	Shields	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 561, a bill for an act to make an appropriation to Joseph Roy Collins, with report of committee on appropriations recommending passage, was taken up for consideration.

Beath of Adams moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aiken	Craven	Ellsworth	Gissel
Allen	Davis	Fabritz	Greaser
Augustine	Dayton	Felter	Hansen of
Babcock	Ditto	Figgins	Audubon
Bair	Donlon	Finnern	Hansen of Scott
Ballew	Drake of	Forsling	Hansen of
Beath	Muscatine	Gallagher	Winnebago
Berry	Durant	Garrett	Hesse
Brown	Elliott	Gilmore	Hollingsworth

Hollis	Lepley	Osborn	Strachan
Hook	Lichty	Paisley	Tamisiea
Hopkins	Long	Pattison	TePaske
Hush	McCreery	Pendray	Thiessen
Husted	McDermott	Randall	Thompson
Hutcheon	McLain	Randolph	Van Buren
Johnson of	Malone	Ratliff	Van Wert
Marion	Mathews	Reed	Wamstad
Kern	Mead	Reimers	Watts
Koch	Millhone	Roe	Wearin
Kohler	Nelson of	Snyder	Whiting
Lamb	Cherokee	Sours	Witt
Langland	Orr	Stanzel	Mr. Speaker

The nays were, none.

Absent or not voting, 25.

Avery	Hunt	Nelson of Story	Rylander
Bonnstetter	Laughlin	O'Donnell	Shields
Byers	McCaulley	Peaco	Short
Drake of Keokuk	Mayne	Rawlings	Simmer
Greene	Miller	Rutledge	Stiger
Hayes	Morton	Ryder	Torgeson
Helgason			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

House File No. 566, a bill for an act to make an appropriation to Paul T. Tissler, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Wert of Franklin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Aiken	Fabritz	Hollis	McLain
Augustine	Felter	Hook	Malone
Babcock	Figgins	Hopkins	Mathews
Ballew	Finnern	Hush	Mead
Beath	Forsling	Husted	Millhone
Berry	Gallagher	Hutcheon	Nelson of
Brown	Garrett	Johnson of	Cherokee
Craven	Gilmore	Marion	O'Donnell
Davis	Gissel	Kern	Osborn
Dayton	Greaser	Koch	Paisley
Ditto	Hansen of	Kohler	Pattison
Donlon	Audubon	Lamb	Pendray
Drake of	Hansen of Scott	Langland	Randall
Muscatine	Hanson of	Lepley	Ratliff
Durant	Winnebago	Lichty	Rawlings
Elliott	Hesse	Long	Reed
Ellsworth	Hollingsworth	McDermott	Reimers

Roe	TePaske	Van Buren	Wearin
Snyder	Thiessen	Van Wert	Whiting
Sours	Thompson	Wamstad	Witt
Stanzel	Torgeson	Watts	Mr. Speaker
Tamisiea			

The nays were, none.

Absent or not voting, 28.

Allen	Hayes	Miller	Ryder
Avery	Helgason	Morton	Rylander
Bair	Hunt	Nelson of Story	Shields
Bonnstetter	Laughlin	Orr	Short
Byers	McCaulley	Peaco	Simmer
Drake of Keokuk	McCreery	Randolph	Stiger
Greene	Mayne	Rutledge	Strachan

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 410, a bill for an act to make an appropriation to G. C. Bell, A. L. McClintock, Harley Cowman and D. F. Brownlee, with report of committee on appropriations recommending passage, was taken up for consideration.

Kohler 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, 85.

Aiken	Gilmore	Lepley	Reed
Allen	Gissel	Lichty	Reimers
Augustine	Greaser	Long	Roe
Avery	Hansen of	McCreery	Ryder
Babcock	Audubon	McLain	Rylander
Ballew	Hansen of Scott	Malone	Shields
Beath	Hanson of	Mathews	Simmer
Berry	Winnebago	Mayne	Snyder
Craven	Hesse	Mead	Sours
Davis	Hollingsworth	Millhone	Strachan
Dayton	Hollis	Nelson of	Tamisiea
Donlon	Hook	Cherokee	TePaske
Drake of	Hopkins	O'Donnell	Thiessen
Muscatine	Hush	Orr	Thompson
Durant	Husted	Osborn	Torgeson
Ellsworth	Hutcheon	Paisley	Van Wert
Fabritz	Johnson of	Pattison	Wamstad
Felter	Marion	Pendray	Watts
Figgins	Kern	Randall	Wearin
Finnern	Koch	Randolph	Whiting
Forsling	Kohler	Ratliff	Witt
Gallagher	Lamb	Rawlings	Mr. Speaker
Garrett	Langland		



The nays were, 2.

Brown McDermott

Absent or not voting, 21.

Bair	Greene	McCaulley	Rutledge
Bonnstetter	Hayes	Miller	Short
Byers	Helgason	Morton	Stanzel
Ditto	Hunt	Nelson of Story	Stiger
Drake of Keokuk	Laughlin	Peaco	Van Buren
Elliott			

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 376, a bill for an act to make an appropriation to C. H. Lambach for legal services in defending the state game warden and deputy game wardens in a suit for damages growing out of official acts, with report of committee on appropriations 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?" Rule 18 was invoked.

The ayes were, 80.

Aiken	Hansen of	Lepley	Rawlings
Allen	Audubon	Lichty	Reed
Augustine	Hansen of Scott	Long	Reimers
Babcock	Hanson of	McDermott	Roe
Ballew	Winnebago	McLain	Ryder
Beath	Helgason	Malone	Rylander
Berry	Hesse	Mathews	Snyder
Craven	Hollingsworth	Mayne	Sours
Davis	Hollis	Mead	Stanzel
Dayton	Hook	Millhone	Strachan
Donlon	Hopkins	Nelson of	TePaske
Drake of	Hush	Cherokee	Thiessen
Muscatine	Husted	O'Donnell	Thompson
Durant	Hutcheon	Orr	Torgeson
Elliott	Johnson of	Osborn	Van Wert
Ellsworth	Marion	Paisley	Wamstad
Fabritz	Kern	Pattison	Watts
Felter	Koch	Peaco	Wearin
Finnern	Kohler	Pendray	Whiting
Garrett	Lamb	Randolph	Witt
Gilmore	Langland	Ratliff	Mr. Speaker
Greaser			

The nays were, 4.

Figgins	Forsling	Gallagher	Gissel
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Absent or not voting, 24.

Avery	Drake of Keokuk	McCreery	Shields
Bair	Greene	Miller	Short
Bonnstetter	Hayes	Morton	Simmer
Brown	Hunt	Nelson of Story	Stiger
Byers	Laughlin	Randall	Tamisiea
Ditto	McCauley	Rutledge	Van Buren

### MOTION TO RECONSIDER

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Van Buren of Jones moved that the House reconsider the vote by which the House refused to concur in the Senate amendments to House File No. 28.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 73.

Aiken	Forsling	Koch	Pendray
Augustine	Gallagher	Kohler	Randall
Avery	Garrett	Lamb	Ratliff
Babcock	Gilmore	Langland	Rawlings
Ballew	Gissel	Lepley	Reed
Beath	Greaser	Long	Short
Brown	Hansen of	McCreery	Simmer
Craven	Audubon	McLain	Snyder
Davis	Hansen of Scott	Malone	Stanzel
Dayton	Hanson of	Mathews	Strachan
Donlon	Winnebago	Mead	Tamisiea
Drake of Keokuk	Helgason	Millhone	TePaske
Durant	Hesse	Miller	Thiessen
Elliott	Hollingsworth	Nelson of	Thompson
Ellsworth	Hollis	Cherokee	Torgeson
Fabritz	Hook	O'Donnell	Van Buren
Felter	Hush	Osborn	Wamstad
Figgins	Husted	Pattison	Watts
Finnern	Kern	Peaco	Mr. Speaker

The nays were, 1.

Ditto

Absent or not voting, 34.

Allen	Hopkins	Mayne	Ryder
Bair	Hunt	Morton	Rylander
Berry	Hutcheon	Nelson of Story	Shields
Bonnstetter	Johnson of	Orr	Sours
Byers	Marion	Paisley	Stiger
Drake of	Laughlin	Randolph	Van Wert
Muscatine	Lichty	Reimers	Wearin
Greene	McCauley	Roe	Whiting
Hayes	McDermott	Rutledge	Witt

House reconsidered.

Mr. Van Buren moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 77.

Aiken	Gissel	Lepley	Randolph
Augustine	Greaser	Lichty	Ratliff
Avery	Hansen of	Long	Rawlings
Babcock	Audubon	McCreery	Reed
Ballew	Hansen of Scott	McDermott	Ryder
Beath	Hanson of	McLain	Short
Brown	Winnebago	Malone	Simmer
Craven	Helgason	Mathews	Snyder
Dayton	Hesse	Mead	Sours
Donlon	Hollingsworth	Millhone	Stanzel
Drake of Keokuk	Hook	Miller	Strachan
Durant	Hush	Nelson of	TePaske
Elliott	Husted	Cherokee	Thiessen
Ellsworth	Johnson of	O'Donnell	Torgeson
Felter	Marion	Osborn	Van Buren
Figgins	Kern	Paisley	Wamstad
Finnern	Koch	Pattison	Watts
Forsling	Kohler	Peaco	Whiting
Gallagher	Lamb	Pendray	Witt
Garrett	Langland	Randall	Mr. Speaker
Gilmore			

The nays were, 1.

Ditto

Absent or not voting, 30.

Allen	Fabritz	McCaulley	Rylander
Bair	Greene	Mayne	Shields
Berry	Hayes	Morton	Stiger
Bonnstetter	Hollis	Nelson of Story	Tamisiea
Byers	Hopkins	Orr	Thompson
Davis	Hunt	Reimers	Van Wert
Drake of	Hutcheon	Roe	Wearin
Muscatine	Laughlin	Rutledge	

House concurred in Senate amendments to House File No. 28.

### CONSIDERATION OF BILLS

House File No. 587, a bill for an act to authorize the secretary of agriculture to incur expenses and employ assistance in carrying out the provisions of House File No. 377 of the acts of the forty-fourth general assembly and to make an appropriation therefor, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren 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, 70.

Aiken	Hansen of	McCreery	Ryder
Augustine	Audubon	McDermott	Shields
Babcock	Hanson of	McLain	Short
Bair	Winnebago	Malone	Simmer
Ballew	Helgason	Mathews	Snyder
Beath	Hollingsworth	Mead	Sours
Davis	Hollis	Millhone	Stanzel
Dayton	Hook	Nelson of	Strachan
Donlon	Hush	Cherokee	TePaske
Drake of Keokuk	Husted	Osborn	Thiessen
Durant	Koch	Pattison	Thompson
Ellsworth	Kohler	Pendray	Torgeson
Fabritz	Lamb	Randolph	Van Buren
Felter	Langland	Ratliff	Wamstad
Figgins	Laughlin	Rawlings	Watts
Forsling	Lepley	Reed	Whiting
Gallagher	Lichty	Reimers	Witt
Gissel	Long	Rutledge	Mr. Speaker
Greaser			

The nays were, 7.

Brown	Garrett	Peaco	Tamisiea
Elliott	Nelson of Story	Randall	

Absent or not voting, 31.

Allen	Finnern	Hutcheon	O'Donnell
Avery	Gilmore	Johnson of	Orr
Berry	Greene	Marion	Paisley
Bonnstetter	Hansen of Scott	Kern	Roe
Byers	Hayes	McCauley	Rylander
Craven	Hesse	Mayne	Stiger
Ditto	Hopkins	Miller	Van Wert
Drake of	Hunt	Morton	Wearin
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unanimous consent having been granted Senate File No. 353 was substituted for House File No. 531.

Senate File No. 353, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Century Progress Exposition to be held in the city of Chicago, Illinois, in the year, 1933, and to make an appropriation and to create a commission therefor, with report of committee on appropriations recommending passage, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. The executive council of the state of Iowa is hereby constituted, in addition to its other duties, as the "Century Progress Exposition Commission". It shall appoint such officers and employ such persons as in its judgment are necessary for the carrying out of the purpose of this act. The treasurer of state shall be the treasurer of the commission, and shall be the custodian of the monies herein appropriated. The members of the executive council, acting as such commission, shall receive no compensation for their services, but they shall be paid out of the appropriation herein made all of their necessary expenses incurred while engaged in the work of the commission. The commission may require any of its officers to furnish a bond with sureties subject to the approval of the commission.

Sec. 2. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of fifty thousand dollars (\$50,000.00) or so much thereof as may be necessary for the use of the commission in paying the costs and expenses incident to the making of an exhibit and representation by the state of Iowa as provided in section one (1) hereof. Said fund shall be expended on warrants therefor issued on the order of the governor by the auditor of state on the treasurer of state from time to time. No such warrants shall issue until said commission, through its duly chosen officers, shall certify to the auditor of state that the same is actually necessary for disbursement. All payments of money must be made upon vouchers duly executed under conditions as fixed by said commission, and no claims shall be paid by such commission except such as have been duly presented to the commission and audited and allowed. At the close of its services the commission shall make a statement of all of its doings, which statement shall include a showing of all exhibits made by the state of Iowa, or the citizens thereof, and the awards made on such exhibits, and such other matter as the said commission may deem valuable to the people of the state of Iowa, together with a list of all receipts and disbursements, with complete vouchers therefor. The accounts of said commission shall be kept in such manner as shall be prescribed by the executive council.

Sec. 3. Provided, however, that the purpose of this legislature is that the appropriation provided herein shall only be used in the event that the exposition is of such proportion as to warrant the state of Iowa in participating therein and for the purpose of insuring that no portion of the appropriation herein provided shall be used under any other circumstances or conditions. It is provided that no action shall be taken under the provisions of this act and no money paid from the appropriation provided herein until the executive council shall by proper resolution entered of record direct and authorize the same.

Brown of Polk offered the following amendment to the amendment and moved its adoption:

Amend by striking in line three (3) of section two (2) of the amendment the words and figures "fifty thousand dollars (\$50,000.00)" and inserting in lieu thereof the words and figures "twenty-five thousand dollars (\$25,000.00)".

Amendment to the amendment adopted.

Forsling of Woodbury moved to reconsider the vote by which the amendment to the amendment was adopted.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 31.

Aiken	Hesse	Laughlin	Osborn
Babcock	Hollingsworth	Lichty	Pattison
Drake of	Hollis	McCreery	Ratliff
Muscatine	Husted	McDermott	Rutledge
Durant	Johnson of	Malone	Simmer
Fabritz	Marion	Mayne	TePaske
Finnern	Koch	Mead	Wamstad
Forsling	Kohler	Millhone	Witt
Gallagher			

The nays were, 49.

Augustine	Garrett	Langland	Reed
Avery	Gilmore	Lepley	Reimers
Ballew	Gissel	Long	Ryder
Beath	Greaser	McLain	Shields
Brown	Hansen of	Mathews	Snyder
Craven	Audubon	Nelson of	Sours
Davis	Hansen of Scott	Cherokee	Stanzel
Dayton	Hanson of	O'Donnell	Strachan
Ditto	Winnebago	Paisley	Tamisiea
Donlon	Helgason	Peaco	Torgeson
Ellsworth	Hook	Pendray	Van Buren
Felter	Hush	Randall	Watts
Figgins	Lamb	Randolph	Mr. Speaker

Absent or not voting, 28.

Allen	Greene	Miller	Short
Bair	Hayes	Morton	Stiger
Berry	Hopkins	Nelson of Story	Thiessen
Bonnstetter	Hunt	Orr	Thompson
Byers	Hutcheon	Rawlings	Van Wert
Drake of Keokuk	Kern	Roe	Wearin
Elliott	McCaulley	Rylander	Whiting

Motion lost.

Amendment, as amended, 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, 66.

Aiken	Greaser	Long	Rutledge
Ballew	Greene	McCreery	Ryder
Beath	Hansen of	McDermott	Short
Brown	Audubon	McLain	Simmer
Byers	Hansen of Scott	Malone	Snyder
Craven	Hanson of	Mathews	Stanzel
Dayton	Winnebago	Mayne	Stiger
Ditto	Helgason	Mead	TePaske
Donlon	Hollingsworth	Millhone	Thiessen
Drake of Keokuk	Johnson of	Nelson of	Thompson
Durant	Marion	Cherokee	Torgeson
Elliott	Kern	O'Donnell	Van Buren
Ellsworth	Koch	Osborn	Wamstad
Fabritz	Kohler	Paisley	Wearin
Felter	Lamb	Pattison	Whiting
Figgins	Langland	Pendray	Witt
Forsling	Laughlin	Randolph	Mr. Speaker
Gilmore	Lichty	Reimers	

The nays were, 26.

Augustine	Gissel	Lepley	Reed
Avery	Hesse	O'Donnell	Shields
Babcock	Hollis	Peaco	Sours
Davis	Hook	Randall	Strachan
Finnern	Hush	Ratliff	Tamisiea
Gallagher	Husted	Rawlings	Watts
Garrett	Hutcheon		

Absent or not voting, 16.

Allen	Drake of	McCaulley	Orr
Bair	Muscatine	Miller	Roe
Berry	Hayes	Morton	Rylander
Bonnstetter	Hopkins	Nelson of Story	Van Wert
	Hunt		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 387, a bill for an act to make an appropriation to L. J. Baschnagel, with report of committee on appropriations recommending passage, was taken up for consideration.

Speaker Pro Tempore Rutledge in the chair.

Garrett of Wayne moved that the bill be read a third time 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, 74.

Aiken	Greaser	McLain	Rutledge
Avery	Hansen of	Malone	Ryder
Ballew	Audubon	Mathews	Rylander
Beath	Hansen of Scott	Mead	Shields
Brown	Hanson of	Millhone	Short
Craven	Winnebago	Miller	Snyder
Davis	Helgason	Nelson of	Sours
Dayton	Hesse	Cherokee	Stanzel
Ditto	Hollingsworth	Nelson of Story	Stiger
Drake of Keokuk	Hook	O'Donnell	Tamisiea
Drake of	Hush	Osborn	TePaske
Muscatine	Hutcheon	Paisley	Thiessen
Durant	Kern	Pattison	Thompson
Ellsworth	Koch	Peaco	Torgeson
Felter	Kohler	Pendray	Van Buren
Figgins	Lamb	Randolph	Watts
Finnern	Langland	Ratliff	Wearin
Garrett	Lepley	Rawlings	Whiting
Gilmore	Long	Reed	Witt
Gissel	McDermott		

The nays were, none.

Absent or not voting, 34.

Allen	Fabritz	Johnson of	Randall
Augustine	Forsling	Marion	Reimers
Babcock	Gallagher	Laughlin	Roe
Bair	Greene	Lichty	Simmer
Berry	Hayes	McCaulley	Strachan
Bonnstetter	Hollis	McCreery	Van Wert
Byers	Hopkins	Mayne	Wamstad
Donlon	Hunt	Morton	Mr. Speaker
Elliott	Husted	Orr	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Hansen of Scott, House File No. 551, a bill for an act to make an appropriation to Gilbert Merritt, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 551

Amend by striking out the publication clause. Section three (3).

Hansen of Scott moved that the House concur in the Senate amendment.



On the question "Shall the House concur?"

The ayes were, 73.

Augustine	Hansen of	McDermott	Ryder
Avery	Audubon	McLain	Shields
Babcock	Hansen of Scott	Malone	Short
Bair	Hanson of	Mathews	Snyder
Beath	Winnebago	Mead	Sours
Brown	Helgason	Millhone	Stanzel
Craven	Hesse	Nelson of	Strachan
Davis	Holingsworth	Cherokee	Tamisiea
Dayton	Hook	O'Donnell	TePaske
Ditto	Hush	Osborn	Thiessen
Donlon	Hutcheon	Paisley	Thompson
Drake of Keokuk	Johnson of	Pattison	Torgeson
Durant	Marion	Peaco	Van Buren
Ellsworth	Kern	Randall	Van Wert
Felter	Koch	Randolph	Wamstad
Figgins	Kohler	Ratliff	Watts
Garrett	Lamb	Rawlings	Wearin
Gilmore	Langland	Reed	Whiting
Gissel	Long	Reimers	Witt
Greaser			

The nays were, none.

Absent or not voting, 35.

Aiken	Fabritz	Husted	Nelson of Story
Allen	Finnern	Laughlin	Orr
Ballew	Forsling	Lepley	Pendray
Berry	Gallagher	Lichty	Roe
Bonnstetter	Greene	McCaulley	Rutledge
Byers	Hayes	McCreery	Rylander
Drake of	Hollis	Mayne	Simmer
Muscatine	Hopkins	Miller	Stiger
Elliott	Hunt	Morton	Mr. Speaker

House concurred in Senate amendment to House File No. 551.

#### 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. 422, a bill for an act relating to airports.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 428, a bill for an act to authorize the executive council to purchase and improve certain property adjacent to the capitol extension grounds and to make an appropriation therefor.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 552, a bill for an act relating to transfer of earnings of waterworks, gas works, heating plants or electric plants owned by cities and towns.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 448, a bill for an act relating to driving a motor vehicle while intoxicated, and prescribing punishments therefor.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 424, a bill for an act relating to the subdivision of independent school districts.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 392, a bill for an act relating to partition procedure.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 380, a bill for an act relating to the free distribution of codes and session laws.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 355, a bill for an act providing that all counties adopt a budget conforming to this chapter.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 304, a bill for an act relating to publication of notice in civil actions.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 17, a bill for an act relating to the signing of orders by judges of the district court in vacation.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 352, a bill for an act relating to pipe line properties.

WALTER H. BEAM, *Secretary*.

## SENATE AMENDMENT TO HOUSE FILE NO. 352

Amend House File No. 352 by striking out all after the enacting clause thereof, and substituting in lieu therefor the following:

Section 1. Every person, co-partnership, association, corporation or syndicate engaged in the business of transporting or transmitting gas, gasoline, oils, or motor fuels by means of pipe lines, whether such pipe lines be owned or leased, shall be taxed as herein provided.

Sec. 2. The words "pipe line company" as used in this act shall be deemed and construed to mean any person, co-partnership, association, corporation or syndicate that may own or operate or be engaged in operating or utilizing pipe lines for the purposes described in section one (1) hereof.

The word "board" wherever it appears in this act shall mean the state board of assessment and review.

Sec. 3. Every pipe line company having lines in the state of Iowa shall annually, on or before the first day of April in each year, make out and deliver to the state board of assessment and review a statement, verified by the oath of an officer or agent of such pipe line company making such statement, showing in detail for the year ended December 31 next preceding:

1. The name of the company.
2. The nature of the company, whether a person or persons, an association, co-partnership, corporation or syndicate, and under the laws of what state organized.
3. The location of its principal office or place of business.
4. The name and post office address of the president, secretary, auditor, treasurer and superintendent or general manager.
5. The name and post office address of the chief officer or managing agent of the company in Iowa.
6. The whole number of miles of pipe line owned, operated or leased within the state, including a classification of the size, kind and weight thereof, separated, so as to show the mileage in each county, and each lesser taxing district.
7. A full and complete statement of the cost and actual present value of all buildings of every description owned by said pipe line company within the state and each lesser taxing district, not otherwise assessed.
8. The number, location, size and cost of each pressure pump or station.
9. Any and all other property owned by said pipe line company within the state which property must be classified and scheduled in such a manner as the board may by rule require.

10. The gross earnings of the entire company, and the gross earnings on business done within this state.

11. The operating expenses of the entire company and the operating expenses within this state.

12. The net earnings of the entire company and the net earnings within this state.

Sec. 4. Every pipe line company required by law to report to the state board of assessment and review under the provisions of this act shall, on or before the first day of April, 1932, make to the state board of assessment and review a detailed statement showing the amount of real estate owned or used by it on December 31, 1931, for pipe line purposes, the county in which said real estate is situated, including the rights of way, pumping or station grounds, buildings, storage or tank yards, equipment grounds for any and all purposes, with the estimated actual value thereof, in such manner as may be required by the board.

Only one such detailed statement by any pipe line company shall be necessary, and when received by the board, it shall become the record of the pipe line lands of such company, and be deemed as annually thereafter reported for valuation and assessment by the board.

On or before the first day of April of each subsequent year, such company shall, in like manner, report all real estate acquired for any of the pipe line purposes above named during the preceding calendar year; and also, a list of any real estate, previously reported, disposed of during the same period, which disposition shall be noted by the board in an appropriate column opposite to the description of said tract in the original report of the same in the record of pipe line land.

The board shall, by some convenient method of binding, arrange the statements required to be made by this section, so as to form a consolidated list of all real estate reported to it as being owned or used for pipe line purposes within the state of Iowa.

Sec. 5. For the purpose of making reports to the state board of assessment and review, the gross earnings of a pipe line company, owning or operating a line or lines within this state, shall be computed and reported by said company upon such bases as the board may by rule require.

Sec. 6. The state board of assessment and review shall have power to prescribe such rules and regulations with respect to the keeping of accounts by the pipe line companies doing business or having property in this state as will insure the accurate division of the accounts and the information to be reported, and uniformity in reporting the same to said board.

Sec. 7. The rules, regulations, method and requirements herein provided to be made by the state board of assessment and review, shall be made and communicated in writing or printing to the said several pipe line companies, and shall be and become binding upon said pipe line

companies from the time they are so communicated; provided, however, that the said board shall have the power to prescribe supplemental or additional rules, regulations and requirements at any time, and communicate them to the several pipe line companies in the manner aforesaid, and with respect to such additional supplemental rules, regulations and requirements, they shall be and become binding upon the said pipe line companies within thirty (30) days from the time they are so communicated.

Sec. 8. If any pipe line company shall fail or refuse to obey and conform to the rules, regulations, method and requirements so made and prescribed by the state board of assessment and review under the provisions of this act, or to make the reports herein provided, the board shall proceed to assess the property of such pipe line company so failing or refusing, according to the best information obtainable, and shall then add to its valuation of such pipe line company twenty-five per cent (25%) thereof, which valuation and penalty shall be separately shown, and together shall constitute the assessment for that year.

Sec. 9. The board may demand, in writing, detailed, explanatory and amended statements of any of the items mentioned in section three (3) of this act, or any other item deemed to be important, to be furnished it by such pipe line company within thirty (30) days from such demand in such form as it may designate, which shall be verified as required for the original statement. The returns, both original and amended, shall show such other facts as the board, in writing, shall require.

Sec. 10. The said property shall be valued at its actual value, and the assessments shall be made upon the taxable value of the entire pipe line property within the state, except as otherwise provided; and shall include the rights of way, easements, the pipe lines, stations, grounds, shops, buildings, pumps and all other property, real and personal exclusively used in the operation of such pipe line. In assessing said pipe line company and its equipment, said board shall take into consideration the gross earnings and the net earnings for the entire property, and per mile, for the year ending December 31 preceding, and any and all other matters necessary to enable said board to make a just and equitable assessment of said pipe line property.

Sec. 11. The state board of assessment and review shall on or before the third Monday in August of each year determine the value of pipe line property located in each taxing district of the state, and in fixing said value shall take into consideration the structures, equipment, pumping stations, etc., located in said taxing district, and shall transmit to the county auditor of each such county through and into which any pipe line may extend, a statement showing the assessed value of said property in each of the taxing districts of said county. The said property shall then be taxed in said county and lesser taxing districts, based upon the valuation so certified, in the same manner as in other property.

Sec. 12. At the first meeting of the board of supervisors held after

said statement is received by the county auditor, it shall cause the same to be entered on its minute book, and make and enter therein an order describing and stating the assessed value of each pipe line lying in each city, town, township or lesser taxing district in its county, through or into which said pipe line extends, as fixed by the board of assessment and review, which shall constitute the assessed value of said property for taxing purposes; and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall transmit a copy of said order to the council of the city or town, or the trustees of the township, as the case may be.

All such pipe line property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purpose as the property of individuals within such counties, cities, towns, townships, and lesser taxing districts.

If said tax is not paid, the county treasurer shall collect the same by whatever method may seem proper. If said tax is not paid within the calendar year in which the same is due, the company shall not be permitted thereafter to use the public or private property of the state of Iowa, or to operate in Iowa for any purpose.

Sec. 13. The provisions of this act shall not apply to a gas distributing plant or company located entirely within any city or town and not a part of a pipe line transportation company. Such local municipal plant shall be taxed in the municipality where located.

#### SENATE MESSAGES CONSIDERED

Senate File No. 422, a bill for an act to amend the law as it appears in chapter one hundred thirty-eight (138) of the code, 1927, relating to airports so as to extend the provisions thereof to counties and to cities and towns when enacting jointly with each other, and to extend the provisions thereof relative to condemnation.

Read first and second times and referred to sifting committee.

Senate File No. 428, a bill for an act to authorize the executive council to purchase and improvement certain property adjacent to the capitol extension grounds and to make an appropriation therefor.

Read first and second times and referred to committee on appropriations.

#### CONSIDERATION OF BILLS

Senate File No. 388, a bill for an act to make an appropriation

to Hamiel and Mather, attorneys at law, and Edwin B. Wilson, attorney at law, with report of committee on appropriations recommending passage, was taken up for consideration.

Hansen 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, 86.

Aiken	Greaser	Long	Rutledge
Augustine	Greene	McDermott	Ryder
Avery	Hansen of	McLain	Rylander
Babcock	Audubon	Mathews	Shields
Bair	Hansen of Scott	Mead	Short
Ballew	Helgason	Millhone	Snyder
Beath	Hesse	Miller	Sours
Berry	Hollingsworth	Nelson of	Stanzel
Bonnstetter	Hollis	Cherokee	Stiger
Brown	Hook	Nelson of Story	Strachan
Craven	Hopkins	O'Donnell	Tamisiea
Davis	Hush	Osborn	TePaske
Dayton	Hutcheon	Paisley	Thiessen
Donlon	Johnson of	Pattison	Thompson
Drake of Keokuk	Marion	Peaco	Torgeson
Durant	Kern	Pendray	Van Buren
Ellsworth	Koch	Randall	Van Wert
Fabritz	Kohler	Randolph	Wamstad
Felter	Lamb	Ratliff	Watts
Finnern	Langland	Rawlings	Wearin
Forsling	Laughlin	Reed	Whiting
Garrett	Lepley	Reimers	Witt
Gilmore			

The nays were, none.

Absent or not voting, 22.

Allen	Figgins	Hunt	Mayne
Byers	Gallagher	Husted	Morton
Ditto	Gissel	Lichty	Orr
Drake of	Hanson of	McCaulley	Roe
Muscatine	Winnebago	McCreery	Simmer
Elliott	Hayes	Malone	Mr. Speaker

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 409, a bill for an act to make an appropriation to J. G. Minert, and to Etta S. Minert and Phyllis S. Davenport as executrices under the will of Adeline C. Schreiner, Deceased, with report of committee on appropriations recommending passage, was taken up for consideration.

Lamb 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, 77.

Aiken	Gissel	McLain	Roe
Augustine	Greaser	Malone	Rutledge
Avery	Hansen of	Mathews	Ryder
Babcock	Audubon	Millhone	Rylander
Bair	Hansen of Scott	Miller	Shields
Ballew	Helgason	Nelson of	Short
Beath	Hollingsworth	Cherokee	Sours
Bonnstetter	Hollis	Nelson of Story	Stanzel
Craven	Hook	O'Donnell	Stiger
Dayton	Hopkins	Osborn	Tamisiea
Donlon	Hush	Paisley	TePaske
Drake of Keokuk	Hutcheon	Pattison	Thompson
Durant	Johnson of	Peaco	Torgeson
Ellsworth	Marion	Pendray	Van Buren
Fabritz	Kern	Randall	Van Wert
Felter	Lamb	Randolph	Wamstad
Figgins	Langland	Ratliff	Watts
Forsling	Laughlin	Rawlings	Wearin
Garrett	Lepley	Reed	Whiting
Gilmore	McDermott	Reimers	Witt

The nays were, none.

Absent or not voting, 31.

Allen	Finnern	Koch	Morton
Berry	Gallagher	Kohler	Orr
Brown	Greene	Lichty	Simmer
Byers	Hanson of	Long	Snyder
Davis	Winnebago	McCaulley	Strachan
Ditto	Hayes	McCreery	Thiessen
Drake of	Hesse	Mayne	Mr. Speaker
Muscatine	Hunt	Mead	
Elliott	Husted		

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 427, a bill for an act to make an appropriation to Elmer Ruisch, with report of committee on appropriations recommending passage, was taken up for consideration.

Kohler 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, 80.

Aiken	Forsling	Langland	Reimers
Augustine	Garrett	Laughlin	Roe
Avery	Greaser	Lepley	Rutledge
Babcock	Hansen of	Lichty	Ryder
Bair	Audubon	McLain	Rylander
Ballew	Hansen of Scott	Malone	Shields
Beath	Hanson of	Mathews	Short
Bonnstetter	Winnebago	Mead	Sours
Byers	Helgason	Millhone	Stiger
Craven	Hesse	Miller	Strachan
Davis	Hollingsworth	Nelson of	TePaske
Dayton	Hollis	Cherokee	Thiessen
Donlon	Hook	Nelson of Story	Thompson
Drake of Keokuk	Hopkins	O'Donnell	Torgeson
Durant	Hush	Osborn	Van Buren
Elliott	Hutcheon	Paisley	Van Wert
Ellsworth	Johnson of	Pattison	Wamstad
Fabritz	Marion	Pendray	Watts
Felter	Kern	Randolph	Wearin
Figgins	Kohler	Ratliff	Whiting
Finnern	Lamb	Reed	Witt

The nays were, 1.

Gissel

Absent or not voting, 27.

Allen	Gilmore	McCaulley	Randall
Berry	Greene	McCreery	Rawlings
Brown	Hayes	McDermott	Simmer
Ditto	Hunt	Mayne	Snyder
Drake of	Husted	Morton	Stanzel
Muscatine	Koch	Orr	Tamisiea
Gallagher	Long	Peaco	Mr. Speaker

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 414, a bill for an act to make an appropriation to Dr. W. E. Sharp, Dr. L. M. Getz, Dr. J. S. Potter, Dr. F. L. Buck, Dr. J. M. Lichty, Dr. March Green, Dr. C. J. Scott, Dr. J. F. McCabe, Dr. John W. Haxby, Dr. J. E. Frank, Dr. G. A. Evans, Dr. F. C. Roach, Dr. Chas. Murray, Dr. G. C. Bevan, Dr. J. E. Robertson, Dr. C. E. Baxter, Dr. Edd Seantlebury, and Will Kuhlman, with report of committee on appropriations recommending passage, was taken up for consideration.

Hansen 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, 76.

Augustine	Hansen of	Lichty	Rütledge
Avery	Audubon	Long	Ryder
Babcock	Hansen of Scott	McDermott	Rylander
Bair	Hanson of	McLain	Short
Ballew	Winnebago	Malone	Snyder
Beath	Helgason	Millhone	Sours
Bonnstetter	Hesse	Miller	Stanzel
Brown	Hollingsworth	Nelson of	Stiger
Craven	Hollis	Cherokee	Strachan
Donlon	Hopkins	Nelson of Story	Tamisiea
Drake of Keokuk	Hush	O'Donnell	TePaske
Durant	Hutcheon	Osborn	Thiessen
Elliott	Johnson of	Paisley	Thompson
Ellsworth	Marion	Pattison	Torgeson
Felter	Koch	Pendray	Van Buren
Finnern	Kohler	Randolph	Van Wert
Forsling	Lamb	Ratliff	Wamstad
Gallagher	Langland	Rawlings	Watts
Garrett	Laughlin	Reed	Whiting
Greaser	Lepley	Reimers	Witt

The nays were, 7.

Davis	Gissel	Mead	Roe
Figgins	Hook	Randall	

Absent or not voting, 25.

Aiken	Drake of	Husted	Orr
Allen	Muscatine	Kern	Peaco
Berry	Fabritz	McCaulley	Shields
Byers	Gilmore	McCreery	Simmer
Dayton	Greene	Mathews	Wearin
Ditto	Hayes	Mayne	Mr. Speaker
	Hunt	Morton	

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

#### INTRODUCTION OF BILL

House File No. 588 by sifting committee, a bill for an act to make an appropriation to Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, and A. L. Wise.

Read first and second times and rules suspended and considered.

#### CONSIDERATION OF BILLS

Unanimous consent having been obtained, House File No. 588, a bill for an act to make an appropriation to Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, and A. L. Wise, was taken up for consideration.

Hutcheon of Greene offered the following amendment and moved its adoption:

Amend by inserting as lines eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), and sixteen (16), of section one (1) the following:

7. E. M. Badgerow.....	\$24.75
8. R. M. Lampman.....	\$35.15
9. E. E. Cavanaugh.....	\$ 9.60
10. J. W. Hazard.....	\$58.00
11. Dr. E. E. Speaker.....	\$37.00
12. J. C. Mabry.....	\$ 6.00

Brown of Polk moved the previous question.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 28.

Avery	Hollingsworth	Langland	Stanzel
Bair	Hush	Lepley	Stiger
Byers	Hutcheon	Lichty	Strachan
Drake of Keokuk	Johnson of	Long	Tamisiea
Fabritz	Marion	Randolph	Torgeson
Garrett	Koch	Rutledge	Van Wert
Helgason	Lamb	Sours	Witt
Hesse			

The nays were, 56.

Babcock	Gallagher	Mayne	Reed
Ballew	Gilmore	Mead	Reimers
Beath	Gissel	Millhone	Roe
Berry	Greaser	Miller	Ryder
Bonnstetter	Hansen of Scott	Nelson of	Rylander
Brown	Hanson of	Cherokee	Short
Craven	Winnebago	Nelson of Story	Simmer
Davis	Hollis	O'Donnell	Snyder
Donlon	Hook	Osborn	Thompson
Durant	Hopkins	Paisley	Van Buren
Ellsworth	Kern	Peaco	Wamstad
Felter	Kohler	Pendray	Watts
Figgins	McLain	Randall	Wearin
Finnern	Malone	Ratliff	Mr. Speaker
Forsling	Mathews		

Absent or not voting, 24.

Aiken	Elliott	Laughlin	Pattison
Allen	Greene	McCaulley	Rawlings
Augustine	Hansen of	McCreery	Shields
Dayton	Audubon	McDermott	TePaske
Ditto	Hayes	Morton	Thiessen
Drake of	Hunt	Orr	Whiting
Muscatine	Husted		

Amendment lost.

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, 77.

Avery	Garrett	McDermott	Reimers
Babcock	Gilmore	McLain	Rylander
Bair	Greaser	Malone	Short
Ballew	Hansen of Scott	Mathews	Snyder
Beath	Hanson of	Mayne	Sours
Berry	Winnebago	Millhone	Stanzel
Brown	Helgason	Miller	Stiger
Craven	Hesse	Nelson of	Tamisiea
Davis	Hollingsworth	Cherokee	TePaske
Ditto	Hollis	Nelson of Story	Thiessen
Donlon	Hook	O'Donnell	Thompson
Durant	Hopkins	Osborn	Torgeson
Elliott	Hush	Pattison	Van Buren
Ellsworth	Kern	Peaco	Van Wert
Fabritz	Koch	Pendray	Wamstad
Felter	Lamb	Randall	Watts
Figgins	Langland	Randolph	Wearin
Finnern	Laughlin	Ratliff	Whiting
Forsling	Long	Rawlings	Mr. Speaker
Gallagher	McCreery	Reed	

The nays were, 9.

Bonnstetter	Lepley	Roe	Strachan
Gissel	Mead	Rutledge	Witt
Kohler			

Absent or not voting, 22.

Aiken	Drake of	Husted	Morton
Allen	Muscatine	Hutcheon	Orr
Augustine	Greene	Johnson of	Paisley
Byers	Hansen of	Marion	Ryder
Dayton	Audubon	Lichty	Shields
Drake of Keokuk	Hayes	McCaulley	Simmer
Hunt			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 369, a bill for an act to make an appropriation for the prevention, control, and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren 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, 78.

Avery	Hanson of	McCreery	Reimers
Babcock	Winnebago	McDermott	Rutledge
Bair	Helgason	McLain	Ryder
Beath	Hesse	Malone	Rylander
Berry	Hollingsworth	Mayne	Short
Bonnstetter	Hollis	Mead	Simmer
Byers	Hook	Millhone	Snyder
Craven	Hopkins	Miller	Sours
Ditto	Hush	Nelson of	Stanzel
Donlon	Husted	Cherokee	Stiger
Drake of Keokuk	Hutcheon	Nelson of Story	Tamisiea
Durant	Johnson of	O'Donnell	TePaske
Ellsworth	Marion	Osborn	Thiessen
Fabritz	Koch	Paisley	Van Buren
Felter	Kohler	Pattison	Van Wert
Gallagher	Lamb	Peaco	Wamstad
Garrett	Langland	Pendray	Watts
Gilmore	Laughlin	Randolph	Wearin
Gissel	Lichty	Rawlings	Whiting
Greaser	Long	Reed	Mr. Speaker
Greene			

The nays were, 12.

Ballew	Elliott	Mathews	Thompson
Brown	Figgins	Randall	Torgeson
Davis	Finnern	Roe	Witt

Absent or not voting, 18.

Aiken	Forsling	Hunt	Orr
Allen	Hansen of	Kern	Ratliff
Augustine	Audubon	Lepley	Shields
Dayton	Hansen of Scott	McCaulley	Strachan
Drake of	Hayes	Morton	
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 361, a bill for an act to amend Chapter 134, Acts of the 43rd General Assembly, relating to the registration of graves of soldiers and sailors of the United States Army and Navy and to provide appropriation therefor, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren 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, 79.

Avery	Gissel	Long	Reimers
Babcock	Greaser	McCreery	Roe
Bair	Greene	McDermott	Rutledge
Ballew	Hanson of	McLain	Rylander
Beath	Winnebago	Malone	Snyder
Berry	Helgason	Mathews	Sours
Brown	Hesse	Mayne	Stanzel
Ditto	Hollis	Mead	Stiger
Donlon	Hook	Nelson of	Tamisiea
Drake of Keokuk	Hopkins	Cherokee	TePaske
Drake of	Hush	Nelson of Story	Thiessen
Muscatine	Husted	O'Donnell	Thompson
Durant	Hutcheon	Osborn	Torgeson
Fabritz	Kern	Paisley	Van Buren
Felter	Koch	Pattison	Van Wert
Figgins	Kohler	Peaco	Wamstad
Finnern	Lamb	Pendray	Watts
Forsling	Langland	Randolph	Whiting
Gallagher	Laughlin	Rawlings	Witt
Garrett	Lepley	Reed	Mr. Speaker
Gilmore	Lichty		

The nays were, 2.

Bonnstetter      Strachan

Absent or not voting, 27.

Aiken	Ellsworth	Johnson of	Ratliff
Allen	Hansen of	Marion	Ryder
Augustine	Audubon	McCaulley	Shields
Byers	Hansen of Scott	Millhone	Short
Craven	Hayes	Miller	Simmer
Davis	Hollingsworth	Morton	Wearin
Dayton	Hunt	Orr	
Elliott		Randall	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 478, a bill for an act to reimburse Johnson County, Iowa, for money expended in the care of a state patient at the state sanatorium at Oakdale, Iowa, and making an appropriation to pay the same, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren 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, 79.

Avery	Gilmore	Lichty	Reimers
Babcock	Gissel	Long	Roe
Bair	Greaser	McCreery	Rutledge
Ballew	Greene	McDermott	Ryder
Beath	Hanson of	McLain	Rylander
Berry	Winnebago	Malone	Stiger
Brown	Helgason	Mathews	Strachan
Craven	Hesse	Mayne	Tamisiea
Davis	Hollis	Mead	TePaske
Ditto	Hook	Millhone	Thiessen
Donlon	Hopkins	Nelson of	Thompson
Drake of Keokuk	Hush	Cherokee	Torgeson
Drake of	Husted	Nelson of Story	Van Buren
Muscatine	Johnson of	O'Donnell	Van Wert
Durant	Marion	Osborn	Wamstad
Elliott	Kern	Paisley	Watts
Fabritz	Koch	Pattison	Wearin
Figgins	Kohler	Pendray	Whiting
Finnern	Lamb	Randolph	Witt
Gallagher	Langland	Rawlings	Mr. Speaker
Garrett	Lepley	Reed	

The nays were, 2.

Peaco                      Stanzel

Absent or not voting, 27.

Aiken	Felter	Hunt	Randall
Allen	Forsling	Hutcheon	Ratliff
Augustine	Hansen of	Laughlin	Shields
Bonnstetter	Audubon	McCaulley	Short
Byers	Hansen of Scott	Miller	Simmer
Dayton	Hayes	Morton	Snyder
Ellsworth	Hollingsworth	Orr	Sours

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 concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 266, a bill for an act relative to an annual conference and school of instruction for certain peace officers.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 382, a bill for an act to make an appropriation to the Iowa Bridge Company and the Olson Construction Company.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 344, a bill for an act relative to interstate bridges.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 309, a bill for an act relating to records kept by buyers of livestock.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 316, a bill for an act relating to the buying and selling of the skins or hides of fur-bearing animals.

Also, the Senate respectfully requests the return of House File No. 390, making an appropriation to Slifer & Abrahamson.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 361, a bill for an act relating to workmen's compensation.

**WATER H. BEAM, *Secretary.***

#### SENATE AMENDMENT TO HOUSE FILE NO. 309

Amend by inserting in section one (1) after the word "market" the following:

"or for slaughter".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 316

1. Amend by striking paragraphs one (1) and three (3) and by striking from line ten (10) the words and figures "five dollars (\$5.00)" and inserting in lieu thereof the words and figures "ten dollars (\$10.00)" and renumbering paragraph two (2) as paragraph one (1).

2. Amend by adding the following as Section 2.

"Sec. 2. Amend Section four (4) line nineteen (19) by adding after the word "bond" the words "or cash"; also by striking from line twenty (20) the words and figures "two thousand dollars (\$2,000.00)" and inserting in lieu thereof the words and figures "five hundred dollars (\$500.00)"."

#### HOUSE FILE NO. 390 RETURNED TO SENATE

Hansen of Scott moved that House File No. 390 be returned to the Senate.



Motion prevailed.

Speaker Johnson in the chair.

### CONSIDERATION OF BILLS

Senate File No. 406, a bill for an act to make an appropriation for the use of the State Employment Bureau for extension service, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren 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, 14.

Augustine	Drake of	Greene	Peaco
Brown	Muscatine	Hopkins	Reed
Dayton	Elliott	Kern	Torgeson
	Forsling	Long	Wearin

The nays were, 69.

Avery	Greaser	McLain	Ryder
Babcock	Hansen of Scott	Malone	Rylander
Bair	Helgason	Mathews	Shields
Ballew	Hollingsworth	Mead	Snyder
Beath	Hollis	Millhone	Stanzel
Craven	Hook	Nelson of	Stiger
Davis	Hush	Cherokee	Strachan
Ditto	Husted	Nelson of Story	Tamisiea
Donlon	Hutcheon	O'Donnell	TePaske
Durant	Johnson of	Osborn	Thiessen
Ellsworth	Marion	Paisley	Thompson
Felter	Koch	Pattison	Van Buren
Figgins	Kohler	Pendray	Van Wert
Finnern	Lamb	Randall	Wamstad
Gallagher	Langland	Randolph	Watts
Garrett	Lepley	Rawlings	Whiting
Gilmore	Lichty	Reimers	Mr. Speaker
Gissel	McDermott	Roe	

Absent or not voting, 25.

Aiken	Hansen of	Laughlin	Ratliff
Allen	Audubon	McCauley	Rutledge
Berry	Hanson of	McCreery	Short
Bonnstetter	Winnebago	Mayne	Simmer
Byers	Hayes	Miller	Sours
Drake of Keokuk	Hesse	Morton	Witt
Fabritz	Hunt	Orr	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

Senate File No. 411, a bill for an act to amend chapter one hundred twenty-nine (129) Acts of the Forty-third General Assembly relating to the regulation of motor trucks, and to provide date when unexpended balances of the fees on motor trucks shall be credited to the general fund of the state, with report of committee on appropriations recommending passage, was taken up for consideration.

Van Buren 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, 76.

Augustine	Gissel	Long	Roe
Avery	Greaser	McDermott	Rylander
Babcock	Hansen of Scott	McLain	Shields
Ballew	Hanson of	Malone	Short
Beath	Winnebago	Mathews	Snyder
Berry	Helgason	Millhone	Sours
Bonnstetter	Hollingsworth	Nelson of	Stanzel
Brown	Hollis	Cherokee	Stiger
Dayton	Hook	Nelson of Story	Strachan
Donlon	Hopkins	O'Donnell	Tamisiea
Drake of	Hush	Osborn	Thiessen
Muscatine	Husted	Paisley	Thompson
Durant	Hutcheon	Pattison	Torgeson
Ellsworth	Kern	Peaco	Van Buren
Fabritz	Koch	Pendray	Van Wert
Felter	Kohler	Randall	Wamstad
Figgins	Lamb	Randolph	Watts
Finnern	Langland	Ratliff	Whiting
Gallagher	Lepley	Reed	Mr. Speaker
Garrett	Lichty	Reimers	

The nays were, none.

Absent or not voting, 32.

Aiken	Forsling	Johnson of	Orr
Allen	Gilmore	Marion	Rawlings
Bair	Greene	Laughlin	Rutledge
Byers	Hansen of	McCaulley	Ryder
Craven	Audubon	McCreery	Simmer
Davis	Hayes	Mayne	TePaske
Ditto	Hesse	Mead	Wearin
Drake of Keokuk	Hunt	Miller	Witt
Elliott		Morton	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 293, a bill for an act to repeal the law as it appears in section ten thousand four hundred sixty-two (10462), ten thousand four hundred sixty-three (10463) and ten thousand four hundred sixty-four (10464) of the code, 1927, relating to actions for damages on account of personal injuries or death to women, and to enact a substitute therefor, was taken up for consideration.

Ditto of Osceola moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Avery	Gallagher	Lepley	Reimers
Babcock	Garrett	Lichty	Roe
Bair	Gilmore	Long	Rutledge
Ballew	Gissel	McCreery	Rylander
Beath	Greaser	McDermott	Short
Berry	Greene	McLain	Snyder
Bonnstetter	Hansen of Scott	Malone	Sours
Brown	Hanson of	Mathews	Stanzel
Davis	Winnebago	Mead	Stiger
Dayton	Hollingsworth	Millhone	Strachan
Ditto	Hook	Nelson of	Tamisiea
Drake of	Hopkins	Cherokee	TePaske
Muscatine	Hush	O'Donnell	Thiessen
Durant	Husted	Osborn	Thompson
Elliott	Johnson of	Paisley	Torgeson
Ellsworth	Marion	Peaco	Van Wert
Fabritz	Kern	Pendray	Wamstad
Felter	Kohler	Randolph	Watts
Figgins	Lamb	Ratliff	Wearin
Finnern	Langland	Rawlings	Whiting
Forsling	Laughlin	Reed	Mr. Speaker

The nays were, none.

Absent or not voting, 28.

Aiken	Hanson of	Koch	Pattison
Allen	Audubon	McCaulley	Randall
Augustine	Hayes	Mayne	Ryder
Byers	Helgason	Miller	Shields
Craven	Hesse	Morton	Simmer
Donlon	Hollis	Nelson of Story	Van Buren
Drake of Keokuk	Hunt	Orr	Witt
	Hutcheon		

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

Hesse of O'Brien, 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. 65, 358, 389, 68, 69, 70, 125, 135, 136, 138, 140, 141, 143, 144, 239, 325, 333, 426.

House Files Nos. 408, 411, 539, 540, 541, 543, 544, 545, 569, 580, 581, 268, 288.

G. H. HESSE,

*Acting Chairman House Committee.*

E. R. HICKLIN,

*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. 65, 358, 389, 68, 69, 70, 125, 135, 136, 138, 140, 141, 143, 144, 239, 325, 333, 426.

House Files Nos. 408, 411, 539, 540, 541, 543, 544, 545, 569, 580, 581, 268, 288.

## BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 408, 411, 539, 540, 541, 543, 544, 545, 569, 580, 581, 268, 288.

G. H. HESSE, *Acting Chairman.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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 139.

G. H. HESSE,

*Acting Chairman House Committee.*

E. R. HICKLIN,

*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. 133 and 139.

#### CONSIDERATION OF BILLS

Senate File No. 290, a bill for an act relating to stopping payment on checks and drafts, was taken up for consideration.

Shields of Clarke offered the following amendment and moved its adoption:

Amend by adding at the end of line four (4) of section one (1) the following:

“for a period of more than three (3) days”.

Ditto of Osceola moved the previous question.

Motion prevailed.

On the question “Shall the amendment be adopted?” a roll call was demanded.

The ayes were, 42.

Allen	Garrett	Lichty	Shields
Bair	Greasier	McCaulley	Short
Beath	Hollingsworth	McCreery	Simmer
Davis	Hollis	McLain	Snyder
Dayton	Hook	Malone	Sours
Donlon	Hopkins	Mayne	TePaske
Drake of	Husted	Nelson of Story	Thompson
Muscatine	Johnson of	Osborn	Van Buren
Durant	Marion	Randall	Van Wert
Felter	Langland	Randolph	Wamstad
Finnern	Laughlin	Roe	Mr. Speaker

The nays were, 47.

Aiken	Gilmore	Lamb	Peaco
Augustine	Gissel	Lepley	Pendray
Avery	Greene	Long	Ratliff
Babcock	Hansen of Scott	McDermott	Rawlings
Bonnstetter	Hanson of	Mathews	Reed
Brown	Winnebago	Mead	Reimers
Ditto	Helgason	Millhone	Ryder
Drake of Keokuk	Hesse	Miller	Rylander
Elliott	Hutcheon	Nelson of	Stiger
Ellsworth	Kern	Cherokee	Thiessen
Fabritz	Koch	O'Donnell	Torgeson
Figgins	Kohler	Paisley	Watts
Gallagher			

Absent or not voting, 19.

Ballew	Hansen of	Morton	Strachan
Berry	Audubon	Orr	Tamisiea
Byers	Hayes	Pattison	Wearin
Craven	Hunt	Rutledge	Whiting
Forsling	Hush	Stanzel	Witt

Amendment lost.

Brown of Polk moved the previous question.

Motion prevailed.

Torgeson of Worth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 83.

Aiken	Gilmore	Long	Ratliff
Allen	Gissel	McCaulley	Rawlings
Avery	Greene	McCreery	Reed
Babcock	Hansen of Scott	McDermott	Reimers
Bonnstetter	Hanson of	McLain	Roe
Brown	Winnebago	Malone	Rutledge
Davis	Helgason	Mathews	Ryder
Dayton	Hesse	Mayne	Rylander
Ditto	Hollingsworth	Mead	Short
Donlon	Hollis	Millhone	Snyder
Drake of Keokuk	Hook	Miller	Sours
Drake of	Hopkins	Nelson of	Stiger
Muscatine	Husted	Cherokee	Tamisiea
Durant	Hutcheon	Nelson of Story	TePaske
Elliott	Kern	O'Donnell	Torgeson
Ellsworth	Koch	Osborn	Van Buren
Fabritz	Kohler	Paisley	Van Wert
Felter	Lamb	Peaco	Wamstad
Figgins	Langland	Pendray	Watts
Finnern	Laughlin	Randall	Wearin
Forsling	Lepley	Randolph	Mr. Speaker
Gallagher	Lichty		

The nays were, 10.

Augustine  
Beath  
Garrett

Greaser  
Hush  
Shields

Simmer  
Thiessen

Thompson  
Whiting

Absent or not voting, 15.

Bair  
Ballew  
Berry  
Byers  
Craven

Hansen of  
Audubon  
Hayes  
Hunt

Johnson of  
Marion  
Morton  
Orr

Pattison  
Stanzel  
Strachan  
Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Torgeson of Worth moved that the vote by which Senate File No. 290 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### CONFERENCE COMMITTEE ON SENATE FILE NO. 10 EXCUSED

On request of Van Buren of Jones the conference committee on Senate File No. 10 was excused.

#### CONSIDERATION OF BILLS

Senate File No. 418, a bill for an act to amend chapter twenty (20) of the Laws of the Forty-third General Assembly relating to the improvement of secondary roads, was taken up for consideration.

Allen of Pocahontas offered the following amendment and moved its adoption:

Amend Senate File No. 418 by adding the following as Section two (2) and renumbering the remaining sections accordingly:

Sec. 2. That section thirty-five (35) of Chapter twenty (20) of the Laws of the Forty-third General Assembly, is amended by adding preceding the period (.) in line five (5) of said section, the following:

"except as it applies to the sixty-five (65) per cent of the secondary road construction fund to be expended under the direction of the board of supervisors."

Amendment adopted.

Allen of Pocahontas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 76.

Aiken	Greaser	Lepley	Randall
Allen	Greene	Lichty	Randolph
Augustine	Hansen of Scott	Long	Ratliff
Avery	Hanson of	McCauley	Reed
Babcock	Winnebago	McCreery	Reimers
Beath	Helgason	McLain	Ryder
Berry	Hollingsworth	Malone	Rylander
Brown	Hollis	Mathews	Simmer
Dayton	Hook	Mayne	Snyder
Donlon	Hopkins	Millhone	Sours
Drake of Keokuk	Husted	Miller	Stiger
Drake of	Hutcheon	Nelson of	Strachan
Muscatine	Johnson of	Cherokee	TePaske
Durant	Marion	Nelson of Story	Thiessen
Fabritz	Kern	O'Donnell	Thompson
Felter	Koch	Osborn	Torgeson
Figgins	Kohler	Paisley	Wamstad
Forsling	Lamb	Pattison	Wearin
Gallagher	Langland	Peaco	Whiting
Gissel	Laughlin	Pendray	Mr. Speaker

The nays were, 2.

Tamisiea Van Wert

Absent or not voting, 30.

Bair	Ellsworth	Hunt	Rutledge
Ballew	Finnern	Hush	Shields
Bonnstetter	Garrett	McDermott	Short
Byers	Gilmore	Mead	Stanzel
Craven	Hansen of	Morton	Van Buren
Davis	Audubon	Orr	Watts
Ditto	Hayes	Rawlings	Witt
Elliott	Hesse	Roe	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Allen of Pocahontas moved that the vote by which Senate File No. 418 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

ADDITIONAL COPIES OF HOUSE FILE NO. 576  
ORDERED PRINTED

Johnson of Marion asked and obtained unanimous consent



to have one thousand additional copies of House File No. 576, as passed by the House, printed.

### CONSIDERATION OF BILLS

House File No. 585, a bill for an act to legalize the incorporation, including the notice of incorporation and the publication thereof, and the corporate acts and proceedings relating to the incorporation of Rueker's Incorporation of Ottumwa, Iowa, was taken up for consideration.

Simmer 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, 73.

Aiken	Gallagher	Lamb	Rylander
Augustine	Gissel	Lepley	Shields
Avery	Greaser	Lichty	Short
Babcock	Greene	Long	Simmer
Bair	Hansen of Scott	McCaulley	Snyder
Beath	Hanson of	McCreery	Sours
Berry	Winnebago	Malone	Stiger
Brown	Helgason	Mathews	Strachan
Byers	Hesse	Mayne	Tamisiea
Davis	Hollingsworth	Millhone	TePaske
Dayton	Hollis	Nelson of Story	Thiessen
Ditto	Hook	O'Donnell	Thompson
Donlon	Hopkins	Osborn	Torgeson
Drake of Keokuk	Husted	Peaco	Wamstad
Durant	Hutcheon	Pendray	Watts
Elliott	Johnson of	Randolph	Wearin
Fabritz	Marion	Reed	Whiting
Felter	Kern	Reimers	Mr. Speaker
Figgins	Koch	Ryder	

The nays were, none.

Absent or not voting, 35.

Allen	Gilmore	McLain	Randall
Ballew	Hansen of	Mead	Ratliff
Bonnstetter	Audubon	Miller	Rawlings
Craven	Hayes	Morton	Roe
Drake of	Hunt	Nelson of	Rutledge
Muscatine	Hush	Cherokee	Stanzel
Ellsworth	Kohler	Orr	Van Buren
Finnern	Langland	Paisley	Van Wert
Forsling	Laughlin	Pattison	Witt
Garrett	McDermott		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 445, a bill for an act to amend section twenty-five (25) chapter thirty (30) of the acts of the forty-third (43rd) general assembly relating to false statements for credit, was taken up for consideration.

Tamisiea of Harrison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 78.

Augustine	Gissel	Long	Rawlings
Avery	Greaser	McCaulley	Reed
Babcock	Greene	McCreery	Reimers
Bair	Hanson of	McDermott	Ryder
Beath	Winnebago	McLain	Rylander
Bonnstetter	Helgason	Malone	Short
Brown	Hesse	Mathews	Simmer
Byers	Hollingsworth	Mayne	Snyder
Dayton	Hollis	Mead	Sours
Ditto	Hopkins	Millhone	Stiger
Donlon	Husted	Nelson of	Tamisiea
Drake of Keokuk	Hutcheon	Cherokee	TePaske
Drake of	Kern	Nelson of Story	Thiessen
Muscatine	Koch	O'Donnell	Thompson
Durant	Kohler	Osborn	Torgeson
Fabritz	Lamb	Pattison	Van Wert
Felter	Langland	Peaco	Wamstad
Figgins	Laughlin	Pendray	Watts
Finnern	Lepley	Randall	Wearin
Forsling	Lichty	Randolph	Mr. Speaker
Gallagher			

The nays were, 1.

Miller

Absent or not voting, 29.

Aiken	Garrett	Hush	Rutledge
Allen	Gilmore	Johnson of	Shields
Ballew	Hansen of	Marion	Stanzel
Berry	Audubon	Morton	Strachan
Craven	Hansen of Scott	Orr	Van Buren
Davis	Hayes	Paisley	Whiting
Elliott	Hook	Ratliff	Witt
Ellsworth	Hunt	Roe	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Long of Cerro Gordo asked and obtained unanimous consent to substitute Senate File No. 230 for House File No. 303.

Senate File No. 230, a bill for an act to amend section five thousand thirty-three (5033) chapter two hundred fifty-one (251) of the code, 1927, relating to the turning to right or left into highways, was taken up for consideration.

Long 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, 72.

Augustine	Gissel	Laughlin	Ratliff
Babcock	Greaser	Lichty	Reed
Beath	Greene	Long	Reimers
Berry	Hanson of	McCaulley	Ryder
Bonnstetter	Winnebago	McCreery	Rylander
Brown	Helgason	McDermott	Short
Byers	Hesse	McLain	Simmer
Davis	Hollingsworth	Malone	Snyder
Dayton	Hollis	Mathews	Sours
Donlon	Hopkins	Mayne	Stiger
Drake of Keokuk	Husted	Millhone	Tamisiea
Durant	Hutcheon	Nelson of	Thiessen
Elliott	Johnson of	Cherokee	Torgeson
Figgins	Marion	Nelson of Story	Van Wert
Finnern	Kern	Osborn	Wamstad
Forsling	Koch	Pattison	Watts
Gallagher	Kohler	Peaco	Wearin
Garrett	Lamb	Pendray	Whiting
	Langland	Randolph	Mr. Speaker

The nays were, 4.

Avery	Felter	Lepley	Mead
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Absent or not voting, 32.

Aiken	Ellsworth	Hunt	Roe
Allen	Fabritz	Hush	Rutledge
Bair	Gilmore	Miller	Shields
Ballew	Hansen of	Morton	Stanzel
Craven	Audubon	O'Donnell	Strachan
Ditto	Hansen of Scott	Orr	TePaske
Drake of	Hayes	Paisley	Thompson
Muscatine	Hook	Randall	Van Buren
		Rawlings	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Long of Cerro Gordo moved that the vote by which Senate File No. 230 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 546, a bill for an act to amend section forty-two hundred sixty-one (4261) of the code, 1927, relating to the teaching of elementary agriculture, domestic science and manual training, was taken up for consideration.

Hopkins 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, 76.

Aiken	Greaser	Lichty	Reed
Allen	Greene	McCaulley	Reimers
Augustine	Hansen of Scott	McCreery	Ryder
Avery	Hanson of	McDermott	Short
Babcock	Winnebago	McLain	Simmer
Bair	Helgason	Malone	Snyder
Beath	Hollingsworth	Mathews	Sours
Bonnstetter	Hollis	Mead	Stiger
Brown	Hook	Millhone	Strachan
Donlon	Hopkins	Nelson of	Tamisiea
Durant	Husted	Cherokee	TePaske
Elliott	Hutcheon	Nelson of Story	Thiessen
Fabritz	Johnson of	Osborn	Thompson
Felter	Marion	Paisley	Torgeson
Figgins	Kern	Pattison	Wamstad
Finnern	Koch	Peaco	Watts
Forsling	Kohler	Pendray	Wearin
Gallagher	Lamb	Randolph	Whiting
Garrett	Langland	Ratliff	Mr. Speaker
Gissel	Laughlin	Rawlings	

The nays were, 3.

Davis	Randall	Van Wert
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Absent or not voting, 29.

Ballew	Drake of	Hunt	Orr
Berry	Muscatine	Hush	Roe
Byers	Ellsworth	Lepley	Rutledge
Craven	Gilmore	Long	Rylander
Dayton	Hansen of	Mayne	Shields
Ditto	Audubon	Miller	Stanzel
Drake of Keokuk	Hayes	Morton	Van Buren
	Hesse	O'Donnell	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## REPORTS OF COMMITTEE

Hanson of Winnebago, from the sifting committee, submitted the following reports:

MR. SPEAKER: Your Sifting Committee, to whom was referred House House File No. 360, a bill for an act to amend the law regulating the sale of securities as appears in chapter ten (10) acts of the forty-third (43rd) General Assembly, relating to sub-section one (1) of section three (3) entitled "definitions" in which the term "security" is defined; to amend sub-section "f" of section four (4) relating to exempt securities; to repeal section five (5) paragraph "c" relating to exempt transactions and to enact a substitute therefor; to amend section eleven (11) relating to registration of dealers and salesmen; to amend section thirteen "a" (13a) relating to bond and conditions; to repeal section sixteen (16) relating to injunctions and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking from Section 1, lines four (4) and five (5) and the figure "2" in line six (6) thereof.

And by striking all of Section 2 and inserting in lieu thereof the following:

"Sec. 2. That section four (4) paragraph (f), chapter ten (10) of the acts of the forty-third (43rd) general assembly be amended by adding after the word "exemption" in line sixty-two (62) thereof, the following:

"The Secretary of State may at any time for cause withdraw approval of any security so listed on any stock exchange, except under the provisions hereof, and thereafter such security shall not be entitled to the benefit of this exemption, except on further order of the Secretary of State."

H. N. HANSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your Sifting Committee, to whom was referred House Joint Resolution No. 10, a joint resolution, to establish a committee composed of three members of the Senate and three from the House of Representatives and three from the state at large to make a thorough study and investigation of state, county, township, city, and town governments for the reduction of the expenditure of public funds; to make a report to the Governor of the State not later than November 15, 1932; and to make an appropriation to defray the expenses of such committee, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking from line three (3) of Section 1 the word "nine" and inserting in lieu thereof the word "six"; by striking the word "three" from the same line, and inserting in lieu thereof the word "two", and by striking from line four of said section the word "three" and inserting in lieu thereof the word "two", and by striking from line five of said section the word "three" and inserting in lieu thereof the word "two".

Amend by striking the words and figures "twenty thousand dollars (\$20,000)" from Section 6 and inserting in lieu thereof the following: "five thousand dollars (\$5000)".

Amend by striking all of Section 3 and renumbering the sections which follow.

H. N. HANSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your Sifting Committee, to whom was referred House File No. 413, a bill for an act to amend section twenty-one hundred ninety-one (2191) of the code, 1927, relating to powers of the state department of health, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking the figure one (1) in sub-section one (1) of Section one (1), and further amend by striking all of sub-section two (2) of Section one (1).

H. N. HANSON, *Chairman*.

Report adopted.

#### CONSIDERATION OF BILLS

House File No. 509, a bill for an act to amend section four thousand one hundred fifty-five (4155), code, 1927, to provide for a petition of one-third ( $1/3$ ) of the land owners in the territory proposed as a consolidated school district, was taken up for consideration.

Allen of Pocahontas offered the following amendment and moved its adoption:

Amend by striking in line four (4) of section one (1) the words "owners of land" and inserting in lieu thereof the words "persons owning land".

Van Wert of Franklin offered the following amendment as a substitute for the pending amendment:

Amend by striking in line four (4) of section one (1) the words "owners of land" and inserting in lieu thereof the words "resident land owners".

Garrett of Wayne moved the previous question.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were, 14.

Babcock	Johnson of	Mead	Short
Helgason	Marion	Nelson of Story	Sours
Hollis	Lamb	Pendray	Van Wert
	Lepley	Rylander	Whiting

The nays were, 60.

Aiken	Gissel	McDermott	Rawlings
Allen	Greaser	McLain	Reed
Augustine	Greene	Malone	Ryder
Avery	Hansen of	Mathews	Snyder
Beath	Audubon	Mayne	Stanzel
Byers	Hesse	Millhone	Stiger
Davis	Hollingsworth	Miller	Strachan
Drake of Keokuk	Hook	Nelson of	TePaske
Drake of	Husted	Cherokee	Thiessen
Muscatine	Hutcheon	O'Donnell	Thompson
Durant	Kern	Osborn	Torgeson
Figgins	Koch	Paisley	Watts
Finnern	Kohler	Pattison	Wearin
Gallagher	Langland	Peaco	Witt
Garrett	Long	Randall	Mr. Speaker
Gilmore	McCaulley	Ratliff	

Absent or not voting, 34.

Bair	Elliott	Hopkins	Reimers
Ballew	Ellsworth	Hunt	Roe
Berry	Fabritz	Hush	Rutledge
Bonnstetter	Felter	Laughlin	Shields
Brown	Forsling	Lichty	Simmer
Craven	Hansen of Scott	McCreery	Tamisiea
Dayton	Hanson of	Morton	Van Buren
Ditto	Winnebago	Orr	Wamstad
Donlon	Hayes	Randolph	

Motion to substitute lost.

Allen of Pocahontas asked and obtained unanimous consent to have his amendment withdrawn.

Allen of Pocahontas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 65.

Aiken	Gilmore	Langland	Ratliff
Allen	Gissel	Laughlin	Rawlings
Augustine	Greaser	McCaulley	Reed
Beath	Greene	McLain	Ryder
Bonnstetter	Hansen of	Malone	Snyder
Byers	Audubon	Mathews	Sours
Davis	Helgason	Mayne	Stanzel
Dayton	Hesse	Millhone	Stiger
Donlon	Hollingsworth	Miller	Strachan
Drake of Keokuk	Hollis	Nelson of	TePaske
Drake of	Hook	Cherokee	Thiessen
Muscatine	Husted	O'Donnell	Thompson
Durant	Hutcheon	Osborn	Torgeson
Figgins	Kern	Paisley	Watts
Finnern	Koch	Pattison	Wearin
Gallagher	Kohler	Randall	Witt
Garrett	Lamb	Randolph	Mr. Speaker

The nays were, 13.

Avery	Lepley	Pendray	Short
Babcock	Mead	Rylander	Van Wert
Johnson of	Nelson of Story	Shields	Whiting
Marion	Peaco		

Absent or not voting, 30.

Bair	Fabritz	Hunt	Reimers
Ballew	Felter	Hush	Roe
Berry	Forsling	Lichty	Rutledge
Brown	Hansen of Scott	Long	Simmer
Craven	Hanson of	McCreery	Tamisia
Ditto	Winnebago	McDermott	Van Buren
Elliott	Hayes	Morton	Wamstad
Ellsworth	Hopkins	Orr	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Greene of Pottawattamie moved that the vote by which House File No. 509 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

House File No. 535, a bill for an act to amend sections fifty-eight hundred fifteen (5815), and fifty-eight hundred nineteen (5819) to fifty-eight hundred twenty-two (5822), inclusive, Code, 1927, relating to river front improvement commissions in certain cities, and to the organization and powers of such commissions, and to authorize the acquisition by said commissions of the river bed or channel of any non-meandered stream in said cities, was taken up for consideration.



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, 63.

Aiken	Greene	Lepley	Peaco
Allen	Hansen of Scott	Lichty	Pendray
Augustine	Helgason	Long	Ratliff
Babcock	Hesse	McCaulley	Reed
Beath	Hollingsworth	McDermott	Ryder
Dayton	Hollis	McLain	Rylander
Drake of Keokuk	Hook	Malone	Short
Drake of Muscatine	Husted	Mead	Snyder
Durant	Hutcheon	Millhone	Sours
Elliott	Johnson of	Miller	Stiger
Finnern	Marion	Nelson of	Strachan
Gallagher	Kern	Cherokee	Thiessen
Garrett	Koch	Nelson of Story	Torgeson
Gilmore	Kohler	Osborn	Wearin
Gissel	Lamb	Paisley	Whiting
Greaser	Langland	Pattison	Mr. Speaker
	Laughlin		

The nays were, none.

Absent or not voting, 45.

Avery	Fabritz	McCreery	Shields
Bair	Felter	Mathews	Simmer
Ballew	Figgins	Mayne	Stanzel
Berry	Forsling	Morton	Tamisiea
Bonnstetter	Hansen of	O'Donnell	TePaske
Brown	Audubon	Orr	Thompson
Byers	Hanson of	Randall	Van Buren
Craven	Winnebago	Randolph	Van Wert
Davis	Hayes	Rawlings	Wamstad
Ditto	Hopkins	Reimers	Watts
Donlon	Hunt	Roe	Witt
Ellsworth	Hush	Rutledge	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hollis of Black Hawk moved that the vote by which House File No. 535 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 280, a bill for an act to amend Section fifty-two hundred forty-one (5241) Chapter two hundred sixty-two (262), of the Code, 1927, to authorize the giving of either a bond or a liability policy by deputies, was taken up for consideration.

Sours of Floyd moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 62.

Augustine	Hansen of Scott	McCauley	Randall
Avery	Helgason	McDermott	Randolph
Babcock	Hesse	McLain	Ratliff
Beath	Hollingsworth	Malone	Reed
Davis	Hook	Mathews	Short
Dayton	Husted	Mayne	Snyder
Drake of Keokuk	Hutcheon	Mead	Sours
Durant	Johnson of	Millhone	Stanzel
Elliott	Marion	Nelson of	Stiger
Figgins	Kern	Cherokee	TePaske
Finnern	Koch	Nelson of Story	Thiessen
Gallagher	Kohler	Osborn	Thompson
Garrett	Lamb	Paisley	Torgeson
Gilmore	Langland	Pattison	Wearin
Gissel	Lepley	Peaco	Whiting
Greaser	Long	Pendray	Mr. Speaker

The nays were, none.

Absent or not voting, 46.

Aiken	Ellsworth	Hunt	Rutledge
Allen	Fabritz	Hush	Ryder
Bair	Felter	Laughlin	Rylander
Ballew	Forsling	Lichty	Shields
Berry	Greene	McCreery	Simmer
Bonnstetter	Hansen of	Miller	Strachan
Brown	Audubon	Morton	Tamisiea
Byers	Hanson of	O'Donnell	Van Buren
Craven	Winnebago	Orr	Van Wert
Ditto	Hayes	Rawlings	Wamstad
Donlon	Hollis	Reimers	Watts
Drake of	Hopkins	Roe	Witt
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 183, a bill for an act to repeal section six hundred fifty-five-a seventeen (655-a17), code, 1927, and to enact a substitute therefor, relating to the number of names required on nominations by petition, was taken up for consideration.

Hollingsworth of Boone moved that the bill be read a third time 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, 62.

Aiken	Forsling	Johnson of	Randall
Allen	Gilmore	Marion	Ratliff
Avery	Greaser	Kern	Rutledge
Bair	Hansen of	Lamb	Rylander
Ballew	Audubon	Langland	Shields
Beath	Hansen of Scott	Lichty	Snyder
Brown	Hanson of	Long	Sours
Byers	Winnebago	McCaulley	Stanzel
Davis	Helgason	McCreery	Strachan
Dayton	Hesse	McLain	Tamisiea
Drake of	Hollingsworth	Mathews	TePaske
Muscatine	Hollis	Mayne	Thompson
Durant	Hopkins	Millhone	Torgeson
Elliott	Hush	Nelson of	Van Buren
Ellsworth	Husted	Cherokee	Wamstad
Felter	Hutcheon	Nelson of Story	Witt
Figgins		Pattison	Mr. Speaker

The nays were, 39.

Augustine	Gissel	Miller	Roe
Babcock	Greene	O'Donnell	Ryder
Berry	Hook	Osborn	Short
Bonnstetter	Koch	Paisley	Stiger
Craven	Kohler	Peaco	Thiessen
Donlon	Laughlin	Pendray	Van Wert
Drake of Keokuk	Lepley	Randolph	Watts
Finnern	McDermott	Rawlings	Wearin
Gallagher	Malone	Reed	Whiting
Garrett	Mead	Reimers	

Absent or not voting, 7.

Ditto	Hayes	Morton	Simmer
Fabritz	Hunt	Orr	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Allen of Pocahontas moved that the House reconsider the vote by which House File No. 183 passed the House.

Motion prevailed.

Elliott of Scott moved that the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be laid on the table?" a roll call was demanded.

The ayes were, 54.

Avery	Forsling	Kern	Ratliff
Bair	Gilmore	Langland	Rutledge
Ballew	Greaser	Lichty	Shields
Beath	Hansen of	Long	Snyder
Brown	Audubon	McCaulley	Sours
Byers	Hansen of Scott	McCreery	Stanzel
Davis	Hanson of	McLain	Strachan
Dayton	Winnebago	Mathews	Tamisica
Drake of	Helgason	Millhone	TePaske
Muscatine	Hesse	Nelson of	Thompson
Durant	Hollingsworth	Cherokee	Torgeson
Elliott	Hollis	Nelson of Story	Wamstad
Ellsworth	Hopkins	Pattison	Witt
Felter	Husted	Randall	Mr. Speaker
Figgins	Hutcheon		

The nays were, 44.

Allen	Greene	Malone	Reimers
Augustine	Hook	Mayne	Roe
Babcock	Hush	Mead	Ryder
Berry	Johnson of	Miller	Rylander
Bonnstetter	Marion	O'Donnell	Short
Craven	Koch	Osborn	Stiger
Donlon	Kohler	Paisley	Thiessen
Drake of Keokuk	Lamb	Peaco	Van Wert
Finnern	Laughlin	Pendray	Watts
Gallagher	Lepley	Rawlings	Wearin
Garrett	McDermott	Reed	Whiting
Gissel			

Absent or not voting, 10.

Aiken	Hayes	Orr	Simmer
Ditto	Hunt	Randolph	Van Buren
Fabritz	Morton		

Motion prevailed and the motion to reconsider was laid on the table.

Senate File No. 214, a bill for an act to amend the law as it appears in chapter eighty-seven (87) of the 1927 Code, providing for the payment of costs of removal of obstructions from state lands and waters by the owner thereof after the removal thereof by the state, creating a lien therefor and providing for the foreclosure of said lien, was taken up for consideration.

Millhone 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, 63.

Avery	Hansen of Scott	Lichty	Reed
Babcock	Helgason	Long	Reimers
Bair	Hesse	McCaulley	Roe
Ballew	Hollingsworth	McCreery	Rutledge
Beath	Hollis	McLain	Ryder
Dayton	Hopkins	Mathews	Sours
Donlon	Husted	Mayne	Stiger
Durant	Hutcheon	Mead	Strachan
Ellsworth	Johnson of	Millhone	Tamisiea
Figgins	Marion	Nelson of	TePaske
Forsling	Kern	Cherokee	Thompson
Gallagher	Koch	Nelson of Story	Wamstad
Garrett	Kohler	Osborn	Wearin
Gilmore	Lamb	Pattison	Whiting
Greene	Langland	Pendray	Witt
Hansen of	Laughlin	Ratliff	Mr. Speaker
Audubon	Lepley		

The nays were, 6.

Augustine	Malone	Van Wert	Watts
Hook	Thiessen		

Absent or not voting, 39.

Aiken	Drake of	Hunt	Randall
Allen	Muscatine	Hush	Rawlings
Berry	Elliott	McDermott	Rylander
Bonnstetter	Fabritz	Miller	Shields
Brown	Felter	Morton	Short
Byers	Finnern	O'Donnell	Simmer
Craven	Gissel	Orr	Snyder
Davis	Greaser	Paisley	Stanzel
Ditto	Hanson of	Peaco	Torgeson
Drake of Keokuk	Winnebago	Randolph	Van Buren
	Hayes		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 215, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa, was taken up for consideration.

Mayne 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, 80.

Allen	Babcock	Bonnstetter	Davis
Augustine	Ballew	Brown	Dayton
Avery	Beath	Craven	Donlon

Durant	Hook	Malone	Rylander
Ellsworth	Hopkins	Mathews	Shields
Felter	Husted	Mayne	Short
Figgins	Hutcheon	Millhone	Snyder
Finnern	Johnson of	Miller	Sours
Forsling	Marion	Nelson of	Stanzel
Gallagher	Kern	Cherokee	Stiger
Gilmore	Kohler	Nelson of Story	Tamisiea
Gissel	Lamb	Osborn	TePaske
Greaser	Langland	Pattison	Thiessen
Greene	Laughlin	Peaco	Thompson
Hansen of	Lepley	Pendray	Van Wert
Audubon	Lichty	Randall	Wamstad
Hansen of Scott	Long	Ratliff	Watts
Helgason	McCauley	Reed	Whiting
Hesse	McCreery	Reimers	Witt
Holingsworth	McDermott	Roe	Mr. Speaker
Hollis	McLain	Ryder	

The nays were, none.

Absent or not voting, 28.

Aiken	Elliott	Koch	Rawlings
Bair	Fabritz	Mead	Rutledge
Berry	Garrett	Morton	Simmer
Byers	Hanson of	O'Donnell	Strachan
Ditto	Winnebago	Orr	Torgeson
Drake of Keokuk	Hayes	Paisley	Van Buren
Drake of	Hunt	Randolph	Wearin
Muscatine	Hush		

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. 2

Hopkins of Guthrie, from the conference committee on House File No. 2, submitted the following report:

MR. SPEAKER: We, the 3rd House Conference Committee on House File No. 2, report that the Joint Conference Committee has disagreed and the House Conference Committee asks to be discharged.

GEO. M. HOPKINS,  
G. E. VAN WERT,  
A. H. BONNSTETTER,  
OVE T. ROE,  
H. S. BERRY,

*On the part of the House.*

Elliott of Scott moved that the report be placed on file.

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. 282, a bill for an act to apply the provisions of the workmen's compensation law to employes of state-owned farms.

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 19, relative to purchase of chairs by members of the Forty-fourth General Assembly.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 502, a bill for an act relative to certain entries made by the county treasurer and by the clerk of the district court.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 233, a bill for an act relating to the licensing of veterinarians and to the revocation of license to practice veterinary medicine.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 353, a bill for an act relative to appropriation for Iowa at the Century Progress Exposition to be held in the city of Chicago, Illinois.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 111, a bill for an act to provide for licensing of operators of motor vehicles.

WALTER H. BEAM, *Secretary*.

## SENATE MESSAGE CONSIDERED

Senate File No. 282, a bill for an act to apply the provisions of the workmen's compensation law to employes of state-owned farms.

Read first and second times and referred to sifting committee.

## CONSIDERATION OF BILLS

Senate File No. 217, a bill for an act to amend the law as it

appears in section seventeen hundred ninety-nine-b two (1799-b2) of the 1927 Code of Iowa, by repealing the provision relative to collecting a fee for permits issued for erection upon or over any state owned land or water and providing for the collection of fees for permits issued for all erections that are used for commercial purposes, was taken up for consideration.

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, 79.

Augustine	Gilmore	Laughlin	Randolph
Avery	Greaser	Lepley	Ratliff
Babcock	Hansen of	Lichty	Reed
Bair	Audubon	Long	Reimers
Beath	Hansen of Scott	McCaulley	Ryder
Bonnstetter	Hanson of	McCreery	Rylander
Brown	Winnebago	McDermott	Simmer
Craven	Helgason	McLain	Snyder
Dayton	Hesse	Malone	Sours
Donlon	Hollingsworth	Mathews	Stanzel
Drake of Keokuk	Hollis	Mayne	Stiger
Drake of	Hook	Mead	Strachan
Muscatine	Hopkins	Millhone	Tamisiea
Durant	Husted	Nelson of	TePaske
Elliott	Hutcheon	Cherokee	Thiessen
Ellsworth	Johnson of	Nelson of Story	Thompson
Felter	Marion	Osborn	Torgeson
Figgins	Kern	Paisley	Wamstad
Finnern	Koch	Pattison	Wearin
Forsling	Kohler	Peaco	Whiting
Gallagher	Lamb	Pendray	Witt

The nays were, 4.

Langland	Roe	Van Wert	Mr. Speaker
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Absent or not voting, 25.

Aiken	Fabritz	Hush	Rawlings
Allen	Garrett	Miller	Rutledge
Ballew	Gissel	Morton	Shields
Berry	Greene	O'Donnell	Short
Byers	Hayes	Orr	Van Buren
Davis	Hunt	Randall	Watts
Ditto			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 218, a bill for an act to amend the law as it appears in section eighteen hundred nineteen (1819) of the code,



1927, to permit the board of conservation, with the approval of the executive council, to lease state owned lands and waters under its jurisdiction for a period of five years, was taken up for consideration.

Reimers 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, 76.

Allen	Gilmore	Lichty	Rutledge
Augustine	Gissel	Long	Ryder
Avery	Greaser	McCauley	Rylander
Babcock	Greene	McCreery	Shields
Ballew	Hansen of Scott	McDermott	Snyder
Beath	Helgason	McLain	Sours
Brown	Hesse	Malone	Stanzel
Craven	Hollingsworth	Mathews	Stiger
Davis	Hollis	Millhone	Tamisiea
Donlon	Husted	Nelson of	TePaske
Drake of	Hutcheon	Cherokee	Thiessen
Muscatine	Johnson of	Osborn	Thompson
Durant	Marion	Paisley	Torgeson
Elliott	Kern	Peaco	Van Wert
Ellsworth	Koch	Pendray	Wamstad
Figgins	Kohler	Randall	Wearin
Finnern	Lamb	Ratliff	Whiting
Forsling	Langland	Reed	Witt
Gallagher	Laughlin	Reimers	Mr. Speaker
Garrett	Lepley	Roe	

The nays were, none.

Absent or not voting, 32.

Aiken	Felter	Hush	Pattison
Bair	Hansen of	Mayne	Randolph
Berry	Audubon	Mead	Rawlings
Bonnstetter	Hanson of	Miller	Short
Byers	Winnebago	Morton	Simmer
Dayton	Hayes	Nelson of Story	Strachan
Ditto	Hook	O'Donnell	Van Buren
Drake of Keokuk	Hopkins	Orr	Watts
Fabritz	Hunt		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 219, a bill for an act to repeal the law as it appears in section eighteen hundred ten (1810) of the Code of Iowa, 1927, and to amend the law as it appears in section eighteen hundred eleven (1811) of the Code of Iowa, 1927, to provide for

payment of landscape architect, engineer or gardener that may be employed by the Board of Conservation of Iowa, was taken up for consideration.

Laughlin of Fremont moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 73.

Allen	Garrett	Lichty	Roe
Augustine	Gissel	Long	Rutledge
Avery	Greaser	McCreery	Ryder
Babcock	Greene	McDermott	Rylander
Bair	Hansen of Scott	McLain	Short
Ballew	Helgason	Mathews	Snyder
Beath	Hesse	Mead	Sours
Bonnstetter	Hollis	Millhone	Stanzel
Brown	Hopkins	Miller	Stiger
Donlon	Husted	Nelson of	Tamisiea
Drake of	Hutcheon	Cherokee	TePaske
Muscatine	Johnson of	Nelson of Story	Thiessen
Durant	Marion	O'Donnell	Thompson
Elliott	Kern	Osborn	Torgeson
Ellsworth	Kohler	Paisley	Van Wert
Felter	Lamb	Peaco	Wamstad
Finnern	Langland	Pendray	Wearin
Forsling	Laughlin	Randolph	Witt
Gallagher	Lepley	Reed	Mr. Speaker

The nays were, none.

Absent or not voting, 35.

Aiken	Gilmore	Hush	Ratliff
Berry	Hansen of	Koch	Rawlings
Byers	Audubon	McCaulley	Reimers
Craven	Hanson of	Malone	Shields
Davis	Winnebago	Mayne	Simmer
Dayton	Hayes	Morton	Strachan
Ditto	Hollingsworth	Orr	Van Buren
Drake of Keokuk	Hook	Pattison	Watts
Fabritz	Hunt	Randall	Whiting
Figgins			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 220, a bill for an act to amend the law as it appears in section eighteen hundred thirteen (1813) of the Code, 1927, to permit the board of conservation to establish boundary lines between state owned and privately owned property only when said board deems the establishment thereof feasible and necessary, was taken up for consideration.

McCreery 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, 73.

Allen	Gilmore	Lichty	Reed
Augustine	Gissel	Long	Reimers
Avery	Greaser	McCaulley	Ryder
Babcock	Greene	McCreery	Rylander
Bair	Hansen of Scott	McDermott	Shields
Ballew	Hanson of	McLain	Short
Beath	Winnebago	Mathews	Snyder
Brown	Helgason	Mayne	Sours
Davis	Hesse	Mead	Stanzel
Donlon	Hollis	Millhone	Stiger
Drake of	Hopkins	Nelson of	Tamisiea
Muscatine	Husted	Cherokee	TePaske
Durant	Hutcheon	Nelson of Story	Thiessen
Ellsworth	Johnson of	Osborn	Torgeson
Felter	Marion	Paisley	Van Wert
Figgins	Kohler	Peaco	Wamstad
Finnern	Lamb	Pendray	Wearin
Forsling	Langland	Randolph	Witt
Gallagher	Lepley	Ratliff	Mr. Speaker
Garrett			

The nays were, 5.

Bonnstetter	Roe	Thompson	Watts
Hook			

Absent or not voting, 30.

Aiken	Fabritz	Koch	Randall
Berry	Hansen of	Laughlin	Rawlings
Byers	Audubon	Malone	Rutledge
Craven	Hayes	Miller	Simmer
Dayton	Hollingsworth	Morton	Strachan
Ditto	Hunt	O'Donnell	Van Buren
Drake of Keokuk	Hush	Orr	Whiting
Elliott	Kern	Pattison	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate Joint Resolution No. 2, a joint resolution proposing an amendment to article three (3) of the Constitution of the State of Iowa, by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor, was taken up for consideration.

Reimers of Lyon 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.

### SENATE JOINT RESOLUTION NO. 2

Proposing an amendment to article three (3) of the Constitution of the State of Iowa, by striking therefrom section twelve (12) thereof, relating to the filling of vacancies in either house of the General Assembly, and adopting a substitute therefor.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the following amendment to Article three (3) of the Constitution of the State of Iowa, be and the same is hereby proposed:

That section twelve (12) of Article three (3) of the Constitution of the State of Iowa be stricken and the following adopted as a substitute therefor:

"The General Assembly shall, by general law, and in such manner as it may see fit, provide for the filling of vacancies in the membership of either house."

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 for 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, 74.

Allen	Garrett	Lepley	Roe
Augustine	Gissel	Lichty	Ryder
Babcock	Greaser	McDermott	Rylander
Bair	Hansen of	McLain	Short
Ballew	Audubon	Malone	Snyder
Beath	Hansen of Scott	Mathews	Sours
Bonnstetter	Helgason	Mayne	Stanzel
Brown	Hesse	Millhone	Stiger
Byers	Hollingsworth	Nelson of	Strachan
Craven	Hollis	Cherokee	Thiessen
Donlon	Hook	Nelson of Story	Thompson
Drake of	Husted	Osborn	Torgeson
Muscatine	Hutcheon	Paisley	Van Wert
Durant	Johnson of	Peaco	Wamstad
Elliott	Marion	Pendray	Watts
Ellsworth	Kern	Randolph	Wearin
Felter	Kohler	Ratliff	Whiting
Figgins	Lamb	Reed	Witt
Finnern	Langland	Reimers	Mr. Speaker
Gallagher	Laughlin		

The nays were, 3.

Avery

Greene

Shields

Absent or not voting, 31.

Aiken	Gilmore	Long	Pattison
Berry	Hanson of	McCauley	Randall
Davis	Winnebago	McCreery	Rawlings
Dayton	Hayes	Mead	Rutledge
Ditto	Hopkins	Miller	Simmer
Drake of Keokuk	Hunt	Morton	Tamisiea
Fabritz	Hush	O'Donnell	TePaske
Forsling	Koch	Orr	Van Buren

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. 582, a bill for an act to amend Section one of chapter one hundred twenty-two (122) of the laws of the Forty-third General Assembly, relating to and defining motor vehicles, 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, 56.

Aiken	Hanson of	Malone	Rylander
Avery	Winnebago	Mathews	Snyder
Babcock	Helgason	Mayne	Sours
Bair	Hesse	Mead	Stiger
Beath	Hollingsworth	Millhone	Strachan
Bonnstetter	Hollis	Nelson of Story	TePaske
Brown	Husted	O'Donnell	Thiessen
Durant	Hutcheon	Osborn	Thompson
Elliott	Koch	Peaco	Torgeson
Felter	Laughlin	Reed	Van Wert
Forsling	Lepley	Reimers	Wamstad
Garrett	Lichty	Roe	Wearin
Greaser	McCreery	Rutledge	Whiting
Greene	McDermott	Ryder	Mr. Speaker
Hansen of Scott			

The nays were, 29.

Augustine	Ellsworth	Hook	Paisley
Ballew	Figgins	Hopkins	Randall
Berry	Finnern	Hush	Randolph
Craven	Gallagher	Kohler	Ratliff
Davis	Gilmore	Lamb	Shields
Ditto	Gissel	McLain	Stanzel
Donlon	Hansen of	Miller	Watts
Drake of Keokuk	Audubon		

Absent or not voting, 23.

Allen	Hunt	Morton	Rawlings
Byers	Johnson of	Nelson of	Short
Dayton	Marion	Cherokee	Simmer
Drake of	Kern	Orr	Tamisiea
Muscatine	Langland	Pattison	Van Buren
Fabritz	Long	Pendray	Witt
Hayes	McCauley		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We hereby request a call of the House on Senate File No. 264.

MARION R. MCCAULEY  
GEO. A. KERN  
A. H. AVERY  
FRANK W. ELLIOTT  
J. H. JOHNSON

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Fabritz of Wapello, Hunt of Louisa, and Morton of Wright, who, on motion, were excused.

#### CONSIDERATION OF BILLS

Senate File No. 264, a bill for an act to provide for the licensing of pipe line companies engaged in the business of owning or operating lines for the transportation or transmission of gas, gasoline, oils, or motor fuels within or through this state; providing a permit fee and an annual occupation tax therefor; providing for the regulation of the construction, location and inspection of pipe lines; providing for the right of eminent domain and regulating the use of such right; providing that the board of railroad commissioners shall have supervision over pipe lines, and providing for the fixing of property security and responsibility by pipe line companies for the protection of persons sustaining damage by them; fixing jurisdiction in the district court of the county where any controversy arises involving said pipe

lines, and providing a method of service of notice of suit against pipe line companies; and amending section forty-eight hundred fifty-eight (4858), of the code, 1927, relating to grants for the use of highways by certain pipe lines outside of cities and towns, was taken up for consideration.

Brown of Polk moved the previous question.

Motion prevailed.

Craven 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, 89.

Allen	Hansen of Scott	McCaulley	Rutledge
Avery	Hanson of	McCreery	Ryder
Babcock	Winnebago	McLain	Rylander
Bair	Hayes	Mathews	Shields
Berry	Helgason	Mayne	Short
Brown	Hesse	Mead	Simmer
Byers	Hollingsworth	Millhone	Snyder
Craven	Hollis	Miller	Stanzel
Dayton	Hook	Nelson of	Stiger
Ditto	Hopkins	Cherokee	Strachan
Donlon	Husted	Nelson of Story	Tamisiea
Drake of Keokuk	Hutcheon	O'Donnell	TePaske
Drake of	Johnson of	Orr	Thiessen
Muscatine	Marion	Osborn	Thompson
Elliott	Kern	Paisley	Torgeson
Ellsworth	Koch	Pattison	Van Buren
Figgins	Kohler	Peaco	Van Wert
Finnern	Lamb	Pendray	Wamstad
Forsling	Langland	Randall	Watts
Gallagher	Laughlin	Randolph	Wearin
Garrett	Lepley	Rawlings	Whiting
Gilmore	Lichty	Reimers	Witt
Gissel	Long	Roe	Mr. Speaker
Greene			

The nays were, 13.

Augustine	Davis	Hansen of	Malone
Ballew	Durant	Audubon	Ratliff
Beath	Greaser	Hush	Reed
Bonnstetter			Sours

Absent or not voting, 6.

Aiken	Felter	McDermott	Morton
Fabritz	Hunt		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Brown of Polk moved that the vote by which Senate File No. 264 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

#### CONFERENCE COMMITTEE ON HOUSE FILE NO. 2 DISCHARGED

Hopkins of Guthrie moved that the conference committee on House File No. 2 be discharged.

Motion prevailed.

#### CONSIDERATION OF BILLS

Senate File No. 428, a bill for an act to authorize the executive council to purchase and improvement certain property adjacent to the capitol extension grounds and to make an appropriation therefor, was taken up for consideration.

Van Buren 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, 88.

Allen	Gilmore	Laughlin	Roe
Avery	Gissel	Lepley	Ryder
Babcock	Greaser	Lichty	Rylander
Bair	Hansen of	Long	Shields
Ballew	Audubon	McDermott	Short
Beath	Hansen of Scott	McLain	Simmer
Berry	Hanson of	Malone	Snyder
Bonnstetter	Winnebago	Mathews	Stanzel
Craven	Hayes	Mead	Stiger
Davis	Helgason	Millhone	Strachan
Dayton	Hesse	Nelson of	Tamisiea
Ditto	Hollingsworth	Cherokee	TePaske
Donlon	Hook	Nelson of Story	Thiessen
Drake of Keokuk	Hopkins	O'Donnell	Thompson
Drake of	Husted	Orr	Torgeson
Muscatine	Hutcheon	Osborn	Van Buren
Durant	Johnson of	Paisley	Van Wert
Elliott	Marion	Pattison	Wamstad
Ellsworth	Kern	Peaco	Watts
Felter	Koch	Pendray	Wearin
Figgins	Kohler	Randolph	Whiting
Finnern	Lamb	Reed	Witt
Forsling	Langland	Reimers	Mr. Speaker
Garrett			



The nays were, 7.

Augustine	Hollis	Randall	Sours
Gallagher	Hush	Ratliff	

Absent or not voting, 13.

Aiken	Greene	McCreery	Morton
Brown	Hunt	Mayne	Rawlings
Byers	McCaulley	Miller	Rutledge
Fabritz			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Van Buren of Jones in the chair.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Allen of Pocahontas, unanimous consent having been given, House File No. 309, a bill for an act to regulate the buying for the market, or the transportation for hire by any means other than by railroad, of certain livestock, by requiring the making and preservation of record tickets thereof, and providing penalties for violations, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 309

Amend by inserting in section one (1) after the word "market" the following:

"or for slaughter".

Mr. Allen moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 81.

Allen	Dayton	Greaser	Husted
Augustine	Ditto	Hansen of	Hutcheon
Avery	Donlon	Audubon	Johnson of
Babcock	Drake of Keokuk	Hansen of Scott	Marion
Bair	Durant	Hanson of	Kern
Ballew	Ellsworth	Winnebago	Kohler
Beath	Felter	Hayes	Lamb
Berry	Figgins	Helgason	Langland
Bonnstetter	Finnern	Hesse	Laughlin
Byers	Gallagher	Hollingsworth	Lepley
Craven	Garrett	Hook	Long
Davis	Gilmore	Hopkins	McDermott

McLain	Pattison	Ryder	Thompson
Mathews	Pendray	Rylander	Torgeson
Mayne	Randolph	Short	Van Buren
Mead	Ratliff	Snyder	Wamstad
Nelson of	Rawlings	Stanzel	Watts
Cherokee	Reed	Stiger	Wearin
Nelson of Story	Reimers	Strachan	Whiting
O'Donnell	Roe	TePaske	Witt
Orr	Rutledge	Thiessen	Mr. Speaker
Osborn			

The nays were, none.

Absent or not voting, 27.

Aiken	Gissel	McCaulley	Peaco
Brown	Greene	McCreery	Randall
Drake of	Hollis	Malone	Shields
Muscatine	Hunt	Millhone	Simmer
Elliott	Hush	Miller	Sours
Fabritz	Koch	Morton	Tamisiea
Forsling	Lichty	Paisley	Van Wert

House concurred in Senate amendment to House File No. 309.

On request of Garrett of Wayne, unanimous consent having been given, House File No. 316, a bill for an act to amend chapter fifty-eight (58) acts of the forty-third (43rd) general assembly, relating to the buying and selling of the skins or hides of fur-bearing animals, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 316

1. Amend by striking paragraphs one (1) and three (3) and by striking from line ten (10) the words and figures "five dollars (\$5.00)" and inserting in lieu thereof the words and figures "ten dollars (\$10.00)" and renumbering paragraph two (2) as paragraph one (1).

2. Amend by adding the following as Section 2.

"Sec. 2. Amend Section four (4) line nineteen (19) by adding after the word "bond" the words "or cash"; also by striking from line twenty (20) the words and figures "two thousand dollars (\$2,000.00)" and inserting in lieu thereof the words and figures "five hundred dollars (\$500.00)"."

Mr. Garrett moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 84.

Allen	Hansen of	McDermott	Reimers
Augustine	Audubon	McLain	Roe
Avery	Hansen of Scott	Malone	Rutledge
Babcock	Hayes	Mathews	Ryder
Bair	Helgason	Mayne	Shields
Beath	Hollingsworth	Mead	Short
Berry	Hook	Millhone	Snyder
Byers	Hopkins	Miller	Sours
Craven	Husted	Nelson of	Stanzel
Davis	Hutcheon	Cherokee	Stiger
Dayton	Johnson of	Nelson of Story	Strachan
Donlon	Marion	O'Donnell	Tamisiea
Durant	Kern	Osborn	TePaske
Felter	Koch	Paisley	Thiessen
Figgins	Kohler	Pattison	Thompson
Finnern	Lamb	Peaco	Torgeson
Garrett	Langland	Pendray	Van Buren
Gilmore	Laughlin	Randall	Wamstad
Gissel	Lepley	Randolph	Watts
Greaser	Lichty	Ratliff	Whiting
Greene	Long	Rawlings	Witt
	McCauley	Reed	Mr. Speaker

The nays were, none.

Absent or not voting, 24.

Aiken	Drake of	Gallagher	McCreery
Ballew	Muscatine	Hanson of	Morton
Bonnstetter	Elliott	Winnebago	Orr
Brown	Ellsworth	Hesse	Rylander
Ditto	Fabritz	Hollis	Simmer
Drake of Keokuk	Forsling	Hunt	Van Wert
		Hush	Wearin

House concurred in Senate amendment to House File No. 316.

On request of Hush of Montgomery, unanimous consent having been given, House File No. 352, a bill for an act to provide for the valuation and assessment of pipe line properties used in the transportation or transmission of gas, gasoline, oils or motor fuels by the state board of assessment and review, providing for the making of reports by pipe line companies to said board, providing for the levy and collection of a tax against such property, and authorizing the said board of assessment and review to make rules and regulations relative to the making of reports and furnishing of information by said pipe line companies, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 352

Amend House File No. 352 by striking out all after the enacting clause thereof, and substituting in lieu thereof the following:

Section 1. Every person, co-partnership, association, corporation or syndicate engaged in the business of transporting or transmitting gas, gasoline, oils, or motor fuels by means of pipe lines, whether such pipe lines be owned or leased, shall be taxed as herein provided.

Sec. 2. The words "pipe line company" as used in this act shall be deemed and construed to mean any person, co-partnership, association, corporation or syndicate that may own or operate or be engaged in operating or utilizing pipe lines for the purposes described in section one (1) hereof.

The word "board" wherever it appears in this act shall mean the state board of assessment and review.

Sec. 3. Every pipe line company having lines in the state of Iowa shall annually, on or before the first day of April in each year, make out and deliver to the state board of assessment and review a statement, verified by the oath of an officer or agent of such pipe line company making such statement, showing in detail for the year ended December 31 next preceding:

1. The name of the company.
2. The nature of the company, whether a person or persons, an association, co-partnership, corporation or syndicate, and under the laws of what state organized.
3. The location of its principal office or place of business.
4. The name and post office address of the president, secretary, auditor, treasurer and superintendent or general manager.
5. The name and post office address of the chief officer or managing agent of the company in Iowa.
6. The whole number of miles of pipe line owned, operated or leased within the state, including a classification of the size, kind and weight thereof, separated, so as to show the mileage in each county, and each lesser taxing district.
7. A full and complete statement of the cost and actual present value of all buildings of every description owned by said pipe line company within the state and each lesser taxing district, not otherwise assessed.
8. The number, location, size and cost of each pressure pump or station.
9. Any and all other property owned by said pipe line company within the state which property must be classified and scheduled in such a manner as the board may by rule require.
10. The gross earnings of the entire company, and the gross earnings on business done within this state.

11. The operating expenses of the entire company and the operating expenses within this state.

12. The net earnings of the entire company and the net earnings within this state.

Sec. 4. Every pipe line company required by law to report to the state board of assessment and review under the provisions of this act shall, on or before the first day of April, 1932, make to the state board of assessment and review a detailed statement showing the amount of real estate owned or used by it on December 31, 1931, for pipe line purposes, the county in which said real estate is situated, including the rights of way, pumping or station grounds, buildings, storage or tank yards, equipment grounds for any and all purposes, with the estimated actual value thereof, in such manner as may be required by the board.

Only one such detailed statement by any pipe line company shall be necessary, and when received by the board, it shall become the record of the pipe line lands of such company, and be deemed as annually thereafter reported for valuation and assessment by the board.

On or before the first day of April of each subsequent year, such company shall, in like manner, report all real estate acquired for any of the pipe line purposes above named during the preceding calendar year; and also, a list of any real estate, previously reported, disposed of during the same period, which disposition shall be noted by the board in an appropriate column opposite to the description of said tract in the original report of the same in the record of pipe line land.

The board shall, by some convenient method of binding, arrange the statements required to be made by this section, so as to form a consolidated list of all real estate reported to it as being owned or used for pipe line purposes within the state of Iowa.

Sec. 5. For the purpose of making reports to the state board of assessment and review, the gross earnings of a pipe line company, owning or operating a line or lines within this state, shall be computed and reported by said company upon such bases as the board may by rule require.

Sec. 6. The state board of assessment and review shall have power to prescribe such rules and regulations with respect to the keeping of accounts by the pipe line companies doing business or having property in this state as will insure the accurate division of the accounts and the information to be reported, and uniformity in reporting the same to said board.

Sec. 7. The rules, regulations, method and requirements herein provided to be made by the state board of assessment and review, shall be made and communicated in writing or printing to the said several pipe line companies, and shall be and become binding upon said pipe line companies from the time they are so communicated; provided, however, that the said board shall have the power to prescribe supplemental or additional rules, regulations and requirements at any time, and com-

municate them to the several pipe line companies in the manner aforesaid, and with respect to such additional supplemental rules, regulations and requirements, they shall be and become binding upon the said pipe line companies within thirty (30) days from the time they are so communicated.

Sec. 8. If any pipe line company shall fail or refuse to obey and conform to the rules, regulations, method and requirements so made and prescribed by the state board of assessment and review under the provisions of this act, or to make the reports herein provided, the board shall proceed to assess the property of such pipe line company so failing or refusing, according to the best information obtainable, and shall then add to its valuation of such pipe line company twenty-five per cent (25%) thereof, which valuation and penalty shall be separately shown, and together shall constitute the assessment for that year.

Sec. 9. The board may demand, in writing, detailed, explanatory and amended statements of any of the items mentioned in section three (3) of this act, or any other item deemed to be important, to be furnished it by such pipe line company within thirty (30) days from such demand in such form as it may designate, which shall be verified as required for the original statement. The returns, both original and amended, shall show such other facts as the board, in writing, shall require.

Sec. 10. The said property shall be valued at its actual value, and the assessments shall be made upon the taxable value of the entire pipe line property within the state, except as otherwise provided; and shall include the rights of way, easements, the pipe lines, stations, grounds, shops, buildings, pumps and all other property, real and personal exclusively used in the operation of such pipe line. In assessing said pipe line company and its equipment, said board shall take into consideration the gross earnings and the net earnings for the entire property, and per mile, for the year ending December 31 preceding, and any and all other matters necessary to enable said board to make a just and equitable assessment of said pipe line property.

Sec. 11. The state board of assessment and review shall on or before the third Monday in August of each year determine the value of pipe line property located in each taxing district of the state, and in fixing said value shall take into consideration the structures, equipment, pumping stations, etc., located in said taxing district, and shall transmit to the county auditor of each such county through and into which any pipe line may extend, a statement showing the assessed value of said property in each of the taxing districts of said county. The said property shall then be taxed in said county and lesser taxing districts, based upon the valuation so certified, in the same manner as in other property.

Sec. 12. At the first meeting of the board of supervisors held after said statement is received by the county auditor, it shall cause the same to be entered on its minute book, and make and enter therein an order describing and stating the assessed value of each pipe line lying in each city, town, township or lesser taxing district in its county, through or

into which said pipe line extends, as fixed by the board of assessment and review, which shall constitute the assessed value of said property for taxing purposes; and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall transmit a copy of said order to the council of the city or town, or the trustees of the township, as the case may be.

All such pipe line property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purpose as the property of individuals within such counties, cities, towns, townships, and lesser taxing districts.

If said tax is not paid, the county treasurer shall collect the same by whatever method may seem proper. If said tax is not paid within the calendar year in which the same is due, the company shall not be permitted thereafter to use the public or private property of the state of Iowa, or to operate in Iowa for any purpose.

Sec. 13. The provisions of this act shall not apply to a gas distributing plant or company located entirely within any city or town and not a part of a pipe line transportation company. Such local municipal plant shall be taxed in the municipality where located.

Mr. Hush moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 86.

Allen	Greaser	Lepley	Ratliff
Augustine	Greene	Lichty	Reed
Avery	Hansen of Scott	Long	Roe
Babcock	Hanson of	McCreery	Rutledge
Bair	Winnebago	McDermott	Ryder
Beath	Hayes	McLain	Shields
Berry	Helgason	Malone	Short
Bonnstetter	Hollingsworth	Mathews	Snyder
Byers	Hollis	Mayne	Sours
Craven	Hook	Mead	Stanzel
Dayton	Hopkins	Millhone	Stiger
Ditto	Hush	Miller	Strachan
Donlon	Husted	Nelson of	Tamisiea
Drake of Keokuk	Hutcheon	Cherokee	TePaske
Durant	Johnson of	Nelson of Story	Thiessen
Felter	Marion	O'Donnell	Thompson
Figgins	Kern	Osborn	Torgeson
Finnern	Koch	Paisley	Wamstad
Forsling	Kohler	Pattison	Watts
Gallagher	Lamb	Peaco	Whiting
Garrett	Langland	Pendray	Witt
Gilmore	Laughlin	Randolph	Mr. Speaker
Gissel			

The nays were, none.

Absent or not voting, 22.

Aiken	Elliot	Hunt	Reimers
Ballew	Ellsworth	McCaulley	Rylander
Brown	Fabritz	Morton	Simmer
Davis	Hansen of	Orr	Van Buren
Drake of	Audubon	Randall	Van Wert
Muscatine	Hesse	Rawlings	Wearin

House concurred in Senate amendment to House File No. 352.

### CONSIDERATION OF BILLS

Senate File No. 425, a bill for an act to legalize the proceedings of the Sherrills Mound Mutual Fire Insurance Company of Sherrill, Iowa, was taken up for consideration.

Hayes 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, 89.

Allen	Gissel	McCreery	Roe
Avery	Greaser	McDermott	Rutledge
Babcock	Greene	McLain	Ryder
Bair	Hansen of Scott	Malone	Shields
Beath	Hayes	Mathews	Short
Berry	Helgason	Mayne	Snyder
Bonnstetter	Hollingsworth	Mead	Sours
Brown	Hollis	Millhone	Stanzel
Byers	Hook	Miller	Stiger
Craven	Hopkins	Nelson of	Strachan
Davis	Husted	Cherokee	Tamisiea
Dayton	Hutcheon	Nelson of Story	TePaske
Ditto	Johnson of	O'Donnell	Thiessen
Donlon	Marion	Orr	Thompson
Drake of Keokuk	Kern	Osborn	Torgeson
Durant	Koch	Paisley	Van Buren
Felter	Kohler	Pattison	Wamstad
Figgins	Lamb	Peaco	Watts
Finnern	Langland	Pendray	Wearin
Forsling	Laughlin	Randolph	Whiting
Gallagher	Lichty	Ratliff	Witt
Garrett	Long	Rawlings	Mr. Speaker
Gilmore	McCaulley	Reed	

The nays were, none.

Absent or not voting, 19.

Aiken	Ellsworth	Hesse	Randall
Augustine	Fabritz	Hunt	Reimers
Ballew	Hansen of	Hush	Rylander
Drake of	Audubon	Lepley	Simmer
Muscatine	Hanson of	Morton	Van Wert
Elliott	Winnebago		



So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### MOTION TO RECONSIDER

Forsling of Woodbury moved that the House reconsider the vote by which House File No. 362 passed the House.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 80.

Avery	Greene	McCreery	Reimers
Babcock	Hansen of Scott	McDermott	Roe
Bair	Hayes	McLain	Ryder
Beath	Helgason	Malone	Shields
Berry	Hollingsworth	Mathews	Short
Brown	Hook	Mayne	Snyder
Byers	Hopkins	Mead	Sours
Craven	Husted	Millhone	Stanzel
Davis	Hutcheon	Nelson of	Stiger
Dayton	Johnson of	Cherokee	Tamisiea
Ditto	Marion	Nelson of Story	TePaske
Donlon	Kern	O'Donnell	Thiessen
Drake of Keokuk	Koch	Orr	Torgeson
Durant	Kohler	Osborn	Van Buren
Elliott	Lamb	Paisley	Wamstad
Felter	Langland	Pattison	Watts
Figgins	Laughlin	Peaco	Wearin
Finnern	Lichty	Pendray	Whiting
Forsling	Long	Randolph	Witt
Gallagher	McCaulley	Ratliff	Mr. Speaker
Greaser		Reed	

The nays were, none.

Absent or not voting, 28.

Aiken	Fabitz	Hesse	Rawlings
Allen	Garrett	Hollis	Rutledge
Augustine	Gilmore	Hunt	Rylander
Ballew	Gissel	Hush	Simmer
Bonnstetter	Hansen of	Lepley	Strachan
Drake of	Audubon	Miller	Thompson
Muscatine	Hanson of	Morton	Van Wert
Ellsworth	Winnebago	Randall	

Motion prevailed and House reconsidered.

Forsling of Woodbury moved that the House reconsider the vote by which House File No. 362 passed to its third reading.

Motion prevailed.

## CONSIDERATION OF BILLS

Senate File No. 245, a bill for an act to amend section five thousand seven hundred seventy-eight (5778) of the Code, 1927, relating to appointment of Board of Examiners to examine applicants for license to work as Master, or employing or journeyman plumber, was taken up for consideration, having been substituted for House File No. 362.

Lichty 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, 79.

Augustine	Hansen of Scott	McDermott	Rylander
Avery	Hanson of	McLain	Shields
Babcock	Winnebago	Malone	Short
Bair	Hollingsworth	Mathews	Snyder
Ballew	Hollis	Mayne	Sours
Beath	Hook	Millhone	Stiger
Brown	Hopkins	Miller	Strachan
Craven	Hush	Nelson of	Tamisiea
Davis	Husted	Cherokee	TePaske
Dayton	Hutcheon	Nelson of Story	Thiessen
Ditto	Johnson of	O'Donnell	Thompson
Donlon	Marion	Orr	Torgeson
Drake of Keokuk	Koch	Osborn	Van Buren
Durant	Lamb	Pattison	Van Wert
Elliott	Langland	Pendray	Wamstad
Felter	Laughlin	Randolph	Watts
Figgins	Lepley	Ratliff	Wearin
Forsling	Lichty	Reed	Whiting
Gallagher	Long	Roe	Witt
Greaser	McCaulley	Ryder	Mr. Speaker
Greene	McCreery		

The nays were, 2.

Bonnstetter      Stanzel

Absent or not voting, 27.

Aiken	Finnern	Helgason	Paisley
Allen	Garrett	Hesse	Peaco
Berry	Gilmore	Hunt	Randall
Byers	Gissell	Kern	Rawlings
Drake of	Hansen of	Kohler	Reimers
Muscatine	Audubon	Mead	Rutledge
Ellsworth	Hayes	Morton	Simmer
Fabritz			

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. 307, a bill for an act relating to the license and registration of professional engineers and land surveyors.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 37, a bill for an act relating to interest and penalty on special assessments.

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 relating to the fees received for fishing and hunting licenses.

WALTER H. BEAM, *Secretary*.

## SENATE AMENDMENT TO HOUSE FILE NO. 37

Amend the title by striking out "for street improvements".

## SENATE AMENDMENTS TO HOUSE FILE NO. 102

Amend by striking from lines 6 and 7 the words and figures "ten (10)" and substituting in lieu thereof the words and figures "five (5)".

Amend by adding at the end thereof the following:

"Provided that no County shall retain more than five hundred (\$500) dollars per year from such fees."

## SENATE MESSAGES CONSIDERED

Senate File No. 307, a bill for an act to repeal sections eighteen hundred fifty-four (1854), eighteen hundred fifty-five (1855), eighteen hundred sixty-four (1864), eighteen hundred sixty-nine b one (1869 b 1); to amend sections eighteen hundred fifty-six (1856), eighteen hundred sixty-five (1865), eighteen hundred

seventy-two (1872), and to enact substitutes for said repealed sections; all of said sections relating to the license and registration of professional engineers and land surveyors, and all of said section being of the code, 1927.

Read first and second times and referred to sifting committee.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Millhone of Page, unanimous consent having been given, House File No. 102, a bill for an act to amend chapter fifty-seven (57), Acts of the Forty-third (43d) General Assembly, relating to the fees received for fishing and hunting licenses, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 102

Amend by striking from lines 6 and 7 the words and figures "ten (10)" and substituting in lieu thereof the words and figures "five (5)".

Amend by adding at the end thereof the following:

"Provided that no County shall retain more than five hundred (\$500) dollars per year from such fees."

Mr. Millhone moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 85.

Allen	Gilmore	Koch	O'Donnell
Avery	Gissel	Kohler	Orr
Ballew	Greaser	Lamb	Paisley
Beath	Greene	Langland	Pattison
Berry	Hansen of	Laughlin	Peaco
Bonnstetter	Audubon	Lepley	Pendray
Brown	Hansen of Scott	Lichty	Randall
Davis	Hanson of	Long	Randolph
Dayton	Winnebago	McCaulley	Ratliff
Ditto	Helgason	McCreery	Rawlings
Donlon	Hollingsworth	McLain	Reed
Drake of Keokuk	Hollis	Malone	Roe
Durant	Hook	Mathews	Ryder
Elliott	Hopkins	Mayne	Rylander
Felter	Hush	Millhone	Shields
Figgins	Husted	Miller	Short
Finnern	Hutcheon	Nelson of	Snyder
Forsling	Johnson of	Cherokee	Sours
Gallagher	Marion	Nelson of Story	Stanzel

Stiger  
Strachan  
Tamisiea  
TePaske

Thiessen  
Thompson  
Torgeson

Van Buren  
Wamstad  
Watts

Wearin  
Whiting  
Mr. Speaker

The nays were, none.

Absent or not voting, 23.

Aiken  
Augustine  
Babcock  
Bair  
Byers  
Craven

Drake of  
Musactine  
Ellsworth  
Fabritz  
Garrett  
Hayes

Hesse  
Hunt  
Kern  
McDermott  
Mead  
Morton

Osborn  
Reimers  
Rutledge  
Simmer  
Van Wert  
Witt

House concurred in Senate amendments to House File No. 102.

On request of Allen of Pocahontas, unanimous consent having been given, House File No. 37, a bill for an act to amend section six thousand thirty-three (6033), Code, 1927, as amended by chapter one hundred eighty-one (181) of the laws of the Forty-third General Assembly relating to interest and penalty on special assessments for stock improvements, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 37

Amend the title by striking out "for street improvements".

Mr. Allen moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 79.

Allen  
Avery  
Babcock  
Bair  
Ballew  
Beath  
Berry  
Bonnstetter  
Davis  
Dayton  
Ditto  
Donlon  
Durant  
Felter  
Figgins  
Finnern  
Gilmore

Gissel  
Greaser  
Greene  
Hansen of  
Audubon  
Hansen of Scott  
Hanson of  
Winnebago  
Helgason  
Hollingsworth  
Hook  
Hopkins  
Hush  
Husted  
Hutcheon  
Johnson of  
Marion

Kern  
Koch  
Kohler  
Lamb  
Langland  
Laughlin  
Lepley  
Lichty  
Long  
McCaulley  
McCreery  
McDermott  
McLain  
Malone  
Mathews  
Mayne  
Mead

Millhone  
Nelson of  
Cherokee  
Nelson of Story  
Osborn  
Paisley  
Pattison  
Peaco  
Randall  
Ratliff  
Reed  
Reimers  
Roe  
Rutledge  
Ryder  
Rylander  
Shields

Short  
Snyder  
Sours  
Stanzel

Strachan  
TePaske  
Thiessen  
Thompson

Torgeson  
Van Buren  
Van Wert  
Wamstad

Watts  
Wearin  
Whiting

The nays were, none.

Absent or not voting, 29.

Aiken  
Augustine  
Brown  
Byers  
Craven  
Drake of Keokuk  
Drake of  
Muscatine

Elliott  
Ellsworth  
Fabritz  
Forsling  
Gallagher  
Garrett  
Hayes  
Hesse

Hollis  
Hunt  
Miller  
Morton  
O'Donnell  
Orr  
Pendray

Randolph  
Rawlings  
Simmer  
Stiger  
Tamsiea  
Witt  
Mr. Speaker

House concurred in Senate amendment to House File No. 37.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 17, 304, 355, 380, 392, 424, 448, 552, 38, 576.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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. 17, 304, 355, 380, 392, 424, 448, 552, 38, 576.

#### BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 17, 304, 355, 380, 392, 424, 448, 552, 38 and 576.

G. H. HESSE, *Acting Chairman.*

Report adopted.

# SENATE CONCURRENT RESOLUTION NO. 19

*Whereas*, Members of the Forty-fourth General Assembly may desire to purchase the chairs occupied by them during this 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 twenty-five dollars (\$25.00), 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 purchasers.

*Be It Further Resolved by the Senate, the House concurring*, That the President of the Senate and the Speaker of the House, the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House, the Chief Doorkeeper of the Senate and the Assistant Sergeant-at-Arms of the House be presented with the chairs occupied by them during the session, and that the custodian of the state house be instructed to crate such chairs and deliver them to the express office in Des Moines, addressed to the persons mentioned herein.

Unanimous consent having been obtained for the immediate consideration of the concurrent resolution, Kern of Polk moved its adoption.

Johnson of Marion moved to amend by striking in line seven (7) the words and figures "twenty-five dollars (\$25.00)" and inserting in lieu thereof the words and figures "twenty dollars (\$20.00)".

Amendment adopted.

Speaker Pro Tempore Rutledge in the chair.

On the question "Shall the concurrent resolution be adopted?" a roll call was demanded.

The ayes were, 65.

Augustine	Drake of	Gissel	Hollingsworth
Avery	Muscatine	Greene	Hollis
Bair	Durant	Hansen of	Hunt
Ballew	Elliott	Audubon	Hush
Beath	Ellsworth	Hansen of Scott	Johnson of
Bonnstetter	Felter	Hanson of	Marion
Eyers	Figgins	Winnebago	Kern
Davis	Forsling	Hayes	Kohler
Dayton	Gilmore	Hesse	Lamb

Langland	Mayne	Randolph	Stiger
Laughlin	Millhone	Ratliff	Strachan
Lichty	Nelson of	Reed	Thompson
Long	Cherokee	Rutledge	Torgeson
McCreery	Nelson of Story	Rylander	Van Wert
McDermott	O'Donnell	Snyder	Wamstad
McLain	Orr	Sours	Watts
Malone	Pattison	Stanzel	Witt
Mathews	Peaco		

The nays were, 14.

Babcock	Helgason	Koch	Shields
Donlon	Hopkins	Lepley	Thiessen
Drake of Keokuk	Husted	Mead	Wearin
Greaser	Hutcheon		

Absent or not voting, 29.

Aiken	Gallagher	Paisley	Short
Allen	Garrett	Pendray	Simmer
Berry	Hook	Randall	Tamisiea
Brown	McCaulley	Rawlings	TePaske
Craven	Miller	Reimers	Van Buren
Ditto	Morton	Roe	Whiting
Fabritz	Osborn	Ryder	Mr. Speaker
Finnern			

Concurrent resolution No. 19 adopted.

### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, request a call of the House on all business to be transacted until sine die adjournment.

J. H. JOHNSON  
FRANK W. ELLIOTT  
FRED B. WITT  
A. H. AVERY  
MARION R. MCCAULEY

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present.

Allen of Pocahontas, Byers of Linn and Miller of Shelby moved that the report, including the Majority report with supplement, and the Minority report, of the joint committee under the provisions of House Concurrent Resolution No. 8 be accepted, placed on file, and the committee discharged.

Motion prevailed.



Allen of Pocahontas offered the following motion:

I move that two thousand copies of the Report, including the majority report with supplement, and the minority report, which have been filed under the provisions of House Concurrent Resolution No. 8 be printed in pamphlet form corresponding to the size of the Senate Journal, and that the printed copies be distributed on the desks of the members of the Senate.

Motion prevailed.

The full text of the University investigation committee report appears as an appendix to this volume immediately following the index.

#### 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. 12, relative to Committee on Reduction.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 575, a bill for an act providing for the deduction of indebtedness in the assessment of moneys and credits.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 574, a bill for an act relating to the taxation of real and personal property.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 571, a bill for an act to repeal section seven thousand twelve (7012) of the Code of 1927.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 570, a bill for an act providing for the assessment of Grain, Ice and Coal Dealers.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 570

Amend by striking out the comma (,) after the word "next" in line seven (7) of section one (1).

Donlon of Palo Alto called up the House Resolution relating to the activities of Hon. Arch W. McFarlane in the O'Hagan

Coal Company, found in the Journal of April 14th, and moved its adoption.

Brown of Polk moved that the House go into executive session except that the gallery be open to the public.

Motion prevailed.

Drake of Muscatine moved that the galleries and the press be excluded from the Chamber.

On the question "Shall the galleries and the press be excluded?" a roll call was demanded.

The ayes were, 12.

Allen	Drake of	Hollingsworth	Kern
Avery	Muscatine	Hunt	Millhone
Drake of Keokuk	Figgins	Hutcheon	Whiting
	Hesse		

The nays were, 78.

Aiken	Greene	McCreery	Reimers
Augustine	Hansen of	McDermott	Roe
Babcock	Audubon	McLain	Rutledge
Bair	Hansen of Scott	Malone	Ryder
Beath	Hanson of	Mathews	Rylander
Berry	Winnebago	Mayne	Short
Bonnstetter	Helgason	Mead	Simmer
Brown	Hollis	Nelson of	Snyder
Byers	Hook	Cherokee	Stiger
Craven	Hopkins	Nelson of Story	Tamisiea
Davis	Hush	O'Donnell	TePaske
Dayton	Husted	Osborn	Thiessen
Donlon	Johnson of	Paisley	Thompson
Durant	Marion	Pattison	Torgeson
Elliott	Koch	Pendray	Van Buren
Ellsworth	Kohler	Randall	Van Wert
Felter	Lamb	Randolph	Wamstad
Forsling	Langland	Ratliff	Watts
Gallagher	Lepley	Rawlings	Wearin
Garrett	Lichty	Reed	Witt
Greaser	Long		

Absent or not voting, 18.

Ballew	Gissel	Morton	Sours
Ditto	Hayes	Orr	Stanzel
Fabritiz	Laughlin	Peaco	Strachan
Finnern	McCauley	Shields	Mr. Speaker
Gilmore	Miller		

Motion lost.

Byers of Linn in the chair.

Bair of Buena Vista moved the previous question.

Motion prevailed.

Speaker Johnson in the chair.

On the question "Shall the resolution be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 45.

Aiken	Gissel	Mead	Short
Allen	Greaser	Miller	Simmer
Beath	Hanson of	Nelson of Story	Snyder
Berry	Winnebago	Osborn	Sours
Bonnstetter	Helgason	Pendray	Stanzel
Byers	Hook	Randall	Strachan
Davis	Hush	Randolph	TePaske
Donlon	Hutcheon	Rawlings	Thompson
Durant	Kohler	Reed	Torgeson
Felter	Langland	Roe	Van Buren
Finnern	Lepley	Rylander	Mr. Speaker
Gallagher	Malone		

The nays were, 61.

Augustine	Gilmore	Lamb	Pattison
Avery	Greene	Laughlin	Peaco
Babcock	Hansen of	Lichty	Ratliff
Bair	Audubon	Long	Reimers
Ballew	Hansen of Scott	McCaulley	Rutledge
Brown	Hayes	McCreery	Ryder
Craven	Hesse	McDermott	Shields
Dayton	Hollingsworth	McLain	Stiger
Ditto	Hollis	Mathews	Tamisiea
Drake of Keokuk	Hopkins	Mayne	Thiessen
Drake of	Hunt	Millhone	Van Wert
Muscatine	Husted	Nelson of	Wamstad
Elliott	Johnson of	Cherokee	Watts
Ellsworth	Marion	O'Donnell	Wearin
Figgins	Kern	Orr	Whiting
Forsling	Koch	Paisley	Witt
Garrett			

Absent or not voting, 2.

Fabritz                      Morton

Resolution 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. 430, a bill for an act making an appropriation to pay for repairs and improvements upon the state capitol and buildings, and the grounds thereof.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 132, a bill for an act relating to the maintenance of extensions of primary roads.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 568, a bill for an act to make an appropriation to Fred Hill, Mrs. Victoria Hill and to Laura E. Hill.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 567, a bill for an act to make an appropriation to Martin McCarthy.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 562, a bill for an act to make an appropriation to M. L. Haley.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 586, a bill for an act relating to county teacher institutes.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 561, a bill for an act to make an appropriation to Joseph Roy Collins.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 564, a bill for an act to make an appropriation to Delpha Nelson.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 566, a bill for an act to make an appropriation to Paul J. Tissler.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 430, a bill for an act making an appropriation

to pay for repairs and improvements upon the state capitol and buildings, and the grounds thereof.

Read first and second times and referred to committee on appropriations.

Senate Joint Resolution No. 12, a joint resolution, to Establish a Committee Composed of Three Members of the Senate and Three from the House of Representatives and Three from the State at large to make a Thorough Study and Investigation of State, County, Township, City, and Town Governments for the Reduction of the Expenditure of Public Funds; to make a report to the Governor of the State not later than November 15, 1932; and to make and Appropriation to defray the Expenses of such Committee.

Read first and second times and substituted for House Joint Resolution No. 10.

#### CONSIDERATION OF BILLS

Senate Joint Resolution No. 12, a joint resolution, to Establish a Committee Composed of Three Members of the Senate and Three from the House of Representatives and Three from the State at large to make a Thorough Study and Investigation of State, County, Township, City and Town Governments for the Reduction of the Expenditure of Public Funds; to make a report to the Governor of the State not later than November 15, 1932; and to make an Appropriation to defray the Expenses of such Committee, was taken up for consideration, having been substituted for House Joint Resolution No. 10.

Brown of Polk offered the following amendment and moved its adoption:

Amend Senate Joint Resolution No. 12 as follows:

1. By striking from line three (3) of section one (1), the word "nine" and inserting in lieu thereof the word "six"; by striking the word "three" from the same line, and inserting in lieu thereof the word "two", and by striking from line four (4) of said section, the word "three" and inserting in lieu thereof the word "two", and by striking from line five (5) of said section, the word "three" and inserting in lieu thereof the word "two".

2. By striking the words and figures "twenty thousand dollars (\$20,000)" from section seven (7) and inserting in lieu thereof the following: "ten thousand dollars (\$10,000)".

3. By striking all of sections three (3), four (4) and renumbering the sections which follow.

Greene of Pottawattamie moved that the call of the House be now raised.

Motion lost.

Amendment by Brown of Polk adopted.

Forsling of Woodbury moved the previous question.

Motion prevailed.

Brown 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?" Rule 18 was invoked.

The ayes were, 57.

Allen	Garrett	Kern	Pattison
Avery	Greene	Koch	Ratliff
Beath	Hansen of	Lamb	Reimers
Bonnstetter	Audubon	Langland	Rutledge
Brown	Hanson of	Lichty	Snyder
Byers	Winnebago	Long	Sours
Craven	Hayes	McCaulley	Stanzel
Davis	Hesse	McCreery	Stiger
Ditto	Hollingsworth	McDermott	Strachan
Drake of	Hollis	Mayne	Tamisiea
Muscatine	Hopkins	Millhone	TePaske
Elliott	Hunt	Nelson of	Van Buren
Ellsworth	Husted	Cherokee	Wamstad
Felter	Hutcheon	Nelson of Story	Witt
Figgins	Johnson of	Orr	Mr. Speaker
Forsling	Marion		

The nays were, 49.

Aiken	Gissel	Mead	Ryder
Augustine	Greaser	Miller	Rylander
Babcock	Hansen of Scott	O'Donnell	Shields
Bair	Helgason	Osborn	Short
Ballew	Hook	Paisley	Simmer
Berry	Hush	Peaco	Thiessen
Dayton	Kohler	Pendray	Thompson
Donlon	Laughlin	Randall	Torgeson
Drake of Keokuk	Lepley	Randolph	Van Wert
Durant	McLain	Rawlings	Watts
Finnern	Malone	Reed	Wearin
Gallagher	Mathews	Roe	Whiting
Gilmore			

Absent or not voting, 2.

Fabritz                      Morton

So the Senate joint resolution having received a constitutional majority was declared to have passed the House.

Brown of Polk offered the following amendment to the title to Senate Joint Resolution No. 12, and moved its adoption:

Amend the title to Senate Joint Resolution No. 12, by striking from lines one (1), two (2), and three (3) the word "three" and inserting in lieu thereof in each of said lines the word "two".

Amendment adopted, and the title, as amended, was agreed to.

Brown of Polk moved that the vote by which Senate Joint Resolution No. 12 passed the House be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be tabled?" a roll call was demanded.

The ayes were, 50.

Allen	Greene	Koch	Pattison
Avery	Hanson of	Lamb	Randall
Beath	Winnebago	Langland	Reimers
Bonnstetter	Hayes	Lichty	Rutledge
Brown	Helgason	Long	Snyder
Byers	Hesse	McCaulley	Sours
Craven	Hollingsworth	McCreery	Stanzel
Ditto	Hollis	McDermott	Stiger
Drake of	Hunt	Mayne	Strachan
Muscatine	Husted	Millhone	TePaske
Elliott	Hutcheon	Nelson of	Wamstad
Ellsworth	Johnson of	Cherokee	Witt
Felter	Marion	Orr	Mr. Speaker
Forsling	Kern		

The nays were, 45.

Aiken	Gissel	Mead	Roe
Augustine	Greaser	Miller	Ryder
Babcock	Hansen of Scott	Nelson of Story	Rylander
Ballew	Hook	O'Donnell	Short
Berry	Hopkins	Osborn	Simmer
Dayton	Hush	Paisley	Thiessen
Drake of Keokuk	Kohler	Peaco	Thompson
Durant	Laughlin	Pendray	Torgeson
Figgins	Lepley	Randolph	Van Wert
Finnern	Malone	Rawlings	Watts
Gallagher	Mathews	Reed	Whiting
Gilmore			

Absent or not voting, 13.

Bair	Garrett	Morton	Tamisiea
Davis	Hansen of	Ratliff	Van Buren
Donlon	Audubon	Shields	Wearin
Fabritz	McLain		

Motion prevailed.

## QUESTION OF PERSONAL PRIVILEGE BY AVERY

MR. SPEAKER AND MEMBERS OF THE HOUSE: On Feb. 11th. 1931, Representative TePaske introduced, and the House adopted resolutions of sympathy, and directed the Chief Clerk to send me a telegram informing me of your action.

The telegram was received, and I want to assure you that Mrs. Avery and myself were deeply touched by your action.

I don't know what folks would do in times of great sorrow if nobody cared. The expressions of sympathy on the part of our friends is the one thing that makes it possible for us to endure the burdens we are at times called upon to bear.

In behalf of Mrs. Avery and myself, I take this occasion to extend our deepest appreciation and gratitude.

## MOTION

MR. SPEAKER: At the opening of the Forty-fourth General Assembly I introduced a resolution providing for suitable uniforms or jackets for the pages. That they have proved useful as well as ornamental has been fully demonstrated. I now move that the pages who have served in the Forty-fourth General Assembly be permitted to retain as their private property the uniform jackets provided for them at the beginning of the session.

JOHN F. RYLANDER.

Motion prevailed.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 252, 299, 300, 376, 377, 382, 405, 409, 410, 266, 387, 388, 427 and 414.

House Files Nos. 28, 361, 551.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 252, 299, 300, 376, 377, 382, 405, 409, 410, 266, 387, 388, 427, and 414.

House Files Nos. 28, 361, 551.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 28, 361, 551.

C. J. ORR, *Chairman.*

Report adopted.

#### AMENDMENTS FILED

Avery of Clay filed the following amendment to Senate File No. 429:

Amend Senate File No. 429 as follows:

Amend by changing the period at the end of Section seven (7) to a comma (,) and adding the following:

"and the further sum of Four Hundred Dollars (\$400.00) to cover compensation due him as provided by Rule 65 of the House of Representatives.

Hopkins of Guthrie, Bonnstetter of Kossuth, Kohler of Plymouth, Gissel of Buchanan and Hook of Taylor filed the following amendment to Senate File No. 429:

Amend Senate File No. 429 as follows:

By striking out Section twenty (20) thereof.

Torgeson of Worth filed the following amendment to Senate File No. 429:

Amend Senate File No. 429 as follows:

1. By inserting as section twenty (20) thereof, the following:

"Sec. 20. To Mabel M. Hoeye, as additional compensation for extra services in the House during the Forty-third (43rd) General Assembly, at the request and under the direction of the Chief Clerk of the House, the sum of one hundred dollars (\$100.00)."

2. By renumbering the remaining sections of said bill.

Hanson of Winnebago filed the following amendment to Senate File No. 429:

Amend Senate File No. 429 by striking the period (.) at the end of

Section twenty (20) and inserting in lieu thereof a comma (,) and by adding thereto "Myra Larson, clerk of the House sifting committee, the sum of seventy-five dollars (\$75.00)."

#### 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 requests the appointment of a fourth conference committee on House File No. 2, and that the President has appointed as members of such committee on the part of the Senate, Senators Rigby, Baird, Stanley, Irwin, and Kent.

WALTER H. BEAM, *Secretary*.

#### FOURTH CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

As a fourth conference committee on House File No. 2, on the part of the House, the Speaker appointed the following members: McCreery of Linn, Avery of Clay, Simmer of Wapello, Millhone of Page, and Allen of Pocahontas.

#### 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. 398, a bill for an act providing additional grounds for revocation or suspension of license to practice law.

WATER H. BEAM, *Secretary*.

#### SENATE MESSAGE CONSIDERED

Senate File No. 398, a bill for an act to amend section ten thousand nine hundred thirty (10930) code, 1927, and providing additional grounds for revocation or suspension of license to practice law.

Read first and second times and referred to sifting committee.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, request a call of the House on all business to be transacted until sine die adjournment.

J. H. JOHNSON  
FRANK W. ELLIOTT  
FRED B. WITT  
A. H. AVERY  
MARION R. MCCAULLEY

The roll was called to ascertain the absentees.

The roll call disclosed all members present except Drake of Keokuk, Fabritz of Wapello, Hayes of Dubuque, Hunt of Louisa, Morton of Wright, and Orr of Clayton, who on motion, were excused from the call of the House.

Reimers of Lyon moved that the call of the House be raised for one hour.

Motion prevailed.

Speaker Pro Tempore Rutledge in the chair.

### CONSIDERATION OF BILLS

Senate File No. 430, a bill for an act making an appropriation to pay for repairs and improvements upon the state capitol and buildings, and the grounds thereof, was taken up for consideration.

Van Buren 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, 66.

Augustine	Gilmore	Long	Ratliff
Avery	Greene	McCreery	Reed
Babcock	Hansen of	McDermott	Reimers
Bair	Audubon	McLain	Rutledge
Ballew	Hanson of	Mathews	Rylander
Beath	Winnebago	Mayne	Short
Berry	Helgason	Mead	Snyder
Brown	Hollingsworth	Millhone	Sours
Byers	Hook	Nelson of	TePaske
Craven	Hopkins	Cherokee	Thompson
Davis	Husted	Nelson of Story	Torgeson
Dayton	Johnson of	O'Donnell	Van Buren
Ditto	Marion	Osborn	Van Wert
Durant	Koch	Paisley	Wamstad
Elliott	Lamb	Pattison	Watts
Felter	Langland	Pendray	Whiting
Figgins	Lepley	Randolph	Witt
Finnern	Lichty		

The nays were, 2.

Miller

Thiessen

Absent or not voting, 40.

Aiken	Gallagher	Hutcheon	Rawlings
Allen	Garrett	Kern	Roe
Bonnstetter	Gissel	Kohler	Ryder
Donlon	Greaser	Laughlin	Shields
Drake of Keokuk	Hansen of Scott	McCaulley	Simmer
Drake of Muscatine	Hayes	Malone	Stanzel
Ellsworth	Hesse	Morton	Stiger
Fabritz	Hollis	Orr	Strachan
Forsling	Hunt	Peaco	Tamisiea
	Hush	Randall	Wearin
			Mr. Speaker

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 section thirty-six hundred twelve (3612) of the code, 1927, relating to probation officers, was taken up for consideration.

Long 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, 80.

Augustine	Greene	Long	Rutledge
Avery	Hansen of Audubon	McCreery	Ryder
Babcock	Bair	McLain	Rylander
Ballew	Hanson of Winnebago	Malone	Shields
Beath	Helgason	Mathews	Short
Berry	Hollingsworth	Mead	Snyder
Bonnstetter	Hollis	Millhone	Sours
Brown	Hook	Miller	Stanzel
Byers	Hopkins	Nelson of Cherokee	Strachan
Davis	Hush	Nelson of Story	Tamisiea
Dayton	Husted	Osborn	TePaske
Ditto	Johnson of Marion	Paisley	Thiessen
Durant	Koch	Pattison	Tompson
Elliott	Kohler	Peaco	Torgeson
Ellsworth	Lamb	Pendray	Van Buren
Felter	Langland	Randall	Van Wert
Figgins	Laughlin	Randolph	Wamstad
Garrett	Lepley	Ratcliff	Watts
Gissel	Lichty	Reed	Wearin
Greaser		Roe	Whiting
			Witt

The nays were, none.

Absent or not voting, 28.

Aiken	Fabritz	Hesse	Morton
Allen	Finnern	Hunt	O'Donnell
Craven	Forsling	Hutcheon	Orr
Donlon	Gallagher	Kern	Rawlings
Drake of Keokuk	Gilmore	McCaulley	Reimers
Drake of Muscatine	Hansen of Scott	McDermott	Simmer
	Hayes	Mayne	Stiger
			Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 412, a bill for an act to amend the law as it appears in section fifty hundred ninety-three a eleven (5093-a11) of the code, 1927, so as to provide for the payment of postage, equipment, supplies and printing, used by the gasoline license tax department, out of the gasoline fees, 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, 76.

Augustine	Greaser	Long	Reimers
Avery	Hansen of	McCaulley	Roe
Babcock	Audubon	McCreery	Rutledge
Bair	Hanson of	McDermott	Rylander
Ballew	Winnebago	McLain	Shields
Beath	Helgason	Malone	Simmer
Berry	Hollingsworth	Mathews	Snyder
Bonnstetter	Hollis	Mead	Sours
Brown	Hook	Millhone	Strachan
Byers	Hopkins	Nelson of	Tamisiea
Craven	Hush	Cherokee	TePaske
Davis	Husted	Nelson of Story	Thiessen
Durant	Johnson of	Osborn	Thompson
Elliott	Marion	Paisley	Torgeson
Ellsworth	Koch	Pattison	Van Buren
Felter	Kohler	Peaco	Van Wert
Figgins	Lamb	Pendray	Wamstad
Forsling	Langland	Randall	Wearin
Garrett	Lepley	Randolph	Whiting
Gilmore	Lichty	Reed	Witt

The nays were, none.

Absent or not voting, 32.

Aiken	Fabritz	Hunt	Orr
Allen	Finnern	Hutcheon	Ratliff
Dayton	Gallagher	Kern	Rawlings
Ditto	Gissel	Laughlin	Ryder
Donlon	Greene	Mayne	Short
Drake of Keokuk	Hansen of Scott	Miller	Stanzel
Drake of	Hayes	Morton	Stiger
Muscatine	Hesse	O'Donnell	Watts
			Mr. Speaker

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 sections seventy-one hundred forty-four (7144), seventy-two hundred eight (7208), and seventy-two hundred twelve (7212), and to repeal section seventy-two hundred thirteen (7213), all of the Code, 1927, and relating to the payment and apportionment of road taxes, 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, 62.

Avery	Greaser	McDermott	Roe
Babcock	Hanson of	McLain	Rutledge
Bair	Winnebago	Mathews	Ryder
Ballew	Hollingsworth	Mead	Rylander
Beath	Hollis	Millhone	Shields
Brown	Hook	Nelson of	Simmer
Craven	Hopkins	Cherokee	Snyder
Davis	Hush	Nelson of Story	Tamisiea
Ditto	Husted	O'Donnell	TePaske
Durant	Johnson of	Paisley	Thiessen
Elliott	Marion	Pattison	Thompson
Ellsworth	Kohler	Peaco	Torgeson
Felter	Lamb	Pendray	Van Buren
Figgins	Langland	Randolph	Wamstad
Finnern	Lichty	Ratliff	Whiting
Garrett	Long	Reed	Witt
	McCreery		

The nays were, 7.

Augustine	Gissel	Osborn	Wearin
Bonnstetter	Greene	Van Wert	

Absent or not voting, 39.

Aiken	Gallagher	Kern	Randall
Allen	Gilmore	Koch	Rawlings
Berry	Hansen of	Laughlin	Reimers
Byers	Audubon	Lepley	Short
Dayton	Hansen of Scott	McCaulley	Sours
Donlon	Hayes	Malone	Stanzel
Drake of Keokuk	Helgason	Mayne	Stiger
Drake of	Hesse	Miller	Strachan
Muscatine	Hunt	Morton	Watts
Fabritz	Hutcheon	Orr	Mr. Speaker
Forsling			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 391, a bill for an act relating to junior colleges

and amending section forty-two hundred sixty-seven b-one (4267 b1), Code, 1927, was taken up for consideration.

Johnson of Marion moved that the bill be read a third time 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, 56.

Allen	Gilmore	Kohler	Ratliff
Ballew	Greaser	Lamb	Reed
Beath	Hansen of	Langland	Reimers
Berry	Audubon	Lichty	Rutledge
Bonnstetter	Hansen of Scott	Long	Shields
Brown	Hanson of	McCaulley	Short
Byers	Winnebago	McCreery	Sours
Davis	Helgason	McLain	TePaske
Ditto	Hollingsworth	Miller	Thompson
Donlon	Hook	Nelson of	Torgeson
Drake of	Hopkins	Cherokee	Van Buren
Muscatine	Hush	Nelson of Story	Wamstad
Felter	Husted	Osborn	Watts
Figgins	Hutcheon	Pattison	Witt
Forsling	Johnson of	Randolph	
Garrett	Marion		

The nays were, 34.

Augustine	Gissel	O'Donnell	Rylander
Avery	Hollis	Paisley	Simmer
Babcock	Koch	Peaco	Snyder
Bair	Lepley	Pendray	Strachan
Craven	McDermott	Randall	Thiessen
Durant	Malone	Rawlings	Van Wert
Elliott	Mathews	Roe	Wearin
Ellsworth	Mayne	Ryder	Whiting
Finnern	Mead		

Absent or not voting, 18.

Aiken	Gallagher	Hunt	Orr
Dayton	Greene	Kern	Stanzel
Drake of Keokuk	Hayes	Laughlin	Stiger
Fabritz	Hesse	Millhone	Tamisia
		Morton	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

McCreery of Linn moved that the vote by which Senate File No. 391 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 347, a bill for an act to amend Chapter 6, Acts of the Forty-third General Assembly, regulating the issuing of shares of stock of corporations without par value, 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, 58.

Augustine	Hansen of Scott	Long	Randolph
Avery	Hanson of	McCaulley	Reimers
Babcock	Winnebago	McDermott	Roe
Bair	Hollingsworth	McLain	Ryder
Ballew	Hollis	Malone	Rylander
Berry	Hopkins	Mathews	Shields
Bonnstetter	Husted	Mead	Snyder
Craven	Hutcheon	Millhone	Stiger
Durant	Johnson of	Nelson of	TePaske
Elliott	Marion	Cherokee	Thiessen
Felter	Koch	Nelson of Story	Torgeson
Figgins	Kohler	Paisley	Van Wert
Forsling	Langland	Pattison	Watts
Garrett	Lepley	Pendray	Wearin
Gilmore	Lichty	Randall	Whiting
Greaser			

The nays were, 13.

Beath	Hansen of	O'Donnell	Stanzel
Ditto	Audubon	Rawlings	Strachan
Ellsworth	Hook	Reed	Thompson
Gissel	Hush		

Absent or not voting, 37.

Aiken	Fabritz	Laughlin	Rutledge
Allen	Finnern	McCreery	Short
Brown	Gallagher	Mayne	Simmer
Byers	Greene	Miller	Sours
Davis	Hayes	Morton	Tamisiea
Dayton	Helgason	Orr	Van Buren
Donlon	Hesse	Osborn	Wamstad
Drake of Keokuk	Hunt	Peaco	Witt
Drake of	Kern	Ratliff	Mr. Speaker
Muscatine	Lamb		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Johnson in the chair.

Senate File No. 306, a bill for an act relating to indebtedness for township road purposes and to provide for and authorize



the levy, imposition, and collection of a tax annually to pay said indebtedness, was taken up for consideration.

Whiting 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, 46.

Avery	Hollingsworth	Mead	Sours
Ballew	Hollis	Millhone	Stiger
Bonnstetter	Hook	Nelson of Story	Thiessen
Craven	Hopkins	Osborn	Thompson
Dayton	Johnson of	Paisley	Torgeson
Ditto	Marion	Rawlings	Van Buren
Finnern	Koch	Reimers	Van Wert
Forsling	Langland	Roe	Wamstad
Greaser	Laughlin	Rutledge	Watts
Hanson of	Lepley	Ryder	Wearin
Winnebago	Lichty	Rylander	Whiting
Helgason	McLain	Shields	Witt

The nays were, 50.

Augustine	Ellsworth	Lamb	Peaco
Babcock	Felter	Long	Pendray
Bair	Figgins	McCaulley	Randall
Beath	Gilmore	McCreery	Randolph
Berry	Gissel	McDermott	Ratliff
Brown	Hansen of	Malone	Reed
Byers	Audubon	Mathews	Short
Davis	Hansen of Scott	Mayne	Simmer
Donlon	Hesse	Miller	Snyder
Drake of	Hush	Nelson of	Stanzel
Muscatine	Husted	Cherokee	Strachan
Durant	Hutcheon	O'Donnell	Tamisiea
Elliott	Kohler	Pattison	TePaske
			Mr. Speaker

Absent or not voting, 12.

Aiken	Fabritz	Greene	Kern
Allen	Gallagher	Hayes	Morton
Drake of Keokuk	Garrett	Hunt	Orr

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

#### PRESENTATION OF GIFT

Simmer of Wapello, on behalf of the members of the House, presented the Speaker with a watch as a token of the high esteem in which he is held by the members of the House.

## RESOLUTION

Shields of Clarke, Reimers of Lyon, Hush of Montgomery, Simmer of Wapello, TePaske of Sioux, Torgeson of Worth, Short of Woodbury, Hanson of Winnebago, Wamstad of Mitchell, and Forsling of Woodbury, offered the following resolution:

## HOUSE CONCURRENT RESOLUTION NO. 16

*Be It Resolved by the House of Representatives, the Senate Concurring,* That the governor be and is hereby respectfully requested to return House File No. 576 relating to the issuance of state primary road bonds and to the improvement of primary roads.

Pattison of Jefferson moved the previous question.

Motion prevailed.

On the question "Shall the resolution be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 46.

Allen	Garrett	McCreery	Simmer
Beath	Gissel	McDermott	Snyder
Berry	Greaser	Malone	Stanzel
Bonnstetter	Hanson of	Miller	Strachan
Brown	Winnebago	Nelson of Story	TePaske
Byers	Hollingsworth	Pendray	Thompson
Craven	Hook	Rawlings	Torgeson
Davis	Hush	Reimers	Van Buren
Donlon	Hutcheon	Roe	Van Wert
Ellsworth	Lamb	Rylander	Wamstad
Felter	Langland	Shields	Mr. Speaker
Forsling	Lepley	Short	

The nays were, 56.

Aiken	Gilmore	Laughlin	Peaco
Augustine	Greene	Lichty	Randall
Avery	Hansen of	Long	Randolph
Babcock	Audubon	McCaulley	Ratliff
Bair	Hansen of Scott	McLain	Reed
Ballew	Helgason	Mathews	Rutledge
Dayton	Hesse	Mayne	Ryder
Ditto	Hollis	Mead	Sours
Drake of	Hopkins	Millhone	Stiger
Muscatine	Husted	Nelson of	Tamisiea
Durant	Johnson of	Cherokee	Thiessen
Elliott	Marion	O'Donnell	Watts
Figgins	Kern	Osborn	Wearin
Finnern	Koch	Paisley	Whiting
Gallagher	Kohler	Pattison	Witt

Absent or not voting, 6.

Drake of Keokuk	Fabritz	Hunt	Orr
	Hayes	Morton	

Resolution lost.

Greene of Pottawattamie moved that the vote by which House resolution failed to pass be reconsidered and the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be tabled?" a roll call was demanded.

The ayes were, 54.

Aiken	Greene	Lichty	Peaco
Augustine	Hansen of	Long	Randall
Avery	Audubon	McCaulley	Randolph
Babcock	Hansen of Scott	McLain	Ratliff
Bair	Hesse	Mathews	Reed
Ballew	Hollingsworth	Mayne	Rutledge
Craven	Hollis	Mead	Simmer
Dayton	Hopkins	Millhone	Sours
Ditto	Husted	Nelson of	Stiger
Drake of	Johnson of	Cherokee	Tamisiea
Muscatine	Marion	O'Donnell	Thiessen
Elliott	Kern	Osborn	Wamstad
Figgins	Koch	Paisley	Whiting
Finnern	Kohler	Pattison	Witt
Gallagher	Laughlin		

The nays were, 42.

Allen	Garrett	Lepley	Snyder
Beath	Gissel	McCreery	Stanzel
Berry	Greaser	McDermott	Strachan
Bonnstetter	Hanson of	Malone	TePaske
Brown	Winnebago	Pendray	Thompson
Byers	Helgason	Rawlings	Torgeson
Davis	Hook	Reimers	Van Buren
Donlon	Hush	Roe	Van Wert
Ellsworth	Hutcheon	Rylander	Watts
Felter	Lamb	Shields	Mr. Speaker
Forsling	Langland	Short	

Absent or not voting, 12.

Drake of Keokuk	Gilmore	Miller	Orr
Durant	Hayes	Morton	Ryder
Fabritz	Hunt	Nelson of Story	Wearin

Motion prevailed and the motion to reconsider was laid on the table.

### CONSIDERATION OF BILLS

Senate File No. 355, a bill for an act providing that no proposi-

tion to authorize an issuance of bonds shall be deemed carried or adopted unless approved by sixty per cent (60%) of the votes cast thereon, was taken up for consideration.

Hopkins 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, 70.

Allen	Gallagher	Koch	Rylander
Augustine	Garrett	Kohler	Shields
Avery	Gissel	Lamb	Short
Ballew	Greaser	Langland	Snyder
Beath	Hansen of	Laughlin	Sours
Bonnstetter	Audubon	Lepley	Stanzel
Brown	Hansen of Scott	Long	Stiger
Byers	Hanson of	McCauley	Strachan
Craven	Winnebago	McDermott	TePaske
Davis	Helgason	McLain	Thompson
Dayton	Hesse	Malone	Torgeson
Ditto	Hollingsworth	Nelson of	Van Buren
Donlon	Hollis	Cherokee	Van Wert
Drake of	Hook	Osborn	Wamstad
Muscatine	Hopkins	Pendray	Watts
Durant	Hush	Randall	Witt
Felter	Husted	Randolph	Mr. Speaker
Finnern	Hutcheon	Reed	
Forsling	Kern	Roe	

The nays were, 8.

Babcock	Ellsworth	Mathews	Thiessen
Bair	McCreery	Mead	Whiting

Absent or not voting, 30.

Aiken	Hayes	Morton	Rawlings
Berry	Hunt	Nelson of Story	Reimers
Drake of Keokuk	Johnson of	O'Donnell	Rutledge
Elliott	Marion	Orr	Ryder
Fabritz	Lichty	Paisley	Simmer
Figgins	Mayne	Pattison	Tamisiea
Gilmore	Millhone	Peaco	Wearin
Greene	Miller	Ratliff	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hush of Montgomery moved that the vote by which Senate File No. 355 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 285, a bill for an act to amend section thirty-seven hundred sixty-two (3762), Code, 1927, relating to the purchase by public officers and departments of articles manufactured at state institutions, and providing a penalty for the violation of said section, was taken up for consideration.

Rylander 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, 41.

Avery	Hanson of	Millhone	Sours
Babcock	Winnebago	Paisley	Stanzel
Beath	Helgason	Randolph	Stiger
Bonnstetter	Hesse	Reimers	Tamisiea
Ditto	Hollingsworth	Roe	TePaske
Donlon	Hook	Ryder	Thompson
Durant	Hush	Rylander	Van Buren
Ellsworth	Hutcheon	Shields	Wamstad
Figgins	Langland	Simmer	Wearin
Finnern	Laughlin	Snyder	Witt
Gilmore			Mr. Speaker

The nays were, 40.

Augustine	Greaser	McCaulley	O'Donnell
Bair	Hansen of	McCreery	Osborn
Ballew	Audubon	McDermott	Pattison
Berry	Hansen of Scott	McLain	Peaco
Brown	Hollis	Malone	Pendray
Craven	Husted	Mathews	Reed
Dayton	Kern	Mead	Rutledge
Felter	Koch	Miller	Strachan
Gallagher	Kohler	Nelson of	Thiessen
Garrett	Lamb	Cherokee	Watts
Gissel	Long		

Absent or not voting, 27.

Aiken	Elliott	Johnson of	Orr
Allen	Fabritz	Marion	Randall
Byers	Forsling	Lepley	Ratliff
Davis	Greene	Lichty	Rawlings
Drake of Keokuk	Hayes	Mayne	Short
Drake of	Hopkins	Morton	Torgeson
Muscatine	Hunt	Nelson of Story	Van Wert
			Whiting

So the bill having failed to receive a constitutional majority was declared to have failed to pass the House.

## MOTION TO RECONSIDER

Rylander of Marshall moved that the House reconsider the vote by which Senate File No. 285 failed to pass the House.

Rutledge of Webster moved to lay the motion to reconsider on the table.

On the question "Shall the motion to reconsider be laid on the table?" a roll call was demanded.

The ayes were, 39.

Augustine	Hansen of Scott	McLain	Peaco
Bair	Hollis	Malone	Reed
Berry	Husted	Mathews	Rutledge
Drake of	Johnson of	Mayne	Ryder
Muscatine	Marion	Mead	Strachan
Felter	Kern	Nelson of	Tamisiea
Gallagher	Koch	Cherokee	Thompson
Garrett	Lamb	O'Donnell	Watts
Gilmore	Langland	Osborn	Whiting
Greaser	McCreery	Pattison	Mr. Speaker
Hansen of	McDermott		
Audubon			

The nays were, 46.

Allen	Elliott	Kohler	Short
Avery	Finnern	Laughlin	Snyder
Babcock	Gissel	Lepley	Sours
Ballew	Hanson of	Long	Stanzel
Bonnstetter	Winnebago	McCaulley	Stiger
Brown	Helgason	Miller	TePaske
Byers	Hesse	Nelson of Story	Thiessen
Davis	Hollingsworth	Paisley	Torgeson
Dayton	Hook	Pendray	Van Wert
Ditto	Hopkins	Reimers	Wearin
Donlon	Hush	Rylander	Witt
Durant	Hutcheon	Shields	

Absent or not voting, 23.

Aiken	Figgins	Millhone	Rawlings
Beath	Forsling	Morton	Roe
Craven	Greene	Orr	Simmer
Drake of Keokuk	Hayes	Randall	Van Buren
Ellsworth	Hunt	Randolph	Wamstad
Fabritz	Lichty	Ratliff	

Motion to lay on the table lost.

Brown of Polk in the chair.

On the question "Shall the House reconsider?" a roll call was demanded.

The ayes were, 72.

Allen	Finnern	Laughlin	Roe
Augustine	Gilmore	Lepley	Rylander
Avery	Gissel	Lichty	Shields
Babcock	Greaser	Long	Short
Beath	Hansen of Scott	McCaulley	Simmer
Berry	Hanson of	McDermott	Snyder
Bonnstetter	Winnebago	Malone	Sours
Byers	Helgason	Mayne	Stanzel
Craven	Hesse	Millhone	Stiger
Davis	Hollingsworth	Miller	TePaske
Dayton	Hook	Nelson of	Thompson
Ditto	Hush	Cherokee	Torgeson
Donlon	Hutcheon	Nelson of Story	Van Buren
Durant	Johnson of	Paisley	Van Wert
Elliott	Marion	Pattison	Wamstad
Ellsworth	Kern	Pendray	Watts
Fabritz	Koch	Randolph	Wearin
Felter	Kohler	Ratliff	Witt
Figgins	Langland	Rawlings	

The nays were, 19.

Bair	Hansen of	Mead	Rutledge
Ballew	Audubon	O'Donnell	Ryder
Drake of	Hollis	Osborn	Strachan
Muscatine	Hopkins	Peaco	Thiessen
Gallagher	Lamb	Reed	Whiting
	McLain		

Absent or not voting, 17.

Aiken	Greene	McCreery	Randall
Brown	Hayes	Mathews	Reimers
Drake of Keokuk	Hunt	Morton	Tamisiea
Forsling	Husted	Orr	Mr. Speaker
Garrett			

Motion to reconsider Senate File No. 285 prevailed.

Rylander of Marshall moved to reconsider the vote by which Senate File No. 285 passed to its third reading.

Motion prevailed.

Strachan of Humboldt offered the following amendment, and moved its adoption:

Amend Senate File No. 285, by inserting in line four (4) of section one (1) after the word "or" the word "wilfully".

Amendment adopted.

Rylander 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, 66.

Allen	Gilmore	Lamb	Shields
Augustine	Greaser	Langland	Short
Avery	Greene	Laughlin	Simmer
Babcock	Hansen of Scott	Lepley	Snyder
Beath	Hanson of	Lichty	Sours
Bonnstetter	Winnebago	McCaulley	Stanzel
Brown	Helgason	Mathews	Stiger
Byers	Hesse	Mayne	Tamisiea
Davis	Hollis	Millhone	TePaske
Dayton	Hook	Nelson of Story	Thompson
Ditto	Hopkins	Pendray	Torgeson
Donlon	Husted	Randolph	Van Buren
Durant	Hutcheon	Ratliff	Van Wert
Elliott	Johnson of	Rawlings	Wamstad
Ellsworth	Marion	Reimers	Watts
Figgins	Koch	Roe	Wearin
Finnern	Kohler	Rylander	Witt

The nays were, 30.

Bair	Garrett	McDermott	Osborn
Ballew	Gissel	McLain	Pattison
Berry	Hansen of	Malone	Peaco
Craven	Audubon	Mead	Reed
Drake of	Hollingsworth	Miller	Rutledge
Muscatine	Hush	Nelson of	Ryder
Fabritz	Kern	Cherokee	Strachan
Felter	Long	O'Donnell	Thiessen
			Whiting

Absent or not voting, 12.

Aiken	Gallagher	McCreery	Paisley
Drake of Keokuk	Hayes	Morton	Randall
Forsling	Hunt	Orr	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rylander of Marshall moved that the vote by which Senate File No. 285 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Unanimous consent having been given, Senate File No. 398, a bill for an act to amend section ten thousand nine hundred thirty (10930) code, 1927, and providing additional grounds for revocation or suspension of license to practice law, 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, 75.

Augustine	Hansen of	Long	Roe
Avery	Audubon	McCreery	Ryder
Babcock	Hansen of Scott	McDermott	Rylander
Ballew	Hanson of	McLain	Shields
Beath	Winnebago	Malone	Short
Berry	Hesse	Mayne	Snyder
Bonnstetter	Hollingsworth	Mead	Stanzel
Brown	Hollis	Millhone	Stiger
Byers	Hook	Nelson of Story	Strachan
Craven	Hopkins	Osborn	Tamisiea
Dayton	Husted	Paisley	TePaske
Donlon	Hutcheon	Pattison	Thiessen
Durant	Johnson of	Peaco	Thompson
Ellsworth	Marion	Pendray	Torgeson
Felter	Kern	Randall	Van Buren
Figgins	Koch	Randolph	Wamstad
Forsling	Lamb	Rawlings	Wearin
Garrett	Langland	Reed	Whiting
Gissel	Laughlin	Reimers	Witt
Greaser	Lepley		

The nays were, 6.

Fabritz	Mathews	Ratliff	Van Wert
Helgason	Miller		

Absent or not voting, 27.

Aiken	Elliott	Hush	O'Donnell
Allen	Finnern	Kohler	Orr
Bair	Gallagher	Lichty	Rutledge
Davis	Gilmore	McCaulley	Simmer
Ditto	Greene	Morton	Sours
Drake of Keokuk	Hayes	Nelson of	Watts
Drake of Muscatine	Hunt	Cherokee	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 224, a bill for an act to amend the law as it appears in sections forty-four hundred seventy-five (4475), forty-five hundred two (4502), and forty-five hundred three (4503) of the code, 1927, relating to the purchase and sale of school lands, was taken up for consideration.

Sours of Floyd moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 64.

Augustine	Greaser	Langland	Ryder
Babcock	Hansen of Scott	Laughlin	Snyder
Ballew	Hanson of	Lepley	Sours
Bonnstetter	Winnebago	Lichty	Stanzel
Craven	Helgason	Long	Stiger
Dayton	Hesse	McDermott	Strachan
Drake of	Hollingsworth	McLain	Tamisiea
Muscatine	Hollis	Mathews	TePaske
Durant	Hook	Mead	Thiessen
Elliott	Hush	Millhone	Thompson
Ellsworth	Husted	Nelson of	Torgeson
Fabritz	Hutcheon	Cherokee	Van Wert
Felter	Johnson of	Nelson of Story	Wamstad
Finnern	Marion	Osborn	Watts
Forsling	Koch	Pattison	Wearin
Garrett	Kohler	Ratliff	Whiting
Gilmore	Lamb	Reed	Witt

The nays were, none.

Absent or not voting, 44.

Aiken	Figgins	Malone	Rawlings
Allen	Gallagher	Mayne	Reimers
Avery	Gissel	Miller	Roe
Bair	Greene	Morton	Rutledge
Beath	Hansen of	O'Donnell	Rylander
Berry	Audubon	Orr	Shields
Brown	Hayes	Paisley	Short
Byers	Hopkins	Peaco	Simmer
Davis	Hunt	Pendray	Van Buren
Ditto	Kern	Randall	Mr. Speaker
Donlon	McCaulley	Randolph	
Drake of Keokuk	McCreery		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 365, a bill for an act to amend chapter one hundred thirty-one (131) of the laws of the forty-third general assembly relating to the operation of motor trucks and trailers on the public highways of this state, was taken up for consideration.

Bair 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, 75.

Augustine	Bair	Berry	Dayton
Avery	Ballew	Brown	Ditto
Babcock	Beath	Byers	Donlon

Drake of	Hutcheon	Millhone	Shields
Muscatine	Johnson of	Nelson of	Snyder
Durant	Marion	Cherokee	Sours
Ellsworth	Kern	Nelson of Story	Stanzel
Felter	Koch	Osborn	Stiger
Figgins	Kohler	Paisley	Strachan
Finnern	Lamb	Pattison	Tamisiea
Gallagher	Langland	Peaco	TePaske
Gilmore	Lepley	Pendray	Thiessen
Greaser	Lichty	Randolph	Thompson
Hansen of Scott	McCreery	Ratliff	Van Buren
Helgason	Long	Reed	Van Wert
Hesse	McDermott	Reimers	Wamstad
Hollis	McLain	Roe	Watts
Hopkins	Mathews	Ryder	Whiting
Hush	Mayne	Rylander	Witt
Husted	Mead		

The nays were, 3.

Allen	Hook	Wearin
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Absent or not voting, 30.

Aiken	Garrett	Hollingsworth	Orr
Bonnstetter	Gissel	Hunt	Randall
Craven	Greene	Laughlin	Rawlings
Davis	Hansen of	McCaulley	Rutledge
Drake of Keokuk	Audubon	Malone	Short
Fabritz	Hanson of	Miller	Simmer
Elliott	Winnebago	Morton	Torgeson
Forsling	Hayes	O'Donnell	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 366, a bill for an act to amend Section Four Thousand Eight Hundred Sixty-Three (4863), Chapter Two Hundred Fifty-One (251), the Code of 1927, to define the terms "semi-trailer" and "truck tractor" and also to provide for the licensing of a semi-trailer, and to amend the Code of 1927 by adding Section Four Thousand Nine Hundred Thirteen-A (4913-A), providing for annual license fees for truck tractors, was taken up for consideration.

Bair 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, 77.

Allen	Babcock	Beath	Davis
Augustine	Bair	Brown	Dayton
Avery	Ballew	Craven	Ditto

Donlon	Hollis	Malone	Shields
Durant	Hook	Mathews	Snyder
Ellsworth	Hopkins	Mayne	Sours
Felter	Hush	Mead	Stanzel
Figgins	Husted	Millhone	Stiger
Finnern	Hutcheon	Miller	Strachan
Forsling	Johnson of	Nelson of	Tamisiea
Gallagher	Marion	Cherokee	TePaske
Gilmore	Kern	Osborn	Thiessen
Gissel	Koch	Pattison	Thompson
Greaser	Kohler	Peaco	Torgeson
Hansen of Scott	Lamb	Pendray	Van Buren
Hanson of	Langland	Randolph	Van Wert
Winnebago	Laughlin	Ratliff	Wamstad
Helgason	Lepley	Reed	Watts
Hesse	McCreery	Roe	Whiting
Hollingsworth	McLain	Rylander	Witt

The nays were, 1.

Bonnstetter

Absent or not voting, 30.

Aiken	Garrett	McCaulley	Rawlings
Berry	Greene	McDermott	Reimers
Byers	Hansen of	Morton	Rutledge
Drake of Keokuk	Audubon	Nelson of Story	Ryder
Drake of	Hayes	O'Donnell	Short
Muscatine	Hunt	Orr	Simmer
Elliott	Lichty	Paisley	Wearin
Fabritz	Long	Randall	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 138, a bill for an act to amend section nine (9) of chapter thirty-seven (37) of the acts of the regular session of the forty-third (43rd) General Assembly, relating to permanent registrations of voters and the preparing of registration cards therefor, was taken up for consideration.

Rutledge 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, 68.

Allen	Brown	Felter	Hanson of
Augustine	Craven	Finnern	Winnebago
Avery	Dayton	Forsling	Helgason
Babcock	Donlon	Gallagher	Hesse
Ballew	Drake of	Gilmore	Hollingsworth
Beath	Muscatine	Gissel	Hollis
Bonnstetter	Durant	Greaser	Hook

Hush	McCreery	Osborn	Sours
Husted	McLain	Pattison	Stanzel
Hutcheon	Malone	Peaco	Tamisica
Johnson of Marion	Mathews	Pendray	TePaske
Koch	Mayne	Randall	Thiessen
Kohler	Mead	Ratliff	Thompson
Lamb	Millhone	Reed	Torgeson
Langland	Nelson of Cherokee	Rutledge	Van Wert
Lepley	Nelson of Story	Ryder	Wamstad
McCauley	O'Donnell	Shields	Watts
		Snyder	Whiting

The nays were, none.

Absent or not voting, 40.

Aiken	Figgins	Laughlin	Reimers
Bair	Garrett	Lichty	Roe
Berry	Greene	Long	Rylander
Byers	Hansen of	McDermott	Short
Davis	Audubon	Miller	Simmer
Ditto	Hansen of Scott	Morton	Stiger
Drake of Keokuk	Hayes	Orr	Strachan
Elliott	Hopkins	Paisley	Van Buren
Ellsworth	Hunt	Randolph	Wearin
Fabritz	Kern	Rawlings	Witt
			Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Rutledge of Webster moved that the vote by which House File No. 138 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

Senate File No. 367, a bill for an act to amend Section 5105-a1 and Section 5105-a39, Chapter 252-a1, Code of Iowa, 1927, amending the definition of the term "motor vehicle" and changing penalty for the violation of the provisions of said chapter, was taken up for consideration.

Bair 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, 82.

Allen	Craven	Fabritz	Winnebago
Augustine	Davis	Felter	Helgason
Avery	Dayton	Finnern	Hesse
Babcock	Ditto	Forsling	Hollingsworth
Bair	Donlon	Garrett	Hollis
Ballew	Drake of	Gilmore	Hook
Beath	Muscatine	Gissel	Hopkins
Berry	Durant	Greaser	Hush
Bonnstetter	Elliott	Hansen of Scott	Husted
Brown	Ellsworth	Hanson of	

McDermott	Peaco	Stiger	Johnson of
McLain	Pendray	Strachan	Marion
Malone	Randall	Tamisica	Kern
Mathews	Randolph	TePaske	Koch
Mayne	Ratliff	Torgeson	Kohler
Mead	Reed	Van Buren	Lamb
Millhone	Roe	Van Wert	Langland
Nelson of	Short	Wamstad	Laughlin
Cherokee	Simmer	Whiting	Lepley
Nelson of Story	Snyder	Witt	Lichty
Osborn	Sours	Hutcheon	Long
Pattison	Stanzel		McCreery

The nays were, none.

Absent or not voting, 26.

Aiken	Hansen of	O'Donnell	Rylander
Byers	Audubon	Orr	Shields
Drake of Keokuk	Hayes	Paisley	Thiessen
Figgins	Hunt	Rawlings	Thompson
Gallagher	McCaulley	Reimers	Watts
Greene	Miller	Rutledge	Wearin
	Morton	Ryder	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 330, a bill for an act to amend section twelve thousand eighty-eight (12088) of the code, 1927, relating to bonds in attachment proceedings, was taken up for consideration.

TePaske of Sioux moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 68.

Augustine	Felter	Johnson of	Miller
Babcock	Figgins	Marion	Nelson of
Beath	Finnern	Koch	Cherokee
Berry	Forsling	Kohler	Osborn
Bonnstetter	Gallagher	Lamb	Pattison
Brown	Garrett	Langland	Peaco
Davis	Gilmore	Lepley	Pendray
Dayton	Greaser	Lichty	Randolph
Ditto	Hesse	McDermott	Ratliff
Donlon	Hollingsworth	McLain	Rawlings
Durant	Hook	Malone	Reed
Elliott	Hopkins	Mathews	Reimers
Ellsworth	Husted	Mayne	Roe
Fabritz	Hutcheon	Mead	Short

Snyder	Tamisiea	Torgeson	Watts
Stanzel	TePaske	Van Buren	Wearin
Stiger	Thiessen	Wamstad	Witt
Strachan	Thompson		

The nays were, none.

Absent or not voting, 40.

Aiken	Greene	Kern	Randall
Allen	Hansen of	Laughlin	Rutledge
Avery	Audubon	Long	Ryder
Bair	Hansen of Scott	McCaulley	Rylander
Ballew	Hanson of	McCreery	Shields
Byers	Winnebago	Millhone	Simmer
Craven	Hayes	Morton	Sours
Drake of Keokuk	Helgason	Nelson of Story	Van Wert
Drake of	Hollis	O'Donnell	Whiting
Muscatine	Hunt	Orr	Mr. Speaker
Gissel	Hush	Paisley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 420, a bill for an act to amend section two hundred sixty-five-a one (265-a1), Code, 1927, relating to supplements to books of annotations, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend by inserting in line three (3) of section one (1) after the word "fifty" the following:

"and by striking line twelve (12)".

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, 64.

Augustine	Durant	Greaser	Kohler
Babcock	Elliott	Hanson of	Lamb
Beath	Ellsworth	Winnebago	Langland
Berry	Fabritz	Hollingsworth	Laughlin
Brown	Felter	Hollis	Lepley
Craven	Figgins	Hook	Lichty
Ditto	Forsling	Hopkins	McDermott
Donlon	Gallagher	Husted	McLain
Drake of	Garrett	Hutcheon	Malone
Muscatine	Gissel	Koch	Mathews

Mayne	Pattison	Rylander	Thompson
Mead	Peaco	Short	Torgeson
Miller	Pendray	Stanzel	Van Buren
Nelson of	Randall	Stiger	Wamstad
Cherokee	Ratliff	Tamisiea	Watts
Nelson of Story	Reed	TePaske	Whiting
Paisley	Roe	Thiessen	

The nays were, 1.

Osborn

Absent or not voting, 43.

Aiken	Greene	Long	Ryder
Allen	Hansen of	McCauley	Shields
Avery	Audubon	McCreery	Simmer
Bair	Hansen of Scott	Millhone	Snyder
Ballew	Hayes	Morton	Sours
Bonnstetter	Helgason	O'Donnell	Strachan
Byers	Hesse	Orr	Van Wert
Davis	Hunt	Randolph	Wearin
Dayton	Hush	Rawlings	Witt
Drake of Keokuk	Johnson of	Reimers	Mr. Speaker
Finnern	Marion	Rutledge	
Gilmore	Kern		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 199, a bill for an act to authorize city and town councils to establish school zones within the limits of said city and town, and to require all motor vehicles, when movable stop signs are in place in the streets, to come to a stop before entering said zones, was taken up for consideration.

Hopkins 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, 56.

Augustine	Felter	Lamb	Pattison
Babcock	Finnern	Laughlin	Peaco
Ballew	Gissel	Lichty	Pendray
Beath	Greaser	McDermott	Ratliff
Berry	Hansen of	McLain	Reed
Brown	Audubon	Malone	Roe
Craven	Hesse	Mathews	Stanzel
Dayton	Hollingsworth	Mayne	Stiger
Ditto	Hollis	Mead	Thompson
Donlon	Hook	Millhone	Torgeson
Drake of	Hopkins	Miller	Van Wert
Muscatine	Husted	Nelson of	Wamstad
Durant	Hutcheon	Cherokee	Watts
Ellsworth	Johnson of	Nelson of Story	Wearin
Fabritz	Marion	Osborn	Whiting



The nays were, 8.

Bonnstetter	Koch	Langland	Sours
Hush	Kohler	Lepley	Van Buren

Absent or not voting, 44.

Aiken	Garrett	McCaulley	Ryder
Allen	Gilmore	McCreery	Rylander
Avery	Greene	Morton	Shields
Bair	Hansen of Scott	O'Donnell	Short
Byers	Hanson of	Orr	Simmer
Davis	Winnebago	Paisley	Snyder
Drake of Keokuk	Hayes	Randall	Strachan
Elliott	Helgason	Randolph	Tamisiea
Figgins	Hunt	Rawlings	TePaske
Forsling	Kern	Reimers	Thiessen
Gallagher	Long	Rutledge	Witt
			Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 396, a bill for an act to authorize the issuance of a patent to certain Lands in Clinton County, Iowa, was taken up for consideration.

Peaco of Clinton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 80.

Augustine	Forsling	Laughlin	Ratliff
Avery	Gallagher	Lichty	Rawlings
Babcock	Garrett	Long	Reed
Ballew	Gilmore	McCreery	Reimers
Beath	Gissel	McDermott	Roe
Berry	Hansen of Scott	McLain	Rutledge
Bonnstetter	Hanson of	Mathews	Short
Brown	Winnebago	Mayne	Sours
Craven	Hollingsworth	Mead	Stanzel
Davis	Hollis	Millhone	Stiger
Dayton	Hook	Miller	Strachan
Donlon	Hopkins	Nelson of	Tamisiea
Drake of	Hush	Cherokee	Thiessen
Muscatine	Husted	Nelson of Story	Thompson
Durant	Hutcheon	O'Donnell	Torgeson
Elliott	Johnson of	Osborn	Van Buren
Ellsworth	Marion	Paisley	Van Wert
Fabritz	Koch	Peaco	Wamstad
Felter	Kohler	Pendray	Watts
Figgins	Lamb	Randall	Wearin
Finnern	Langland	Randolph	Whiting

The nays were, none.

Absent or not voting, 28.

Aiken	Hansen of	Lepley	Rylander
Allen	Audubon	McCaulley	Shields
Bair	Hayes	Malone	Simmer
Byers	Helgason	Morton	Snyder
Ditto	Hesse	Orr	TePaske
Drake of Keokuk	Hunt	Pattison	Witt
Greaser	Kern	Ryder	Mr. Speaker
Greene			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 556, a bill for an act to amend sections forty-eight hundred sixty-four (4864), forty-nine hundred one (4901) and forty-nine hundred five (4905), code, 1927, and to repeal section forty-nine fifteen (4915), code, 1927, relating to licensing and listing of motor vehicles, was taken up for consideration.

Bair of Buena Vista offered the following amendment, and moved its adoption:

Amend House File No. 556, by striking section four (4).

Amendment adopted.

Bair 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, 78.

Avery	Gissel	Laughlin	Ratliff
Babcock	Greaser	Lepley	Reed
Bair	Hansen of Scott	Lichty	Roe
Ballew	Hanson of	Long	Rutledge
Beath	Winnebago	McCreery	Ryder
Berry	Helgason	McDermott	Snyder
Bonnstetter	Hesse	McLain	Sours
Brown	Hollingsworth	Malone	Stanzel
Craven	Hollis	Mathews	Strachan
Dayton	Hook	Mead	Tamisiea
Donlon	Hopkins	Millhone	TePaske
Durant	Hush	Nelson of	Thompson
Elliott	Husted	Cherokee	Torgeson
Ellsworth	Hutcheon	Nelson of Story	Van Buren
Fabritz	Johnson of	Osborn	Van Wert
Felter	Marion	Paisley	Wamstad
Figgins	Koch	Pattison	Watts
Forsling	Kohler	Peaco	Wearin
Gallagher	Lamb	Pendray	Whiting
Garrett	Langland	Randolph	Witt
Gilmore			

The nays were, 1.

Finnern

Absent or not voting, 30.

Aiken	Drake of	McCaulley	Reimers
Allen	Muscatine	Mayne	Rylander
Augustine	Greene	Miller	Shields
Byers	Hansen of	Morton	Short
Davis	Audubon	O'Donnell	Simmer
Ditto	Hayes	Orr	Stiger
Drake of Keokuk	Hunt	Randall	Thiessen
	Kern	Rawlings	Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House.

Bair of Buena Vista offered the following amendment to the title and moved its adoption:

Amend the title by striking in lines three (3) and four (4) thereof the following:

"and to repeal section forty-nine hundred fifteen (4915), code, 1927,"

Amendment adopted, and the title, as amended, was agreed to.

Senate File No. 404, a bill for an act to amend the law as the same appears in Section fourteen hundred forty-four (1444) of the Code, 1927, relating to the taking of depositions in Workmen's Compensation cases, 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, 78.

Avery	Gissel	Langland	Paisley
Babcock	Hansen of	Laughlin	Pattison
Bair	Audubon	Lepley	Peaco
Ballew	Hansen of Scott	Lichty	Pendray
Beath	Hanson of	Long	Randall
Berry	Winnebago	McCaulley	Randolph
Davis	Helgason	McCreery	Ratliff
Dayton	Hesse	McDermott	Reed
Donlon	Hollingsworth	McLain	Reimers
Durant	Hook	Malone	Roe
Ellsworth	Hopkins	Mathews	Rutledge
Fabritz	Husted	Mead	Ryder
Felter	Hutcheon	Millhone	Rylander
Figgins	Johnson of	Miller	Short
Finnern	Marion	Nelson of	Simmer
Forsling	Koch	Cherokee	Snyder
Gallagher	Kohler	Nelson of Story	Sours
Garrett	Lamb	Osborn	Stanzel

TePaske  
Thompson  
Torgeson

Van Buren  
Van Wert  
Wamstad

Watts  
Wearin

Whiting  
Witt

The nays were, none.

Absent or not voting, 30.

Aiken  
Allen  
Augustine  
Bonnstetter  
Brown  
Byers  
Craven  
Ditto

Drake of Keokuk  
Drake of  
Muscatine  
Elliott  
Gilmore  
Greaser  
Greene  
Hayes

Hollis  
Hunt  
Hush  
Kern  
Mayne  
Morton  
O'Donnell  
Orr

Rawlings  
Shields  
Stiger  
Strachan  
Tamisiea  
Thiessen  
Mr. Speaker

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 202, a bill for an act to amend section seventy-seven hundred ninety-six (7796), Code, 1927, relating to the erection of dams which affect state-owned land, and to provide for the protection of highways which may be affected by the erection of such dams, was taken up for consideration.

Johnson of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 71.

Avery  
Babcock  
Bair  
Ballew  
Beath  
Berry  
Brown  
Craven  
Dayton  
Donlon  
Drake of  
Muscatine  
Elliott  
Ellsworth  
Fabritz  
Felter  
Figgins  
Forsling  
Gallagher

Gilmore  
Gissel  
Greaser  
Hansen of Scott  
Hanson of  
Winnebago  
Helgason  
Hesse  
Hollingsworth  
Hollis  
Hook  
Hopkins  
Husted  
Hutcheon  
Johnson of  
Marion  
Koch  
Kohler  
Lamb

Langland  
Lepley  
Lichty  
Long  
McCaulley  
McCreery  
McDermott  
McLain  
Mathews  
Mead  
Millhone  
Nelson of  
Cherokee  
Nelson of Story  
Osborn  
Pattison  
Peaco  
Pendray  
Ratliff

Reed  
Reimers  
Roe  
Rutledge  
Ryder  
Rylander  
Simmer  
Stanzel  
Stiger  
TePaske  
Thiessen  
Thompson  
Torgeson  
Van Wert  
Wamstad  
Wearin  
Whiting  
Witt

The nays were, 3.

Bonnstetter

Garrett

Strachan

Absent or not voting, 34.

Aiken	Greene	Mayne	Shields
Allen	Hansen of	Miller	Short
Augustine	Audubon	Morton	Snyder
Byers	Hayes	O'Donnell	Sours
Davis	Hunt	Orr	Tamisiea
Ditto	Hush	Paisley	Van Buren
Drake of Keokuk	Kern	Randall	Watts
Durant	Laughlin	Randolph	Mr. Speaker
Finnern	Malone	Rawlings	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 134, a bill for an act to repeal Sections seventy hundred fifteen (7015), seventy hundred sixteen (7016), seventy hundred seventeen (7017), and seventy hundred twenty (7020), of the Code of Iowa 1927, relating to the assessment of shares of stock of a mutual building and loan or savings and loan association; to provide for the assessment of the shares of stock of a mutual building and loan or savings and loan association against said association, and to provide for the levy, imposition and collection of a tax on the shares of stock of all mutual building and loan or savings and loan associations doing business within the state in accordance with the provisions of chapter four hundred seventeen (417) of the Code of Iowa 1927, was taken up for consideration.

Johnson of Marion moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were, 59.

Babcock	Figgins	Johnson of	Reed
Bair	Forsling	Marion	Reimers
Ballew	Gallagher	Lamb	Roe
Beath	Garrett	Lepley	Rutledge
Berry	Greaser	Lichty	Rylander
Brown	Hansen of Scott	McCaulley	Simmer
Byers	Hanson of	McCreery	Sours
Craven	Winnebago	McLain	Stanzel
Dayton	Helgason	Mayne	Stiger
Donlon	Hollingsworth	Mead	Tamisiea
Drake of	Hollis	Millhone	Thompson
Muscatine	Hook	Nelson of	Torgeson
Durant	Hopkins	Cherokee	Van Wert
Elliott	Husted	Osborn	Wamstad
Fabritz	Hutcheon	Randolph	Wearin
Felter		Ratliff	Witt

The nays were, 13.

Bonnstetter	Mathews	Paisley	Ryder
Ellsworth	Nelson of Story	Peaco	Strachan
Kohler	O'Donnell	Randall	Thiessen
			Van Buren

Absent or not voting, 36.

Aiken	Gissel	Koch	Pattison
Allen	Greene	Langland	Pendray
Augustine	Hansen of	Laughlin	Rawlings
Avery	Audubon	Long	Shields
Davis	Hayes	McDermott	Short
Ditto	Hesse	Malone	Snyder
Drake of Keokuk	Hunt	Miller	TePaske
Finnern	Hush	Morton	Watts
Gilmore	Kern	Orr	Whiting
			Mr. Speaker

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 struck out the enacting clause of the following bill in which the concurrence of the Senate was asked:

House File No. 54, a bill for an act exempting from taxation certain real estate owned by educational institutions.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 390, a bill for an act to make an appropriation to Slifer and Abrahamson for professional architectural services rendered to the state of Iowa.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 548, a bill for an act relating to employment agencies, and the fee to be charged for services rendered thereby.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 252, a bill for an act relating to mutual hail insurance associations.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 478, a bill for an act to reimburse Johnson County, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 296, a bill for an act relating to actions against public utilities.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 259, a bill for an act relating to the licensing of dentists.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 436, a bill for an act relating to the holding of Poultry Shows.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 588, a bill for an act to make an appropriation to Howard Downing and others.

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 costs and expenses incident to disbarment proceedings.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 418, a bill for an act relating to improvement of secondary roads.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 416, a bill for an act making an appropriation to A. D. Willard.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 348, a bill for an act relating to medical and surgical treatment of indigent persons in the hospital of the college of medicine at the state university.

WALTER H. BEAM, *Secretary.*

#### SENATE AMENDMENT TO HOUSE FILE NO. 54

Amend House File No. 54 by striking Sec. 2 therefrom and inserting in lieu thereof the following:

Sec. 2. That the law as it appears in section sixty-nine hundred eighty-

four (6984) of the code, 1927, be and the same is hereby amended by adding to the end thereof the following:

"Provided that the foregoing shall not apply to nor include any annuity contract with an educational institution, the basis of which is real estate which has been transferred to said institution by the annuitant".

#### SENATE MESSAGES CONSIDERED

Senate File No. 348, a bill for an act to amend sections four thousand five (4005), four thousand eight (4008), four thousand nine (4009), and four thousand twelve (4012), Code, 1927, relating to medical and surgical treatment, in the hospital of the college of medicine of the state university, of indigent persons.

Read first and second times and referred to sifting committee.

Senate File No. 416, a bill for an act to make an appropriation to A. D. Willard.

Read first and second times and referred to committee on appropriations.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 561, 564, 567, 575, 586, 568, 574, 566, 562, 132, 571, 233, 352, 102, 502, 37, 309, 316.

G. H. HESSE,  
*Acting Chairman House Committee.*

LEW MACDONALD,  
*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 bills:

House Files Nos. 561, 564, 567, 575, 586, 568, 574, 566, 562, 132, 571, 233, 352, 102, 502, 37, 309, 316.



## BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 561, 564, 567, 575, 586, 568, 574, 566, 562, 132, 571, 233, 352, 102, 502, 37, 309, 316.

G. H. HESSE, *Acting Chairman.*

Report adopted.

## HOUSE CONCURRENT RESOLUTION NO. 17

Rylander of Marshall offered the following resolution:

*Resolved by the House, the Senate concurring,* That the pages in the Senate and House be permitted to retain as their own property the uniform jackets worn by them during the hours of the session, which were purchased for them by Joint Resolution No. 4, passed by the House on January 20, 1931.

Unanimous consent having been obtained for the immediate consideration of the concurrent resolution, Mr. Rylander moved its adoption.

Motion prevailed and the concurrent resolution was adopted.

Van Buren of Jones, chairman of the conference committee on Senate File No. 10, on the part of the House, submitted the following report and moved its adoption:

REPORT OF CONFERENCE COMMITTEE ON  
SENATE FILE NO. 10

*To the President of the Senate and the Speaker of the House:*

We, your conference committee appointed to consider the differences between the Senate and the House on Senate File No. 10 beg leave to report that we have had the same under consideration and desire to report as follows:

We recommend that the Senate concur in the House amendment to section 2, line 43.

Also, that the House recede from its amendment to section 2, line 46.

Also, that the Senate concur in the House amendment to section 3, line 41.

Also, that the Senate concur in the House amendment to section 3, line 43.

Also, that the Senate concur in the House amendment to section 3, line 45.

Also, that the Senate concur in the House amendment to section 3, line 49.

Also, that line 51, section 3, be stricken and the following inserted in lieu thereof:

"51 State Aid .....\$6,000.00"

Also, that the Senate concur in the House amendment to section 3, line 57.

Also, that line 11, section 4, be stricken and the following inserted in lieu thereof:

"11 Secretary ..... 2,200.00"

Also, that line 15, section 4, be stricken and the following inserted in lieu thereof:

"15 File Clerk and Stenographer..... 1,400.00"

Also, that the Senate concur in the House amendment to section 4, line 25a.

Also, that line 9a, section 6, be stricken and the following inserted in lieu thereof:

"9a Chief Clerk, Municipal Accounting..... 2,100.00"

Also, that the Senate concur in the House amendment to section 6, line 21.

Also, that line 8, section 9, be stricken and the following inserted in lieu thereof:

"8 general improvements .....\$90,000.00"

Also, that the Senate concur in the House amendment to section 11, line 29.

Also, that the Senate concur in the House amendment to section 11, line 30.

Also, that the House recede from its amendment to section 12, line 10.

Also, that the Senate concur in the House amendment to section 14, line 10.

Also, that the Senate concur in the House amendment to section 14, line 16.

Also, that the House recede from its amendment to section 14, line 25.

Also, that the Senate concur in the House amendment to section 14, line 27.

Also, that the Senate concur in the House amendment to section 14, line 32.

Also, that line 16, section 17, be stricken and the following inserted in lieu thereof:

"16 Traveling Expenses ..... 3,500.00"

Also, that line 17, section 17, be stricken and the following inserted in lieu thereof:

"17 Mileage and Reporting Fees..... 3,300.00"

Also, that the House recede from its amendment to section 19, line 16.

Also, that the Senate concur in the House amendment to section 19, line 17.

Also, that the Senate concur in the House amendment to section 19, line 19.

Also, that line 7, section 25, be stricken and the following inserted in lieu thereof:

"7 Commissioner, to Jan. 1, 1933, per annum.....\$4,000.00

7a After January 1, 1933, the salary of the  
commissioner shall be, per annum..... 4,500.00"

Also, that line 8, section 25, be stricken and the following inserted in lieu thereof:

"8 Deputy (not to exceed)..... 3,600.00"

Also, that the House recede from its amendment to section 25, line 9.

Also, that the Senate concur in the House amendment to section 26, line 19.

Also, that the Senate concur in the House amendment to section 36, line 18.

Also, that the House recede from its amendment to section 36, line 19, and that the words "for the biennium" be inserted after the word "index".

Also, that the Senate concur in the House amendment to section 36, line 20.

Also, that line 8, section 38, be stricken and the following inserted in lieu thereof:

"8 Superintendent .....\$4,500.00"

Also, that line 10, section 38, be stricken and the following inserted in lieu thereof:

"10 Inspectors (4—not to exceed).....10,200.00"

Also, that the following be inserted as lines 13 and 14 in section 38:

"13 Director of research, stenographer and

14 traveling expenses ..... 4,000.00"

Also, that the Senate concur in the House amendment to section 38, line 19.

Also, that line 38, section 42, be stricken and the following inserted in lieu thereof:

"38 Secretary ..... 3,300.00"

Also, that line 39, section 42, be stricken and the following inserted in lieu thereof:

"39 Chief Investigator ..... 2,700.00"

Also, that the Senate concur in the other House amendments to section 42.

Also, that the House recede from its amendment to section 46, line 57.

Also, that the Senate concur in the House amendment to section 47, line 7.

Also, that the Senate concur in the House amendment to section 48, line 13.

Also, that the Senate concur in the House amendment to section 48, line 19.

Also, that the House recede from its amendment to section 48, line 20.

Also, that the Senate concur in the House amendment to section 49, line 39.

Also, that the Senate concur in the House amendment to section 49, lines 51, 52 and 53.

Also, that the House recede from its amendment to section 49, line 81.

Also, that the Senate concur in the House amendment to section 49, line 94.

Also, that line 106, section 49, be stricken and the following inserted in lieu thereof:

"106 Service Tunnel .....12,500.00"

Also, that line 152, section 49, be stricken and the following inserted in lieu thereof:

"152 Addition to Water Supply.....45,000.00"

Also, that the House recede from its amendment to section 49, line 182.

Also, that the Senate concur in the House amendment to section 49, line 183.

Also, that the Senate concur in the House amendment to section 49, line 205.

Also, that the Senate concur in the House amendment to section 49, line 207.

Also, that line 236, section 49, be stricken and the following inserted in lieu thereof:

"236 Addition to Water Supply..... 6,000.00"

Also, that the House recede from its first twelve (12) amendments to section 50, and that the following be inserted as sub-section one (1) of said section:

"(1) For the State University of Iowa, at Iowa City, for the said biennium, the sum of four million nine hundred thousand dollars (\$4,900,000.00), or so much thereof as may be necessary, for salaries, support, maintenance, equipment and general improvements, and special capital purposes, provided that these unallocated funds be distributed by the State Board of Education, but not more than one hundred fifty thousand dollars (\$150,000.00) shall be expended for general improvements and special capital purposes."

Also, that the following be inserted as sub-section two (2) of said section 50:

"(2) For the Iowa State College of Agriculture and Mechanic Arts at Ames, for the said biennium, the sum of four million eight hundred sixty-five thousand nine hundred dollars (\$4,865,900.00), or so much thereof as may be necessary, for salaries, support, maintenance, equipment and general improvements, and special capital purposes, provided that these unallocated funds be distributed by the State Board of Education, but not more than seventy-five thousand dollars (\$75,000.00) shall be expended for general improvements and special capital purposes."

Also, that the following be inserted as sub-section three (3) of said section 50:

"(3) For the Iowa State Teachers' College, at Cedar Falls, for the said biennium, the sum of one million four hundred sixty-seven thousand dollars (\$1,467,000.00), or so much thereof as may be necessary, for salaries, support, maintenance, equipment and general improvements, and special capital purposes, provided that these unallocated funds be distributed by the State Board of Education, but not more than twenty thousand dollars (\$20,000.00) shall be expended for general improvements and special capital purposes, and not more than one hundred eighty thousand dollars (\$180,000.00) shall be expended for new heating and power plant."

Also, that the Senate concur in the House amendment to section 50, lines 74 and 75.

Also, that the Senate concur in the House amendment to section 50, line 79.

Also, that the Senate concur in the House amendment to section 50, line 80.

Also, that the House recede from its amendment to section 52, line 4.

Also, that the House recede from its amendment to section 52, line 5.

Also, that the House recede from its amendment to section 54.

Also, that the Senate concur in the House amendment to section 55.

Also, that the House recede from its amendment to section 56, line 15.

Also, that the Senate concur in the House amendment to section 58.

Also, that the Senate concur in the House amendment to section 59.

Also, that the Senate concur in the House amendment to section 72.

Also, that the Secretary of the Senate and the Chief Clerk of the House, cooperating with the office of the Budget Director, be authorized to make such changes in the bill as are necessary to correct the totals in the various sections to correspond with the changes made.

B. M. STODDARD,

C. E. ANDERSON,

CHAS. D. BOOTH,

H. L. IRWIN,

L. H. DORAN,

*On the Part of the Senate.*

G. J. VAN BUREN,

OVE T. ROE,

R. L. RUTLEDGE,

E. O. ELLSWORTH,

HOMER HUSH,

*On the Part of the House.*

On the question "Shall the report of the conference committee and the amendments recommended therein be adopted?" a roll call was demanded.

The ayes were, 99.

Allen	Davis	Gallagher	Hollingsworth
Augustine	Dayton	Garrett	Hollis
Avery	Ditto	Gilmore	Hook
Babcock	Donlon	Gissel	Hopkins
Bair	Drake of Keokuk	Greaser	Hush
Ballew	Durant	Hansen of	Husted
Beath	Elliott	Audubon	Hutcheon
Berry	Ellsworth	Hansen of Scott	Johnson of
Bonnstetter	Felter	Hanson of	Marion
Brown	Figgins	Winnebago	Kern
Byers	Finnern	Helgason	Koch
Craven	Forsling	Hesse	Kohler

Lamb	Millhone	Reed	Tamisiea
Langland	Nelson of	Reimers	TePaske
Laughlin	Cherokee	Roe	Thiessen
Lepley	Nelson of Story	Rutledge	Thompson
Lichty	O'Donnell	Ryder	Torgeson
Long	Osborn	Rylander	Van Buren
McCaulley	Paisley	Shields	Van Wert
McCreery	Pattison	Short	Wamstad
McDermott	Peaco	Simmer	Watts
McLain	Pendray	Snyder	Wearin
Malone	Randall	Sours	Whiting
Mathews	Randolph	Stanzel	Witt
Mayne	Ratliff	Stiger	Mr. Speaker
Mead	Rawlings	Strachan	

The nays were, none.

Absent or not voting, 9.

Aiken	Fabritz	Hunt	Morton
Drake of	Greene	Miller	Orr
Muscatine	Hayes		

Conference report with amendments 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 Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1931 and ending June 30, 1933.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 155, a bill for an act relating to exemptions from execution.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 155

1. Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eleven thousand seven hundred sixty (11760) of the code, 1927, be amended as follows:

"By inserting in line two (2) of paragraph seventeen (17) after the word 'surveyor', the words 'professional engineer, architect,'.

Also further amend by inserting in line three (3) of paragraph seventeen (17), after the word 'physician', the word 'dentist,'."

2. Amend by striking out the title and inserting in lieu thereof the following:

"An act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions."

### CONSIDERATION OF SENATE AMENDMENTS

On request of Johnson of Marion, unanimous consent having been given, House File No. 155, a bill for an act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions, with Senate amendments, was taken up and the amendments read and considered.

### SENATE AMENDMENTS TO HOUSE FILE NO. 155

1. Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eleven thousand seven hundred sixty (11760) of the code, 1927, be amended as follows:

"By inserting in line two (2) of paragraph seventeen (17) after the word 'surveyor', the words 'professional engineer, architect,'.

Also further amend by inserting in line three (3) of paragraph seventeen (17), after the word 'physician', the word 'dentist,'."

2. Amend by striking out the title and inserting in lieu thereof the following:

"An act to amend section eleven thousand seven hundred sixty (11760) of the code, 1927, relating to exemptions."

Mr. Johnson moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were, 46.

Avery  
Bair  
Ballew  
Brown  
Byers  
Dayton  
Durant  
Elliott  
Ellsworth  
Finnern  
Forsling  
Gallagher

Gilmore  
Helgason  
Hollingsworth  
Hollis  
Hopkins  
Husted  
Johnson of  
Marion  
Kern  
Lamb  
Laughlin  
Lichty

Long  
McCaulley  
McCreery  
McDermott  
McLain  
Malone  
Mathews  
Mayne  
Millhone  
Nelson of  
Cherokee  
Nelson of Story

Pattison  
Randolph  
Ratliff  
Rutledge  
Rylander  
Tamsiea  
Thiessen  
Thompson  
Van Buren  
Van Wert  
Whiting  
Witt



The nays were, 52.

Allen	Gissel	Lepley	Short
Augustine	Greaser	Mead	Simmer
Babcock	Hansen of	O'Donnell	Snyder
Beath	Audubon	Osborn	Sours
Berry	Hansen of Scott	Paisley	Stanzel
Bonnstetter	Hanson of	Pendray	Stiger
Craven	Winnebago	Randall	Strachan
Davis	Hesse	Rawlings	TePaske
Ditto	Hook	Reed	Torgeson
Donlon	Hush	Reimers	Wamstad
Drake of Keokuk	Hutcheon	Roe	Watts
Felter	Koch	Ryder	Wearin
Figgins	Kohler	Shields	Mr. Speaker
Garrett	Langland		

Absent or not voting, 10.

Aiken	Fabritz	Hunt	Orr
Drake of	Greene	Miller	Peaco
Muscatine	Hayes	Morton	

House refused to concur in Senate amendments to House File No. 155.

On request of McCaulley of Calhoun, unanimous consent having been given, House File No. 570, a bill for an act to amend Section sixty-nine hundred sixty-five (6965) Code of 1927, providing for the assessment of Grain, Ice and Coal Dealers, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 570

Amend by striking out the comma (,) after the word "next" in line seven (7) of section one (1).

Mr. McCaulley moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 72.

Avery	Ellsworth	Hopkins	Long
Babcock	Felter	Husted	McCaulley
Bair	Figgins	Hutcheon	McLain
Ballew	Gallagher	Johnson of	Malone
Beath	Garrett	Marion	Mathews
Brown	Greaser	Kern	Mead
Byers	Hansen of	Koch	Millhone
Craven	Audubon	Kohler	Nelson of
Dayton	Helgason	Lamb	Cherokee
Donlon	Hesse	Langland	Osborn
Drake of Keokuk	Hollingsworth	Lepley	Paisley
Durant	Hook	Lichty	Pattison

Randall	Rylander	Strachan	Wamstad
Randolph	Short	Tamisiea	Watts
Reed	Simmer	TePaske	Wearin
Reimers	Snyder	Thiessen	Whiting
Roe	Sours	Thompson	Witt
Rutledge	Stanzel	Torgeson	Mr. Speaker
Ryder	Stiger	Van Buren	

The nays were, 2.

Augustine            Bonnstetter

Absent or not voting, 34.

Aiken	Finnern	Hollis	Nelson of Story
Allen	Forsling	Hunt	O'Donnell
Berry	Gilmore	Hush	Orr
Davis	Gissel	Laughlin	Peaco
Ditto	Greene	McCreery	Pendray
Drake of	Hansen of Scott	McDermott	Ratliff
Muscatine	Hanson of	Mayne	Rawlings
Elliott	Winnebago	Miller	Shields
Fabritz	Hayes	Morton	Van Wert

House concurred in Senate amendment to House File No. 570.

#### CONSIDERATION OF BILLS

Senate File No. 235, a bill for an act to amend section five thousand three hundred and eleven (5311), paragraph one (1), of the code, 1927, relating to the acquiring of settlement by poor persons, was taken up for consideration.

Long 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, 70.

Allen	Ellsworth	Hollis	Millhone
Augustine	Felter	Hopkins	Nelson of
Avery	Figgins	Husted	Cherokee
Babcock	Finnern	Hutcheon	Osborn
Bair	Forsling	Johnson of	Paisley
Ballew	Gallagher	Marion	Pattison
Beath	Garrett	Kern	Peaco
Berry	Gissel	Kohler	Pendray
Brown	Greaser	Lamb	Randolph
Byers	Hansen of	Lepley	Ratliff
Craven	Audubon	Lichty	Reimers
Davis	Hansen of Scott	Long	Roe
Dayton	Hanson of	McDermott	Ryder
Donlon	Winnebago	Malone	Shields
Drake of Keokuk	Helgason	Mathews	Simmer
Durant	Hesse	Mead	Stanzel

Stiger  
Tamisiea  
TePaske

Thiessen  
Thompson  
Torgeson

Van Buren  
Watts

Wearin  
Mr. Speaker

The nays were, 7.

Bonnstetter  
Gilmore

Hollingsworth  
Langland

McLain  
Reed

Short

Absent or not voting, 31.

Aiken  
Ditto  
Drake of  
Muscatine  
Elliott  
Fabritz  
Greene  
Hayes

Hook  
Hunt  
Hush  
Koch  
Laughlin  
McCauley  
McCreery  
Mayne

Miller  
Morton  
Nelson of Story  
O'Donnell  
Orr  
Randall  
Rawlings  
Rutledge

Rylander  
Snyder  
Sours  
Strachan  
Van Wert  
Wamstad  
Whiting  
Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 242, a bill for an act to amend section five thousand five hundred eighty-five (5585) of the code, 1927, relating to the payment of license fees received under provisions of chapter two hundred eighty-five (285), into the township road fund, was taken up for consideration.

Brown 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, 75.

Allen  
Augustine  
Avery  
Babcock  
Ballew  
Beath  
Bonnstetter  
Brown  
Craven  
Dayton  
Ditto  
Donlon  
Drake of Keokuk  
Durant  
Ellsworth  
Felter  
Figgins  
Finnern  
Gallagher

Garrett  
Gilmore  
Gissel  
Hansen of Scott  
Hanson of  
Winnebago  
Hayes  
Helgason  
Hesse  
Hollingsworth  
Hollis  
Hopkins  
Hush  
Husted  
Hutcheon  
Johnson of  
Marion  
Kern  
Koch

Kohler  
Lamb  
Langland  
Lepley  
Lichty  
McCauley  
McCreery  
McLain  
Malone  
Mathews  
Mayne  
Millhone  
Paisley  
Pattison  
Peaco  
Pendray  
Randolph  
Reed  
Reimers

Roe  
Rutledge  
Ryder  
Rylander  
Short  
Simmer  
Snyder  
Sours  
Stanzel  
Stiger  
Strachan  
Tamisiea  
TePaske  
Torgeson  
Thiessen  
Thompson  
Watts  
Van Buren  
Whiting  
Witt  
Mr. Speaker

The nays were, 2.

Osborn                      Wearin

Absent or not voting, 31.

Aiken	Forsling	McDermott	Orr
Bair	Greaser	Mead	Randall
Berry	Greene	Miller	Ratliff
Byers	Hansen of	Morton	Rawlings
Davis	Audubon	Nelson of	Shields
Drake of	Hook	Cherokee	Van Wert
Muscatine	Hunt	Nelson of Story	Wamstad
Elliott	Laughlin	O'Donnell	Watts
Fabritz	Long		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 416, a bill for an act to make an appropriation to A. D. Willard, was taken up for consideration.

Hansen 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?" Rule 18 was invoked.

The ayes were, 76.

Allen	Hansen of	Long	Reimers
Augustine	Audubon	McCaulley	Roe
Avery	Hayes	McCreery	Rutledge
Bair	Helgason	McDermott	Ryder
Ballew	Hesse	McLain	Rylander
Beath	Hollingsworth	Malone	Simmer
Berry	Hollis	Mayne	Sours
Craven	Hook	Millhone	Stiger
Dayton	Hopkins	Nelson of	Strachan
Ditto	Hush	Cherokee	Tamisiea
Donlon	Husted	Nelson of Story	Thiessen
Drake of Keokuk	Hutcheon	Orr	Thompson
Durant	Johnson of	Osborn	Torgeson
Elliott	Marion	Pattison	Van Buren
Ellsworth	Kern	Peaco	Van Wert
Figgins	Kohler	Pendray	Watts
Finnern	Langland	Randolph	Wearin
Forsling	Laughlin	Rawlings	Whiting
Garrett	Lepley	Reed	Witt
Greaser	Lichty		Mr. Speaker

The nays were, 22.

Babcock	Gilmore	Lamb	Ratliff
Bonnstetter	Gissel	Mathews	Short
Brown	Hansen of Scott	Mead	Snyder
Davis	Hanson of	O'Donnell	Stanzel
Felter	Winnebago	Paisley	TePaske
Gallagher	Koch	Randall	

Absent or not voting, 10.

Aiken	Drake of	Greene	Morton
Byers	Muscatine	Hunt	Shields
	Fabritz	Miller	Wamstad

So the bill having received a two-thirds majority was declared to have passed the House and the title was agreed to.

Senate File No. 256, a bill for an act to amend Section 11024 of the Code of 1927 relating to the recovery of real estate or to establish an interest therein, was taken up for consideration.

Millhone 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, 90.

Augustine	Greaser	McCaulley	Rutledge
Avery	Hansen of	McCreery	Ryder
Babcock	Audubon	McDermott	Rylander
Ballew	Hansen of Scott	McLain	Short
Beath	Hanson of	Malone	Simmer
Bonnstetter	Winnebago	Mathews	Snyder
Brown	Hayes	Mayne	Sours
Byers	Helgason	Mead	Stanzel
Craven	Hollingsworth	Millhone	Stiger
Dayton	Hollis	Nelson of	Strachan
Ditto	Hook	Cherokee	Tamisiea
Donlon	Hopkins	Nelson of Story	TePaske
Drake of Keokuk	Hush	Orr	Thiessen
Durant	Husted	Osborn	Thompson
Elliott	Hutcheon	Paisley	Torgeson
Ellsworth	Kern	Pattison	Van Buren
Felter	Koch	Peaco	Van Wert
Figgins	Kohler	Pendray	Wamstad
Finnern	Lamb	Randall	Watts
Forsling	Langland	Ratliff	Wearin
Gallagher	Laughlin	Reed	Whiting
Garrett	Lepley	Reimers	Mr. Speaker
Gilmore	Lichty	Roe	
Gissel	Long		

The nays were, none.

Absent or not voting, 18.

Aiken	Drake of	Hunt	O'Donnell
Allen	Muscatine	Johnson of	Randolph
Bair	Fabritz	Marion	Rawlings
Berry	Greene	Miller	Shields
Davis	Hesse	Morton	Witt

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 332, a bill for an act to amend Section five hundred forty-seven (547) of the Code of 1927, relating to the filing of nomination papers by candidates for office in any subdivision of a county, including the office of party committeeman, 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, 84.

Augustine	Greaser	McCaulley	Rylander
Avery	Hansen of Scott	McCreery	Shields
Ballew	Hanson of	McDermott	Short
Beath	Winnebago	McLain	Simmer
Berry	Hayes	Malone	Snyder
Bonnstetter	Hesse	Mayne	Sours
Brown	Hollingsworth	Millhone	Stanzel
Byers	Hollis	Nelson of	Stiger
Craven	Hook	Cherokee	Strachan
Dayton	Hopkins	O'Donnell	Tamisiea
Ditto	Husted	Orr	TePaske
Donlon	Hutcheon	Osborn	Thiessen
Durant	Johnson of	Pattison	Thompson
Elliott	Marion	Peaco	Torgeson
Ellsworth	Kern	Pendray	Van Buren
Felter	Kohler	Randolph	Van Wert
Figgins	Lamb	Ratliff	Wamstad
Finnern	Langland	Rawlings	Wearin
Forsling	Laughlin	Reed	Whiting
Gallagher	Lepley	Reimers	Witt
Garrett	Lichty	Roe	Mr. Speaker
Gilmore	Long	Rutledge	

The nays were, 7.

Babcock	Gissel	Mathews	Paisley
Drake of Keokuk	Koch	Mead	

Absent or not voting, 17.

Aiken	Drake of	Audubon	Morton
Allen	Muscatine	Helgason	Nelson of Story
Bair	Fabritz	Hunt	Randall
Davis	Greene	Hush	Ryder
	Hansen of	Miller	Watts

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 429, a bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and

other expenses that are payable from the general fund of the State, was taken up for consideration.

Johnson of Marion offered the following amendment and moved its adoption:

Amend Senate File No. 429 as follows:

1. Amend Section 11 by adding:

"To L. C. Smith Typewriter Co., for ribbons and supplies, the sum of twelve dollars and seventy-five cents (\$12.75)."

2. Insert as Section 16 the following:

"To U. G. Whitney, code editor, for special services during the session, the sum of three hundred dollars (\$300.00)."

To Walter H. Beam, secretary of the Senate, additional compensation, the sum of three hundred dollars (\$300.00)."

To Sam C. Ragan, chief clerk of the House, additional compensation, the sum of three hundred dollars (\$300.00)."

3. Renumber the sections following.

Brown of Polk offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking section two (2) of the amendment.

Allen of Pocahontas moved that the patronage committee consider the matter of bonuses and, awaiting their report, that Senate File No. 429 be deferred until 4:30 p. m. today by the Speaker's watch.

Strachan of Humboldt moved the previous question on all pending motions.

Motion lost.

Van Buren of Jones, as a substitute for all pending motions, moved that the House resolve itself into a committee of the whole.

Motion lost.

On the question "Shall bonuses be referred to the patronage committee?" a roll call was demanded.

The ayes were, 10.

Allen  
Byers  
Forsling

Greene  
Hansen of Scott  
Kern

Lamb  
Millhone

Orr  
Van Buren

The nays were, 76.

Augustine	Finnern	Langland	Roe
Avery	Gallagher	Laughlin	Rutledge
Babcock	Garrett	Lepley	Rylander
Bair	Gilmore	Lichty	Shields
Ballew	Gissel	McCreery	Snyder
Beath	Greaser	McLain	Sours
Berry	Hansen of	Mathews	Stanzel
Bonnstetter	Audubon	Mayne	Stiger
Brown	Hanson of	Mead	Strachan
Craven	Winnebago	Nelson of	Tamisiea
Davis	Helgason	Cherokee	Thiessen
Dayton	Hesse	Nelson of Story	Thompson
Donlon	Hollingsworth	O'Donnell	Torgeson
Drake of Keokuk	Hollis	Osborn	Van Wert
Durant	Hook	Paisley	Watts
Elliott	Hopkins	Pendray	Wearin
Ellsworth	Husted	Randall	Whiting
Fabritz	Hutcheon	Randolph	Witt
Felter	Koch	Rawlings	Mr. Speaker
Figgins	Kohler	Reed	

Absent or not voting, 22.

Aiken	Hush	Malone	Reimers
Ditto	Johnson of	Miller	Ryder
Drake of	Marion	Morton	Short
Muscatine	Long	Pattison	Simmer
Hayes	McCaulley	Peaco	TePaske
Hunt	McDermott	Ratliff	Wamstad

Motion to refer bonuses to patronage committee lost.

On the question "Shall the amendment to the amendment be adopted?" a roll call was demanded.

The ayes were, 73.

Augustine	Forsling	Laughlin	Ratliff
Avery	Garrett	Lepley	Rawlings
Babcock	Gilmore	Lichty	Reed
Ballew	Gissel	Long	Roe
Beath	Greaser	McCreery	Shields
Berry	Hansen of Scott	McDermott	Short
Bonnstetter	Hanson of	McLain	Snyder
Brown	Winnebago	Malone	Sours
Craven	Helgason	Mathews	Stanzel
Davis	Hesse	Mead	Strachan
Dayton	Hook	Millhone	Tamisiea
Ditto	Hopkins	O'Donnell	TePaske
Donlon	Hush	Osborn	Thiessen
Durant	Husted	Paisley	Thompson
Ellsworth	Hutcheon	Peaco	Van Buren
Fabritz	Kern	Pendray	Watts
Felter	Koch	Randall	Wearin
Figgins	Kohler	Randolph	Whiting
Finnern	Lamb		



The nays were, 30.

Aiken	Hansen of	McCaulley	Rutledge
Allen	Audubon	Mayne	Ryder
Bair	Hayes	Nelson of	Rylander
Byers	Hollingsworth	Cherokee	Simmer
Drake of Keokuk	Hollis	Nelson of Story	Stiger
Elliott	Johnson of	Orr	Torgeson
Gallagher	Marion	Pattison	Van Wert
Greene	Langland	Reimers	Witt
			Mr. Speaker

Absent or not voting, 5.

Drake of	Hunt	Morton	Wamstad
Muscatine	Miller		

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Van Buren of Jones offered the following amendment and moved its adoption:

Amend Senate File No. 429 by adding the following section:

"There is also appropriated for the Railroad Commission Five Thousand dollars (\$5,000.00) for defraying the expenses in carrying out the provisions of pipe line act, Senate File No. 264."

Amendment adopted.

Van Buren of Jones offered the following amendment and moved its adoption:

Amend Senate File No. 429 by adding the following sections:

"There is also appropriated the sum of Twenty Thousand dollars (\$20,000) to the Board of Control for the purpose of purchasing a new bakery for the state hospital for the insane at Independence.

"There is also appropriated the sum of One Thousand dollars (\$1,000.00) for the State Fire Marshal department for reporting fires as provided by law."

Amendment adopted.

Torgeson of Worth called up the amendment filed by him and found in the Journal of today and moved its adoption.

Amendment adopted.

Hanson of Winnebago called up the amendment filed by him, found in the Journal of today and moved its adoption.

On the question "Shall the amendment be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 50.

Aiken	Garrett	Long	Ryder
Bair	Gilmore	McDermott	Rylander
Beath	Gissel	Malone	Stanzel
Berry	Greaser	Mayne	Stiger
Craven	Hanson of	Mead	Strachan
Dayton	Winnebago	Nelson of	TePaske
Ditto	Hesse	Cherokee	Torgeson
Donlon	Hollis	Nelson of Story	Van Wert
Drake of	Hopkins	O'Donnell	Wamstad
Muscatine	Hush	Orr	Watts
Durant	Kern	Randall	Mr. Speaker
Felter	Lamb	Randolph	
Forsling	Lepley	Reimers	
Gallagher	Lichty	Rutledge	

The nays were, 48.

Augustine	Figgins	Johnson of	Rawlings
Avery	Finnern	Marion	Reed
Babcock	Greene	Koch	Roe
Ballew	Hansen of	Kohler	Shields
Bonnstetter	Audubon	Laughlin	Short
Brown	Hansen of Scott	McLain	Snyder
Byers	Hayes	Mathews	Sours
Davis	Helgason	Osborn	Thiessen
Drake of Keokuk	Hollingsworth	Paisley	Thompson
Elliott	Hook	Pattison	Van Buren
Ellsworth	Husted	Peaco	Wearin
Fabritz	Hutcheon	Pendray	Whiting
		Ratliff	Witt

Absent or not voting, 10.

Allen	McCaulley	Miller	Tamisiea
Hunt	McCreery	Morton	
Langland	Millhone	Simmer	

Amendment adopted.

Hook of Taylor, Gissel of Buchanan, Kohler of Plymouth, and Bonnstetter of Kossuth called up the amendment filed by them, found in the Journal of today, and moved its adoption:

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were, 57.

Avery	Brown	Figgins	Helgason
Babcock	Craven	Finnern	Hook
Ballew	Davis	Greaser	Husted
Beath	Ellsworth	Hansen of	Hutcheon
Berry	Fabritz	Audubon	Kern
Bonnstetter	Felter	Hansen of Scott	Koch

Kohler	Nelson of Story	Reimers	Thiessen
Laughlin	Osborn	Rylander	Thompson
Lichty	Paisley	Shields	Van Buren
Long	Pattison	Short	Wamstad
McLain	Peaco	Snyder	Watts
Mathews	Pendray	Sours	Wearin
Mead	Randolph	Stanzel	Whiting
Nelson of	Ratliff	Strachan	Mr. Speaker
Cherokee	Reed	TePaske	

The nays were, 40.

Aiken	Gallagher	Hopkins	Mayne
Augustine	Garrett	Hush	O'Donnell
Bair	Gilmore	Johnson of	Randall
Byers	Gissel	Marion	Rawlings
Dayton	Greene	Lamb	Rutledge
Ditto	Hanson of	Langland	Ryder
Donlon	Winnebago	Lepley	Stiger
Drake of Keokuk	Hayes	McCaulley	Torgeson
Durant	Hesse	McDermott	Van Wert
Elliott	Hollingsworth	Malone	Witt
Forsling	Hollis		

Absent or not voting, 11.

Allen	Hunt	Miller	Roe
Drake of	McCreery	Morton	Simmer
Muscatine	Millhone	Orr	Tamisiea

Amendment adopted.

Avery of Clay called up the amendment, filed by him, and found in the Journal of today, and moved its adoption.

Amendment adopted.

Speaker Pro Tempore Rutledge in the chair.

Van Buren of Jones offered the following amendment and moved its adoption:

Amend by adding the following:

"Sec. 21. There is also appropriated five thousand dollars (\$5,000.00) to the Department of Justice for peace officers' salaries and expenses".

Amendment adopted.

Van Buren of Jones offered the following amendment and moved its adoption:

Amend by adding the following:

Sec. 22. There is also appropriated to Horace S. Dugan one hundred dollars (\$100.00)".

Amendment adopted.

Van Buren of Jones offered the following amendment, and moved its adoption:

Amend by adding the following:

"Sec. 23. To Strock, Cunningham, Sloan and Herrick, three thousand one hundred ninety-seven dollars and forty-five cents (\$3,197.45)".

To Fred H. Free six hundred eighty-seven dollars and three cents (\$687.03).

To Stipp, Perry, Bannister and Starzinger, three thousand dollars (\$3,000.00).

To the Globe Publishing Co. one hundred twenty-one dollars (\$121.00) for work done for the State of Iowa in connection with case of Mathews vs. Turner.

Bair of Buena Vista offered the following amendment to the amendment and moved its adoption:

Amend by striking the words and figures "three thousand one hundred ninety-seven dollars and forty-five cents (\$3,197.45) and inserting in lieu thereof the words and figures "fifteen hundred dollars (\$1,500.00)" in lines two (2) and three (3) of the amendment.

Further amend by striking in lines six (6) and seven (7) of the amendment the words and figures "three thousand dollars (\$3,000.00)" and inserting in lieu thereof the words and figures "fifteen hundred dollars (\$1,500.00)".

Amendment to the amendment adopted.

Hutcheon of Greene offered the following amendment to Senate File No. 429:

Amend Section No. 23 of Senate File No. 429 by adding "All of such appropriations shall be paid from the Primary Road Fund".

Forsling of Woodbury moved the previous question.

Motion prevailed.

Amendment, as amended, adopted.

Van Buren of Jones offered the following amendment and moved its adoption:

"Sec. 24. Also to be made an appropriation to the State Printing Board of Twelve Thousand (\$12,000.00) Dollars for printing for the Board of Assessment and Review.

That Section be renumbered.

Amendment adopted.

Van Buren 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?" Rule 18 was invoked.

The ayes were, 82.

Aiken	Hansen of	McDermott	Rutledge
Augustine	Audubon	McLain	Ryder
Babcock	Hansen of Scott	Malone	Rylander
Bair	Hanson of	Mathews	Shields
Ballew	Winnebago	Mayne	Short
Beath	Hayes	Mead	Sours
Bonnstetter	Helgason	Nelson of	Stanzel
Brown	Hollis	Cherokee	Stiger
Byers	Hook	Nelson of Story	Strachan
Davis	Hopkins	O'Donnell	Tamisiea
Dayton	Husted	Osborn	TePaske
Ditto	Hutcheon	Paisley	Thiessen
Drake of Keokuk	Kern	Pattison	Thompson
Durant	Koch	Peaco	Torgeson
Felter	Kohler	Pendray	Van Buren
Finnern	Lamb	Randall	Van Wert
Forsling	Langland	Randolph	Wamstad
Gilmore	Laughlin	Ratliff	Watts
Gissel	Lepley	Rawlings	Wearin
Greaser	Lichty	Reed	Whiting
Greene	Long	Reimers	Witt
		Roe	

The nays were, 3.

Garrett	Hollingsworth	Snyder
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Absent or not voting, 23.

Allen	Elliott	Hunt	Millhone
Avery	Ellsworth	Hush	Miller
Berry	Fabritz	Johnson of	Morton
Craven	Figgins	Marion	Orr
Donlon	Gallagher	McCaulley	Simmer
Drake of	Hesse	McCreery	Mr. Speaker
Muscatine			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### VETO OF HOUSE FILE NO. 576

*To the Honorable Members of the House of Representatives of the Forty-fourth General Assembly of Iowa:*

SIRS: I return herewith, without my approval, House File No. 576 to your Honorable Body, in which it originated.

I have carefully examined this bill and make the following objections thereto:

1. It is provided by section thirteen (13) thereof as follows:

"In addition to the primary roads designated for paving in Article XIII of the Constitution of Iowa, interstate primary roads, primary roads now connecting county seats of adjoining counties, and at least ninety per cent (90%) of those primary roads which were a part of the primary road system as of April 9, 1929, and not designated for pavement by Article XIII of the Constitution or as the same may have been relocated since that date, shall be surfaced with paving. Payment of the costs of such additional paving shall be made from current primary road funds."

In connection with the said section thirteen (13), and to carry out the provisions thereof, it is provided by section fifteen (15) as follows:

"Until ninety per cent (90%) of the road construction program as provided for and outlined in this act shall have been completed, at least sixty-five per cent (65%) of the primary road fund available for construction purposes in any year shall be used for paving in accordance with the provisions hereof."

It is provided in the constitutional amendment that certain designated roads shall be surfaced with paving. It is then provided (section three-b, Chapter 400, Laws of the Forty-third General Assembly) as follows:

"By grading, draining, bridging and surfacing with gravel, sand clay, or other type of surfacing: All other primary roads."

This bill provided for a mandatory addition of over eighteen hundred (1800) miles to the paving program and the expenditure of approximately \$50,000,000.00 in addition to what was contemplated in the original program. This tying up of the funds for a specific purpose by mandatory edict to pave these roads is, in my opinion, contradictory in spirit at least, of the constitutional mandate contained in Article XIII of the constitution above specified, as it is now pending before the electors.

It would also postpone for years, by reason of this mandatory feature, the development of a system of farm to market roads so necessary to utilize the system of highways now developed and provided for in the constitutional amendment.

My objections are to these mandatory provisions of the bill which appropriates and pledges the funds for and make mandatory the addition of an extensive paving program beyond that contemplated by the constitutional amendment.

For these reasons I herewith return to your Honorable Body House File five hundred seventy-six (576) without my approval so that you may have the full opportunity to amend the same, if you so desire, along the lines herein suggested.

Respectfully submitted,

DAN W. TURNER, *Governor.*

## CONSIDERATION OF BILLS

House File No. 576, a bill for an act to provide for the improvement of the primary roads, to authorize the state of Iowa to contract an indebtedness not to exceed one hundred million dollars (\$100,000,000.00) to pay the cost of the improvement of highways, and for the payment of county primary road bonds and bonds issued to refund county primary road bonds, to authorize the issuance and sale of bonds of the state of Iowa in evidence of said indebtedness, to provide ways and means for the payment of such bonds and the interest thereon, to pledge the credit of the state of Iowa therefor, to pledge motor license fees and gasoline and other motor fuel license fees to the payment of such bonds and interest thereon, to provide for the levy, imposition, collection, and pledge, of a general property tax to supply the deficiency, if any, between the principal and interest of such bonds maturing in any year and the funds produced by such pledged license fees, and to provide for and limit additions to the primary road system, having been vetoed by the Governor and returned to the House within the constitutional three day limit, Reimers of Lyon moved that the bill be passed over the Governor's veto.

On the question "Shall the bill pass over the Governor's veto?" the vote was:

The ayes were, 19.

Avery	Drake of Keokuk	Kern	Orr
Babcock	Fabritz	Laughlin	Pattison
Bair	Greene	Mathews	Ryder
Byers	Hansen of Scott	Mayne	Whiting
Ditto	Hayes	Mead	

The nays were, 79.

Aiken	Gilmore	Kohler	Osborn
Augustine	Gissel	Lamb	Paisley
Ballew	Greaser	Langland	Peaco
Beath	Hansen of	Lepley	Pendray
Berry	Audubon	Lichty	Randall
Bonnstetter	Hanson of	Long	Randolph
Brown	Winnebago	McCaulley	Ratliff
Davis	Helgason	McCreery	Rawlings
Dayton	Hesse	McDermott	Reed
Donlon	Hollingsworth	McLain	Reimers
Durant	Hollis	Malone	Roe
Ellsworth	Hook	Millhone	Rutledge
Felter	Hopkins	Nelson of	Rylander
Finnern	Hush	Cherokee	Shields
Forsling	Husted	Nelson of Story	Short
Gallagher	Hutcheon	O'Donnell	Simmer
Garrett	Koch		Snyder

Sours	TePaske	Van Buren	Wearin
Stanzel	Thiessen	VanWert	Witt
Stiger	Thompson	Wamstad	Mr. Speaker
Strachan	Torgeson	Watts	

Absent or not voting, 10.

Allen	Drake of	Hunt	Miller
Craven	Muscatine	Johnson of	Morton
	Elliott	Marion	Tamisiea
	Figgins		

So the bill having failed to receive a two-thirds majority was declared to have failed of passage over the Governor's veto.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 293, 411, 369, 361, 290, 230, 179, 214, 215, 217, 218, 219, 220, and 245.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 293, 411, 369, 361, 290, 230, 179, 214, 215, 217, 218, 219, 220, and 245.



## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 2

MR. SPEAKER: We, your conference committee, to whom was referred House File No. 2, beg leave to submit the following report:

This committee has disagreed in its consideration of House File No. 2 and asks to be discharged.

D. R. McCREERY, *Chairman*,  
A. H. AVERY,  
BYRON G. ALLEN,  
PAUL MILLHONE,  
LEONARD SIMMER,  
*On the part of the House.*

W. S. BAIRD, *Chairman*,  
H. L. IRWIN,  
F. C. STANLEY,  
JOHN W. KENT,  
*On the part of the Senate.*

Report adopted.

## MOTION TO RECONSIDER

Simmer of Wapello moved that the House reconsider the vote by which Senate File No. 429 passed the House.

Kern of Polk moved the previous question. Motion prevailed.

A committee from the Senate notified the House that they were ready to adjourn sine die.

Bair of Buena Vista moved the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be laid on the table?" a roll call was demanded.

The ayes were, 62.

Augustine	Greaser	Lichty	Ratliff
Babcock	Greene	Long	Rawlings
Bair	Hansen of	McCaulley	Reed
Ballew	Audubon	McDermott	Roe
Beath	Helgason	McLain	Shields
Byers	Hesse	Malone	Snyder
Davis	Hollingsworth	Mathews	Sours
Dayton	Hollis	Mayne	Stanzel
Ditto	Hook	Nelson of	Tamisiea
Drake of Keokuk	Hopkins	Cherokee	TePaske
Durant	Husted	O'Donnell	Thompson
Ellsworth	Johnson of	Pattison	Van Wert
Figgins	Marion	Peaco	Watts
Forsling	Koch	Pendray	Wearin
Gallagher	Lamb	Randall	Whiting
Gilmore	Lepley	Randolph	Witt
Gissel			

The nays were, 30.

Aiken	Felter	Kohler	Simmer
Allen	Finnern	Langland	Stiger
Avery	Garrett	McCreery	Strachan
Bonnstetter	Hanson of	Millhone	Thiessen
Brown	Winnebago	Nelson of Story	Torgeson
Donlon	Hush	Osborn	Wamstad
Elliott	Hutcheon	Rylander	Mr. Speaker
Fabritz	Kern	Short	

Absent or not voting, 16.

Berry	Hansen of Scott	Mead	Paisley
Craven	Hayes	Miller	Reimers
Drake of	Hunt	Morton	Rutledge
Muscatine	Laughlin	Orr	Ryder
			Van Buren

Motion prevailed.

#### MOTION TO ADJOURN

McCaulley of Calhoun moved that a committee of three be appointed to notify the Senate that the House is ready to adjourn sine die.

On the question "Shall the House adjourn sine die?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 38.

Bair	Finnern	Kern	Osborn
Ballew	Forsling	Koch	Paisley
Berry	Garrett	Kohler	Pattison
Davis	Greene	Laughlin	Ratliff
Dayton	Hansen of Scott	Long	Short
Ditto	Hesse	McCaulley	Stanzel
Drake of Keokuk	Hollis	McLain	Stiger
Elliott	Husted	Mathews	Watts
Ellsworth	Johnson of	Mayne	Witt
Fabritz	Marion	O'Donnell	

The nays were, 64.

Aiken	Hansen of	Malone	Shields
Allen	Audubon	Mead	Simmer
Augustine	Hanson of	Millhone	Snyder
Avery	Winnebago	Nelson of	Sours
Babcock	Hayes	Cherokee	Strachan
Beath	Helgason	Nelson of Story	Tamisiea
Bonnstetter	Hollingsworth	Peaco	TePaske
Brown	Hook	Pendray	Thiessen
Byers	Hopkins	Randall	Thompson
Donlon	Hush	Randolph	Torgeson
Durant	Hutcheon	Rawlings	Van Buren
Felter	Lamb	Reed	Van Wert
Figgins	Langland	Reimers	Wamstad
Gallagher	Lepley	Roe	Wearin
Gilmore	Lichty	Rutledge	Whiting
Gissel	McCreery	Ryder	Mr. Speaker
Greaser	McDermott	Rylander	

Absent or not voting, 6.

Craven  
Drake of  
Muscatine

Hunt  
Miller

Morton

Orr

Motion to adjourn sine die lost.

### EXPLANATION OF VOTE

I offer the following explanation of my votes on House File No. 8, a bill providing for the repeal of Chapter 1, Acts of the Forty-third General Assembly (The legislative expense act). I favor the repeal of this act for the following reasons:

#### I

Chapter 1, Acts of the Forty-third General Assembly, is unconstitutional.

In discussing this subject it is conceded at the outset; that the constitution is a limitation and not a grant of power; that the general assembly as the legislative department of the government, has complete power in the field of legislation except where that power is specifically limited by constitutional provision.

The constitution of Iowa contains the following provisions:

Article III, Sec. 25. Each member of the first general assembly under this constitution, shall receive three dollars (\$3) per diem while in session; and the further sum of three dollars (\$3) for every twenty (20) miles traveled, in going to and returning from the place where such session is held, by the nearest traveled route; after which they shall receive such compensation as shall be fixed by law; but no general assembly shall have power to increase the compensation of its own members. And when convened in extra session they shall receive the same mileage and per diem compensation, as fixed by law for the regular session, and none other.

Article IV, Sec. 15. The official term of the governor, and lieutenant governor, shall commence on the second Monday of January next after their election, and continue for two (2) years, and until their successors are elected and qualified. The lieutenant governor, while acting as governor, shall receive the same pay as provided for governor; and while presiding in the senate, shall receive as compensation therefor, the same mileage and double the per diem pay provided for a senator, and none other.

Chapter I, Acts of the Forty-third General Assembly is as follows:

Section 1. Each member of the general assembly and the lieutenant governor shall be paid his actual necessary expenses incurred while in attendance at a session of the legislature, which shall in no case exceed five hundred dollars (\$500) for any regular session. The members of the Forty-third General Assembly, including the lieutenant governor, shall be entitled to the benefits thereof.

This act of the Forty-third General Assembly provides for the payment of actual and necessary expenses of the members and the lieutenant governor, (in no case to exceed five hundred dollars (\$500) for any regular session) and further provides that members of the Forty-third General Assembly and the lieutenant governor, shall be entitled to the benefits thereof.

Section 25 of Article III of the constitution quoted above, provides that no general assembly shall have power to increase the compensation of its own members. It will be conceded at once that the act in question violates this provision of the constitution unless it can be shown that the expenses provided therein are not included within the meaning of the word "compensation." That is its only defense. Our inquiry is therefore narrowed down to this: Are the expenses provided for in Chapter 1, Acts of the Forty-third General Assembly an increase in compensation?

We note first that in constitutional interpretation words have their ordinary meaning.

"In construing a constitutional provision we seek to ascertain and give effect to the intent of the framers and of the people who adopted it. Words which have no well-established technical or legal signification are to be given their plain, natural and ordinary meaning. A constitution is dependent upon ratification by the people. Its language should, therefore, be considered in the sense most obvious to the common understanding of the people at the time of its adoption. It is no time to indulge in subtle or ingenious reasoning. The constitution must be viewed in the light of the spirit of the times when it was enacted. 6 R. C. L. 51. What did those conservative pioneer citizens have in mind relative to the matter of compensating those who represented them in the legislature? Did they visualize and provide against the changed conditions in this age, where the cost of living is so high? Or, was the compensation and mileage as expressed in the constitution intended as a limitation beyond which the legislature could not go?"

Jones v. Hoss, 285 Pac. 205.

We note in the second place the distinction made between personal and official expenses.

"All legislative expenses may be properly paid. The expenses that may be paid are not those that are incurred by a member of the legislature because he is at the capital city; they are those that are incurred by him in the performance of his duties. They are legislative expenses, not personal expenses. The distinction between expenses that are legislative and those that are personal is that legislative expenses are those that are necessary to enable the legislature to properly perform its functions, while those that are personal are those that must be incurred by a member of the legislature in order to be present at the place of meeting—expenses for his personal comfort and convenience, which have nothing to do with the performance of his duty as a member of the legislature. Personal expenses are those incurred for rooms, meals, laundry, communications with their homes, and other things of like character."

State v. Turner, 233 Pac. 510.

The expenses provided for in Chapter 1, Acts of the Forty-third General Assembly are clearly personal expenses and the question before us is narrowed down to this: "Is the payment of personal expenses to the members of the general assembly an increase in compensation?"

The word "compensation" is used three times in Article 3, Section 25 above quoted, and once in Article 4, Section 15 of the constitution as follows: "... The Lieutenant governor, ... while presiding in the senate shall receive as compensation therefor, the same mileage and double the per diem pay provided for a senator, and none other." The word "compensation" in these four cases refers to exactly the same thing in each instance and the meaning in all cases is identical. Any meaning clearly shown in one case must be applied in all.

Taking them up in order we find the first "compensation" evidently includes everything a member of the general assembly may receive as a remuneration for his service in the general assembly. "They shall receive such compensation as shall be fixed by law." Nothing else is authorized. Compensation clearly includes all.

The second "compensation" is identical in use and meaning with the first.

The third "compensation", from the structure and punctuation of the sentence in which it is used, clearly includes the two items of mileage and per diem pay.

The fourth "compensation" found in Section 15, Article IV quoted above, positively includes in its meaning mileage and per diem pay. "The lieutenant governor—while presiding in the senate shall receive as compensation therefor the same mileage and double the per diem pay provided for a senator." The statement here is clear and positive. Compensation is definitely stated to include mileage and per diem pay.

Thus it appears that the word "compensation" includes more than per diem pay. It includes also the expense of traveling to and from the place

where the general assembly holds its session. If the meaning of compensation is broad enough to include mileage, it will include any other item of expense incident to service in the general assembly, for which payment is legally authorized.

In further proof of this meaning of compensation we need only to refer to any standard dictionary and there find the meaning always applied to this word. Such reference will show that the original meaning of compensation was a "weighing or balancing of accounts." Webster defines compensation as follows: "To make equal return to: to remunerate, to recompense: to give an equivalent to: to requite suitably: as to compensate a laborer for his work or a merchant for his losses."

The members of the general assembly were to render to the state their personal services in the work of legislation. The framers of the constitution were providing for such payment to the legislators as would balance the account; such payment as would completely satisfy the demand the legislators could make upon the state in return for their services as legislators.

The framers of the constitution were very careful in the selection of every word. They provided that the members of the general assembly shall receive such compensation as shall be fixed by law. Here in this sentence which is the sole authorization for payment to the legislators for their services they used the one and only English word that carried the meaning of a complete balancing of the account. They shall receive compensation—Not compensation plus expenses: not compensation plus something else: They shall receive compensation—This compensation was to be a complete return to them for their services rendered; a complete balancing of accounts. Then they provided that no general assembly shall have power to increase the compensation of its own members.

From the above we must conclude that the expenses authorized to be paid by Chapter 1, Acts of the Forty-third General Assembly are included within the meaning of the word "compensation."

In further proof of the contention that the payment of personal expenses to the members of the general assembly is an increase in compensation, we now turn to the supreme court decisions. The supreme courts of five (5) states have ruled on this exact point.

Supreme Court of Illinois, 1915. *Fergus v. Russel*, 110 N. E. 887.

"No change shall be made in the compensation of members of the General Assembly during the term for which they may have been elected."

If the appropriation in question had not been made, the members of the general assembly would necessarily have been obliged to pay their railroad fares from their salaries or private means. The appropriation in question was, in effect, to change and increase the compensation of the members who voted such appropriation. The reasons moving the members of the constitutional convention in adopting this provision and the

one limiting all allowances and perquisites to \$50, as above set out, appear from the debates and committee reports of that body, briefly, because it was charged that members of former general assemblies had increased the pay allowed under the constitution of 1848, (\$2 a day for the first forty-two (42) days' attendance and \$1 a day thereafter, and ten (10) cents for each necessary mile traveled in going to and returning from the seat of government, and no more) by appropriating what was considered a large sum for various incidental expenses, such as news-papers, postage, etc., and the intent was to prevent any increase in compensation by making appropriations under the guise of allowances."

Supreme Court of Kansas, 1925. *State v. Turner*, 233 P. 511.

"The constitution fixes the compensation of members of the general assembly at \$3 per day, and provides that such compensation shall not be more than \$150 each for each regular session, nor more than \$90 each for each special session. This compensation, fixed by the constitution, cannot be increased. Any law which in any way, either directly or indirectly, increases the compensation of any member of the general assembly, must be held invalid.

The constitution provides that the per diem allowance for each member shall not be more than \$150 for each regular session, nor more than \$90 for any special session. Stronger language to limit the amount of compensation could not have been used. The constitution could very well have left the pay of legislators to the judgment of each legislature, but that has not been done. The salary or compensation of no other officer is fixed by the constitution. Why was this provision placed in the constitution? There is but one answer—that the members of the legislature should not have the power to increase their own compensation.

Few, if any, of the members of the legislature will use as much as expenses incidental to the performance of their duties. What will be done with the remainder of the \$5 a day after each member pays all expenses incidental to his duties? If he keeps the money, and it is presumed that he will, it adds to his compensation; it cannot do otherwise. The constitution says \$150 and no more; \$1 more violates the constitution."

"The act in question provides for the payment of \$5 a day expense money to the lieutenant governor. His salary is not fixed by the constitution, but Section 15 of Article 1 provides that his compensation shall neither be increased nor diminished during the period for which he shall have been elected. The effect of the act is to increase the compensation of the Lieutenant Governor during his present term of office. That cannot be done. Of course, the legislature may increase the compensation of future lieutenant governors in any way or to whatever extent may be thought best."

Supreme court of Oklahoma, 1927. *Dixon v. Shaw*, 253 P. 500.

"A rule well recognized and often quoted in latin terminology is:

"*Expressio unius est exclusio alterius.*" When said provisions are called in question as here, we reach no conclusion, but the language used is to be measured by such a well-recognized rule existent at the time of the adoption of the constitution. But irrespective of rules of interpretation, we think that the language employed by the makers of the basic law of the state should not be given a strained or subtle meaning, but such meaning as the average citizen would conclude the language imports. This for the reason that the electorate, in ratifying the document and thereby breathing life into the same, considered the provisions as the language used fairly imports. Compensation, as used in said section, refers to both the per diem and the mileage, and no other personal to the member is permitted. The place of performance of service is at the capital. The living expenses in the performance of the duty of the members cannot be added to the compensation expressly allowed."

Supreme Court of Tennessee, 1928. *Peay v. Nolan*, 3 S.W. (2d) 815.

"To sustain an appropriation in gross as an allowance for expenses and not a forbidden increase of compensation, the sum must be within such reasonable limits as to authorize the conclusion that the sum in gross might be covered by a certified statement of the official expenses incurred by the designated beneficiary. An appropriation in gross so large as to suggest that it would not be covered by an itemized statement of official expenses, and so appropriated as to make it the absolute property of the official without regard to actual expenses, is an increase in compensation.

The constitution having fixed the compensation of members for the discharge of their official duty, by implication forbids an allowance for their personal expenses. Official expenses only could be allowed, and all that the members could claim under the statute would be the expenses incurred in the performance of official duty to the exclusion of personal expenses."

Supreme Court of Oregon, 1930. *Jones v. Hoss*, 285 P. 205.

"Such allowance for personal expenses is, in effect, additional compensation which the constitution expressly forbids. It seems to the writer that much ingenious reasoning is required to reach any other conclusion. If A pays B \$5 per day for his services for a period of 30 days, and then for the next 30 days pays him \$5 per day and board, will it be argued that B's compensation has not been increased? This is a common sense view which we think would have appealed to those pioneer citizens who had to do with the making of the constitution. It is an interpretation which the legislature itself recognized from the adoption of the constitution in 1859 until the passage of the first resolution for incidental expenses in 1927. Such an interpretation by the legislature extending over a period of time in excess of half a century should and does have great weight with the court.

The implied limitation against personal expenses has no application to official or legislative expenses. As said in *State ex rel v. Turner*, 117



Dan. 755, 233 P.c. 510-511: "All legislative expenses may be properly paid. The expenses that may be paid are not those that are incurred by a member of the legislature because he is at the capital city; they are those that are incurred by him in the performance of his duties. They are legislative expenses, not personal expenses. The distinction between expenses that are legislative expenses and those that are personal is that legislative expenses are those that are necessary to enable the legislature to properly perform its functions, while those that are personal are those that must be incurred by a member of the legislature in order to be present at the place of meeting—expenses for his personal comfort and convenience, which have nothing to do with the performance of his duty as a member of the legislature.

We have here the positive statement of the supreme courts of five states that the payment of personal expenses to the members of the general assembly is an increase in compensation. There are no supreme court decisions to the contrary.

Legislative expense acts have been enacted in nine (9) states and found unconstitutional in all of them as follows:

1913	Rhode Island, Opinion to Governor, 85 At.....	1056
1924	Arkansas, Ashton v. Ferguson, 261 S.W.....	624
1915	Illinois, Ferguson v. Russell, 110 N.E.....	887
1925	Florida, Opinion to Governor, 107 So.....	366
1927	Washington, State v. Clausen, 253 Pac.....	805
1925	Kansas, State v. Turner, 233 Pac.....	510
1927	Oklahoma, Dixon v. Shaw, 253 Pac.....	500
1928	Tennessee, Peay v. Nolan, 7 S.W. (2d).....	815
1930	Oregon, Jones v. Hoss, 285 Pac.....	205

In only two decisions have legislative expense acts been held constitutional.

1920	Tennessee, State v. Thomason, 221 S.W.....	491
1920	South Dakota, Christopherson v. Reeves, 184 N.W.....	1015

Neither of these cases is in point with the Iowa law.

1. In 1919 the general assembly of Tennessee passed a law authorizing the payment of \$150 to each member of the general assembly for "stenographic hire and other necessary expenses." This act was brought before the supreme court of Tennessee in 1920, State v. Thomason, 221 S.W. 491. In this case the court held that the expenses provided for were legislative expenses and therefore the act was constitutional. This decision has no bearing upon the Iowa law in view of the fact that the expenses therein provided were held to be legislative expenses. Besides, any effect it might have had is entirely destroyed by the later decision of the same court in Peay v. Nolan, 7 S.W. 2d, 815. This case involved the constitutionality of an act of the general assembly of Tennessee providing for the payment of \$750 to each member of the general assembly

for "stenographic hire and other expenses." In this decision the court said, as I have already quoted:

"To sustain an appropriation in gross as an allowance for expenses and not a forbidden increase of compensation, the sum must be within such reasonable limits as to authorize the conclusion that the sum in gross might be covered by a certified statement of the official expenses incurred by the designated beneficiary. An appropriation in gross so large as to suggest that it would not be covered by an itemized statement of official expenses, and so appropriated as to make it the absolute property of the official without regard to actual expenses, is an increase of compensation.

The constitution having fixed the compensation of members for the discharge of their official duty, by implication forbids an allowance for their personal expenses. Official expenses only could be allowed, and all that the members could claim under the statute would be the expenses incurred in the performance of official duty to the exclusion of personal expenses."

2. In 1920 the supreme court of South Dakota rendered a decision—*Christopherson v. Reeves*, 184 N.W. 1015—finding an expense act of the general assembly of South Dakota constitutional. This is not a case in point with the Iowa Expense Act because the word "compensation" is not used in the South Dakota constitution and the question whether the payment of personal expenses would be an increase in compensation was not decided in that case. Any effect however which this decision of the South Dakota court might have had is completely destroyed by the later decisions in other states.

The South Dakota decision has been cited in cases before the supreme courts of no less than four states and has been followed in none of them.

Kansas, 233 P.c. 510; Washington 253 P.c. 809; Oklahoma, 253 Pac. 505; Oregon 285, P.c. 205.

The South Dakota decision has been repudiated in every case where it has been cited. Commenting upon this decision the supreme court of Washington said:

"Realtor's main reliance seems to be placed upon *Christopherson v. Reeves*, 44 S. D. 634, 184 N. W. 1015, and it is indeed an authority for his position, if persuasive enough to convince us. We have carefully considered the case, and to us it seems to violate the fundamental rule herein before quoted from 6 R. C. L. 46."

Commenting upon it the supreme court of Oregon said:

"For reasons stated in *Dixon v. Shaw*, *supra*, we refuse to follow the supreme court of South Dakota in *Christopherson v. Reeves*, 44 S. D. 634, 184 N. W. 1015."

Speaking of the same decision the supreme court of Kansas said:

"We cannot follow a decision of a court in which each member is financially interested and upholds his side of the controversy."

From this study of the meaning of the word "compensation", its uses in the constitution itself and the supreme court decisions, we can reach only one conclusion: that the payment of personal expenses of members of the general assembly is in fact an increase in compensation. Chapter 1, Acts of the Forty-third General Assembly which provides for such payment to members of that general assembly is in direct conflict with the provision of the constitution that "no general assembly shall have power to increase the compensation of its own members" and is therefore unconstitutional and void.

## II

The unconstitutionality of the "Expense Act" will be shown by a study of the purposes of the constitutional provisions relating to compensation of members of the general assembly. In any fair interpretation of the constitution, its various provisions must be given the meaning that was intended by the framers of the constitution. I quote here from the supreme court of Oregon. *Jones v. Hoss* 285 Pe. 205.

"In construing a constitutional provision we seek to ascertain and give effect to the intent of the framers and of the people who adopted it. Words which have no well established technical or legal signification are to be given their plain, natural and ordinary meaning. A constitution is dependent upon ratification by the people. Its language should, therefore, be considered in the sense most obvious to the common understanding of the people at the time of its adoption. It is no time to indulge in subtle or ingenious reasoning. The constitution must be viewed in the light of the spirit of the times when it was enacted. R. C. L. 51. What did those conservative pioneer citizens have in mind relative to the matter of compensating those who represented them in the general assembly? Did they visualize and provide against the changed conditions in this age where the cost of living is so high? Or was the compensation and mileage as expressed in the constitution intended as a limitation beyond which the general assembly could not go?"

There is a fundamental principle woven into our scheme of government, that no public official should be allowed to have direct interest or profit in his own official act. All legislative authority in the state is vested in the general assembly. A part of this legislative authority is the power to fix the compensation of all public officials including its own members. This latter authority unless restricted in some way would be unwise, dangerous and contrary to the principle set out above.

To remedy this situation the framers of the constitution placed in the constitution two provisions; First, that the first general assembly should have authority only to fix compensation for future general assemblies, the compensation of members of the first general assembly being definitely and unalterably fixed in the constitution.

Second, that no general assembly shall have power to increase the compensation of its own members.

Now what was the purpose of these two provisions of the constitution? It was to remove from the members of the general assembly the temptation and the power to increase their own compensation. It was intended to make it impossible for them to have direct financial interest in their own official act.

Chapter 1, Acts of the Forty-third General Assembly did exactly what the constitution intended to prevent. It permitted the members of that general assembly to receive direct financial benefit from their own official act. The fact that the benefit was in the form of an expense account instead of some other form of pay makes no difference in the practical result. The whole plan was a deliberate attempt to do by indirection what could not be done directly. It was an attempt to do by subterfuge or technicality what the constitution plainly was intended to prevent.

It was well known that the Forty-third General Assembly could provide for an increase of compensation for future general assemblies. The provision in the bill that members of the Forty-third General Assembly shall be entitled to its benefits simply provided that these members should benefit by their own legislative act; a power which the framers of the constitution clearly intended to take from them.

If it was not the purpose of these constitutional provisions to prevent the taking effect of such an act, then they have no purpose and should never have been placed in the constitution. Chapter 1, Acts of the Forty-third General Assembly is in direct conflict with the plain intent of the constitution and for that reason is unconstitutional and void.

### III

Having demonstrated that the "Expense Act" is unconstitutional in its application to the Forty-third General Assembly, let us now inquire concerning its constitutionality as applying to the Forty-fourth and future general assemblies.

It will be freely admitted that any general assembly may fix the compensation of members provided that any increase authorized shall apply only to future general assemblies. This power to authorize increases in compensation of the members of future general assemblies is absolute and unlimited unless restricted by constitutional provisions.

There are two provisions in the constitution bearing on this very point. The latter part of Section 25 of Article 3 provides that members, when assembled in extra session shall receive the same mileage and per diem compensation as fixed by law for the regular session and none other. This constitutional provision strictly limits the compensation of members of all general assemblies when convened in extra session to two items, mileage and per diem compensation.

Again, Section 15, Article 4 of the constitution, provides that the lieu-

tenant governor while presiding in the Senate shall receive as compensation therefor the same mileage and double the per diem pay provided for a senator and none other. This constitutional provision definitely limits the lieutenant governor's compensation when presiding over any session of any general assembly to the same two items, mileage and per diem pay. These two provisions of the constitution will positively prevent the payment of expense money either to the lieutenant governor or members of any general assembly.

What did the lieutenant governor receive for presiding over the regular session of the Forty-third General Assembly? He received first, ten dollars sixty cents (\$10.60) mileage, just as the constitution provides; second, he received two thousand dollars (\$2,000) or double the per diem pay of a senator, just as the constitution provides; third, he received five hundred dollars (\$500) expense money which was absolutely contrary to the provision of the constitution, Article 4, Section 15. The lieutenant governor in this section, is absolutely limited to the two items of compensation, mileage and per diem pay. All other items of compensation are barred.

From this conclusion there is no escape. Unless it can be shown that the expenses provided in Chapter 1, Acts of the Forty-third General Assembly may be included in one or the other of these two items, the expense payment would be absolutely barred. It is clearly evident that these expenses cannot be a part of the mileage. Then, if paid at all they must be included in the meaning of per diem pay. Let us examine the facts in this matter.

Per diem pay is defined by Webster's dictionary as "By the day; an allowance, or so much by the day."

48 Corpus Juris, Page 807, defines per diem "as synonymous with salary."

The supreme court of Tennessee in Peay v. Nolan, 7 SW (2d) 817 quotes the definition from Corpus Juris and then states:

"The term 'per diem' as used in Article 2, Section 23 is synonymous with 'salary'. The term salary imports the idea of compensation for personal service, and not the repayment of money expended in the discharge of the duties of the office."

"These principles touching the duty of the citizen in serving the state are derived from the common law and were understood when the constitution of 1870 was promulgated, and when the provision therein was made to compensate members of the general assembly, and the allowance for compensation was intended to cover the personal expenses of members, that is expenses incident to their personal comfort, convenience, and taste, and so as to be distinguished from official expenses."

Thus it appears, per diem pay was always regarded as a fixed sum of money in payment for personal services rendered with the definite under-

standing that the person rendering the service would provide for payment of his own personal expenses.

The best interpretation of the meaning of the constitution is the constitution itself. "The lieutenant governor while presiding in the Senate shall receive as compensation therefor the same mileage and double the per diem pay provided for a senator and none other." Three different words denoting some form of payment are here used in the same sentence, compensation, per diem pay and mileage. "Compensation" is the all inclusive word, "mileage" is pay for time and expense of going to and from the seat of government, "per diem pay" is salary. Now when we find compensation and per diem pay used in the same sentence, and one that was framed with great care, we must know that there is a distinct difference in meaning. Per diem pay is the fixed definite amount we call salary, while compensation is the all inclusive word that includes payments of every kind made for purposes of remuneration. In this case it includes the two items of mileage and per diem pay.

Beyond all doubt the framers of the constitution intended that the compensation of the lieutenant governor should be strictly confined to mileage, a partial expense item, and per diem pay a definite fixed salary, just as they provided that the members of the first general assembly (the only ones whose compensation they did definitely fix) should receive a mileage of three dollars (\$3) for every twenty miles traveled and a fixed definite salary of three dollars (\$3) per day. This intention is clearly shown in all the provisions of the constitution dealing with compensation of the members of the general assembly. We have already seen that it is the rule of the courts to follow the intention of the constitution as stated by the supreme court of Oregon: *Jones v. Hoss*, 285 Pac. 205:

"In construing a constitutional provision we seek to ascertain and give effect to the intent of the framers and of the people who adopted it. Words which have no well-established technical or legal signification are to be given their plain, natural, and ordinary meaning. A constitution is dependent upon ratification by the people. Its language should, therefore, be considered in the sense most obvious to the common understanding of the people at the time of its adoption."

Following that invariable rule our supreme court if called upon, must hold that the lieutenant governor may receive first, the same mileage as a senator; 2d, double the per diem pay of a senator which at the present time would be twice one thousand dollars (\$1,000) or two thousand dollars (\$2,000), to which two items of compensation he is positively limited by the three words, and none other."

The payment of expenses to the lieutenant governor provided in Chapter 1, Acts of the Forty-third General Assembly being in addition to the constitutional limitation are constitutionally barred, therefore Chapter 1, Acts of the Forty-third General Assembly must be held unconstitutional, as was held by the supreme court of Kansas, *State v. Turner*, 233 Pac. 510.

"The act violates Section 3 of Article 2, and Section 15 of Article 1 of

the constitution of this state and is therefore invalid. That part of the act providing for five dollars (\$5) a day to lieutenant governor is so connected with the remainder that no part of the act can be upheld."

It may be worth while to note that should the arguments set out above be disregarded and the expenses regarded as a part of the per diem pay, the final result would be the same. On this supposition the present per diem pay of a senator would be one thousand dollars (\$1,000) plus actual and necessary expenses not exceeding five hundred dollars (\$500). The constitution provides that the lieutenant governor shall have double the per diem pay of a senator. In arriving at the amount the lieutenant governor would receive, it would be necessary to double both the thousand dollars and the actual necessary expenses. This would give the lieutenant governor double the amount of expenses provided in the expense act and would therefore invalidate it. Thus it appears, that the advocates of the expense act will always find themselves hooked on one or the other of the two horns of a serious dilemma. Either the expense allowance is not a part of per diem pay and therefore unconstitutional, or it is a part of per diem pay and therefore must be doubled in payment to the lieutenant governor, which would also invalidate the law. From this conclusion there is no escape.

#### IV

There is another reason for the repeal of the Expense Act, perhaps more compelling than its unconstitutionality. We have here in America what we consider the best government in the world—a government "of the people, by the people and for the people." This form of representative government has met every test of the past. Whether it will meet the problems of the future under the swift changing social and economic conditions no one can now say. The future success of representative government depends upon two things.

1. The wisdom and integrity of the representatives of the people, legislative, executive and judicial. 2. The confidence of the people in their representatives. It is my judgment that the passage of the "Legislative Expense Act" by the Forty-third General Assembly did more to weaken the confidence of the people of Iowa in their legislative assembly than any other act ever passed by a general assembly in Iowa, and that a clean cut and prompt repeal of this act by the Forty-fourth General Assembly would have done more toward restoring the confidence of the people in their representatives and in representative government generally, than any other thing that could have been done at this session.

#### V

The Expense Act should be repealed because there was never adequate reason for the enactment. While the one thousand dollars paid to each member for attendance at a regular session of the General Assembly is not a large sum, it is not an unfair compensation for one who seeks political honor with the desire to render patriotic service. Certainly there was not such immediate need for an increase as to justify its application to the members of the General Assembly that enacted it. Making the increase in the form of an expense allowance was at once unfair as between

members and conducive to abuses. The fact that sixty members of the Forty-third General Assembly collected the full five hundred dollars, while no less than fifteen members collected an average of less than three hundred dollars is sufficient proof of this statement.

It is well known that the Forty-third General Assembly had complete authority under the constitution to increase the pay of the members to any amount they might desire, provided, that the increase should apply only to future General Assemblies. The only possible excuse for making the increase in the form of an expense allowance was an attempt to circumvent the constitutional provision, "That no General Assembly shall have power to increase the compensation of its own members." That is why the people have called it the "Salary Grab" and have so generally condemned it. If it be true, that no question is really settled until it is settled right, the "Expense Act" will be a political issue until it is removed from the statute books of the state.

LEROY SHIELDS.

#### REMINISCENCE OF THE 44th G. A.

The last day in sight  
And adjournment is near.  
We welcome its coming  
With right good cheer.

We have loved the work  
The discouragements few  
With a fine group of men  
And a fine lady, too.

The debates are soon o'er  
But still there's a ring  
Methinks 'twill be hushed  
By the voice of the spring.

We've tried to be fair  
And have given our best;  
Our record is now made  
We'll wait for the rest.

We have voted her Yes  
And have voted her No.  
Sometimes when in doubt  
We've just let her go.

The friends we have made  
We will never forget;  
Our foes they are nil  
And have not showed up yet.

Our friends we have counted  
There are one hundred seven.  
Methinks that our enemies  
Have all gone to Heaven.

The force at the desk  
And the clerks and others  
They are counted by us  
Just as sisters and brothers.

Fond memories we'll cherish  
And with kindness of heart  
We bid all our friends  
Good luck when we part.

You have our best wishes  
And lots of them, too,  
Here's health, wealth and pleasure  
And good bye to you.

E. O. HELGASON.



## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 259, 296, 305, 436, 478, 570, 588.

G. H. HESSE,

*Acting Chairman House Committee.*

LEW McDONALD,

*Acting Chairman Senate Committee.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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, 145, 199, 264, 280, 312, 347, 391, 412, 418, 425, 428, 430, and S. J. R. No. 2.

C. J. ORR,

*Chairman House Committee.*

E. R. HICKLIN,

*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. 259, 296, 305, 436, 478, 570, 588.

Senate Files Nos. 111, 145, 199, 264, 280, 312, 347, 391, 412, 418, 425, 428, 430, and S. J. R. No. 2.

## BILLS SENT TO THE GOVERNOR

Hesse of O'Brien, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 259, 296, 305, 436, 478, 570, 588.

G. H. HESSE, *Acting Chairman.*

Report adopted.

### CONSIDERATION OF BILLS

Senate File No. 348, a bill for an act to amend sections four thousand five (4005), four thousand eight (4008), four thousand nine (4009), and four thousand twelve (4012), Code, 1927, relating to medical and surgical treatment, in the hospital of the college of medicine of the state university, of indigent persons, was taken up for consideration, unanimous consent having been granted.

Whiting 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, 91.

Allen	Hansen of Scott	McCreery	Rutledge
Augustine	Hanson of	McLain	Ryder
Avery	Winnebago	Malone	Rylander
Babcock	Hayes	Mathews	Shields
Bair	Helgason	Mayne	Short
Ballew	Hesse	Mead	Simmer
Beath	Hollingsworth	Millhone	Snyder
Bonnstetter	Hollis	Nelson of	Sours
Byers	Hook	Cherokee	Stanzel
Davis	Hopkins	Nelson of Story	Stiger
Dayton	Hush	O'Donnell	Strachan
Drake of Keokuk	Hutcheon	Orr	Tamisiea
Durant	Johnson of	Osborn	TePaske
Elliott	Marion	Paisley	Thiessen
Fabritz	Kern	Pattison	Thompson
Felter	Koch	Peaco	Torgeson
Figgins	Kohler	Pendray	Van Buren
Finnern	Lamb	Randall	Van Wert
Gallagher	Langland	Randolph	Wamstad
Garrett	Laughlin	Ratliff	Watts
Gissel	Lepley	Rawlings	Wearin
Greaser	Lichty	Reed	Whiting
Greene	Long	Reimers	Witt
		Roe	Mr. Speaker

The nays were, none.

Absent or not voting, 17.

Aiken	Donlon	Gilmore	McCaulley
Berry	Drake of	Hansen of	McDermott
Brown	Muscatine	Audubon	Miller
Craven	Ellsworth	Hunt	Morton
Ditto	Forsling	Husted	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 327, a bill for an act to provide for the financing in any city or town of the management, construction, maintenance, and operation of main sanitary sewers, intercepting sanitary sewers, outfall or outlet sanitary sewers, sanitary pumping stations, and sanitary sewage treatment of purifying works by a system of sewer rentals, was taken up for consideration.

Byers 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, 82.

Allen	Gilmore	Lepley	Reed
Augustine	Greene	Lichty	Reimers
Avery	Hansen of	Long	Ryder
Babcock	Audubon	McCreery	Short
Bair	Hansen of Scott	McLain	Simmer
Beath	Hanson of	Malone	Snyder
Berry	Winnebago	Mathews	Sours
Bonnstetter	Helgason	Mayne	Stanzel
Brown	Hesse	Mead	Stiger
Byers	Hollingsworth	Millhone	Strachan
Davis	Hollis	Nelson of	Tamisiea
Dayton	Hook	Cherokee	TePaske
Ditto	Hopkins	Orr	Thompson
Drake of Keokuk	Hutcheon	Osborn	Torgeson
Durant	Johnson of	Paisley	Van Wert
Elliott	Marion	Pattison	Wamstad
Ellsworth	Kern	Peaco	Watts
Fabritz	Koch	Pendray	Wearin
Felter	Kohler	Randall	Whiting
Figgins	Lamb	Randolph	Witt
Finnern	Langland	Ratliff	Mr. Speaker
Forsling	Laughlin		

The nays were, 5.

Garrett	Roe	Rutledge	Van Buren
Hayes			

Absent or not voting, 21.

Aiken	Gallagher	McCaulley	O'Donnell
Ballew	Gissel	McDermott	Rawlings
Craven	Greaser	Miller	Rylander
Donlon	Hunt	Morton	Shields
Drake of	Hush	Nelson of Story	Thiessen
Muscatine	Husted		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 407, a bill for an act to amend section fifteen (15) of chapter fifty-seven (57), acts of the forty-third (43rd) general assembly, limiting the size of fish when using licensed nets or seines, was taken up for consideration.

Helgason 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, 74.

Avery	Hansen of Scott	McDermott	Rawlings
Babcock	Hanson of	McLain	Reed
Ballew	Winnebago	Malone	Reimers
Beath	Hayes	Mathews	Roe
Bonnstetter	Helgason	Mayne	Ryder
Davis	Hesse	Mead	Rylander
Dayton	Hollingsworth	Millhone	Sours
Ditto	Hollis	Nelson of	Stanzel
Drake of Keokuk	Hopkins	Cherokee	Stiger
Durant	Johnson of	Nelson of Story	Tamisiea
Elliott	Marion	O'Donnell	TePaske
Ellsworth	Kern	Orr	Thiessen
Fabritz	Lamb	Osborn	Torgeson
Felter	Langland	Paisley	Wamstad
Figgins	Lepley	Peaco	Watts
Finnern	Lichty	Pendray	Wearin
Forsling	Long	Randall	Whiting
Gallagher	McCaulley	Randolph	Witt
Gilmore	McCreery	Ratliff	Mr. Speaker
Greaser			

The nays were, 18.

Allen	Greene	Koch	Strachan
Augustine	Hansen of	Kohler	Thompson
Bair	Audubon	Laughlin	Van Buren
Garrett	Hook	Pattison	Van Wert
Gissel	Hutcheon	Simmer	

Absent or not voting, 16.

Aiken	Craven	Hush	Rutledge
Berry	Donlon	Husted	Shields
Brown	Drake of	Miller	Short
Byers	Muscatine	Morton	Snyder
	Hunt		

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 repeal the law as it appears in section thirty-three hundred sixty-six (3366), Code of 1927, and to enact a substitute therefor, relating to the right of admission of ex-service men in military forces of the United States and their wives or widows to the soldiers' home at Marshalltown, Iowa, was taken up for consideration.

Rylander 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, 91.

Augustine	Hansen of Scott	McCaulley	Roe
Avery	Hanson of	McCreery	Rutledge
Babcock	Winnebago	McLain	Ryder
Bair	Helgason	Malone	Rylander
Ballew	Hesse	Mathews	Shields
Beath	Hollingsworth	Mayne	Short
Berry	Hollis	Mead	Simmer
Bonnstetter	Hook	Millhone	Snyder
Brown	Hopkins	Nelson of	Sours
Dayton	Hush	Cherokee	Stanzel
Ditto	Husted	O'Donnell	Stiger
Drake of Keokuk	Hutcheon	Orr	Strachan
Durant	Johnson of	Osborn	Tamisiea
Elliott	Marion	Paisley	TePaske
Ellsworth	Kern	Pattison	Thiessen
Fabritz	Koch	Peaco	Thompson
Felter	Kohler	Pendray	Torgeson
Figgins	Lamb	Randall	Van Wert
Finnern	Langland	Randolph	Wamstad
Forsling	Laughlin	Ratliff	Watts
Garrett	Lepley	Rawlings	Wearin
Gissel	Lichty	Reed	Whiting
Greaser	Long	Reimers	Witt
Greene			Mr. Speaker

The nays were, none.

Absent or not voting, 17.

Aiken	Davis	Gilmore	McDermott
Allen	Donlon	Hansen of	Miller
Byers	Drake of	Audubon	Morton
Craven	Muscatine	Hayes	Nelson of Story
	Gallagher	Hunt	Van Buren

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. 553, a bill for an act to legalize the action of the board of supervisors of Appanoose County.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 464, a bill for an act relating to deposit of securities with the commissioner of insurance.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 114, a bill for an act to provide for the distribution of the tax realized on money and credits to district school funds.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 242, a bill for an act relating to State University Investigation appropriation.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 285, a bill for an act relating to the purchase by public officers and departments of articles manufactured at state institutions.

Also, that the Senate insists on its amendments to House File No. 155, relative to exemptions from executions, and that the president has appointed as conference committee on the part of the Senate the following Senators: Topping, Wilson, McLeland, and Ickis.

Also, that the Senate has concurred in House amendment to the following concurrent resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution No. 19, relative to the purchasing of the chairs by members of the General Assembly.

Also, that the Senate has concurred in House amendments to the following joint resolution in which the concurrence of the Senate was asked:

Senate Joint Resolution No. 12, relative to Committee on Reduction of Expenditures.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 183, a bill for an act relating to the number of names required on nominations by petition.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:

House File No. 445, a bill for an act relating to false statements for credit.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 285, a bill for an act relating to the computation of the annual license fee on motor vehicles.

WALTER H. BEAM, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 114

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section seventy-one hundred sixty-four (7164), Code 1927, be amended by striking from lines 6, 7, and 8, the following:

“(without including moneys and credits and other moneyed capital taxes at a flat rate as provided in section 6985),”

That section seventy-one hundred sixty-four (7164) of the code, 1927, be amended by adding thereto the following:

“Provided that the county auditor shall, in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district all of the tax to be derived from the moneys and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the code, 1927, and shall then apply such rate to be adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided have been made.

Section 2. That section seventy-one hundred sixty-four (7164) of the Code, 1927, be amended by adding thereto the following:

Provided that the county auditor shall in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district eighty (80) per cent of the tax collected and distributed to such district for the preceding year from the monies and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the Code, 1927, and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided for have been made.

Also to amend the title as follows:

An Act to amend section seventy-one hundred sixty-four (7164) of the Code, 1927, so as to provide for the replacement of the general property tax by the amount estimated for the monies and credits tax share of each taxing subdivisions.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 242

Amend House File 242 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of nineteen thousand four hundred thirteen dollars and two cents (\$19,413.02) to be paid to the following named persons, the amount set opposite each name:

"Byron G. Allen.....	\$ 121.96
W. S. Baird.....	66.90
Frank C. Byers.....	44.64
H. B. Carroll.....	49.96
L. H. Doran.....	53.66
George Miller.....	105.71
W. F. Hathaway.....	35.00
Helen Denny.....	71.72
W. H. Wisdom.....	83.52
Dennis Kelleher.....	3,049.90
Emmet Tinley.....	2,548.28
Henry G. Walker.....	444.93
Gordon L. Elliott.....	7,267.38
Muehle, Ream & McClain.....	1,590.35
A. R. Lapitz.....	507.11
Security Abstract Company.....	117.00
Bureau of Investigation.....	130.49
Ross-Richards Reporting Agency.....	522.00
Robert G. Paramore.....	61.23
Hotel Sherman Company.....	5.00
Verne Marshall.....	33.00
N. J. Alexander.....	14.10
O. L. Rees.....	14.10
Leo Budreau.....	14.10
E. J. Folda.....	14.10
Wm. L. Zager.....	14.10
C. O. Paine.....	16.20
LeRoy Amish.....	16.10
Lewis Maske.....	30.00
A. H. Platzer.....	16.10
A. L. Hamilton.....	16.72
H. A. Morse.....	18.10
A. J. Parcel.....	16.10
Geo. Chadeka.....	16.10
John H. F. Miller.....	16.10



John Shalla .....	\$ 16.10
Roy Anderson .....	8.00
Ralph Crawford .....	17.50
J. H. Coster .....	2.10
Otis L. Leefers .....	16.30
Harry F. Lambertsen .....	16.30
C. R. Humphrey .....	72.00
Clark Souers .....	4.20
W. A. Fitzgerald .....	32.00
J. W. Darragh .....	16.30
David L. Williams .....	34.60
Willis W. Mercer .....	14.10
Dr. Paul E. Belting .....	17.00
Irvin Nelson .....	14.10
Mike Farroh .....	14.10
Oran H. Pape .....	24.70
Wm. L. Hassett .....	2.10
Dr. Arthur W. Erskine .....	16.30
Dr. A. V. Hennessy .....	16.50
Dr. B. L. Eiker .....	9.20
Orville Simmons .....	14.10
R. A. Bates .....	20.50
Lucille O'Hagan .....	2.10
W. A. Chapman .....	16.20
Charles Schmidt .....	2.10
Roy L. Murry .....	13.50
David C. Page .....	8.20
J. J. McNamara .....	2.10
Allen Wallen .....	16.10
Louis Pelzer .....	14.10
Dr. R. A. Fenton .....	28.20
C. C. Williams .....	16.10
R. A. Kuever .....	14.10
Dr. Howard L. Beye .....	14.10
W. H. Gemmill .....	18.10
W. H. Cobb .....	8.10
W. H. Bates .....	22.20
John H. Blair .....	37.80
Thomas Farrell .....	2.10
Milo Dimity .....	2.10
Robert E. Neff .....	14.10
Dr. Henry Houghton .....	16.10
Dr. G. W. Stewart .....	14.10
Dr. Walter A. Jessup .....	16.10
W. J. McChesney .....	4.10
J. M. Fisk .....	10.10
Roy McGinnis .....	2.10
Frank E. Humeston .....	4.10
Charles Brown .....	2.10
Dillard W. Bray .....	2.10

Ray Slezak .....	\$ 2.10
E. H. Lauer.....	14.10
J. W. Bowdish.....	2.10
Ray Blakesley .....	14.10
E. F. Brown.....	2.10
Harry D. Breene.....	14.10
John F. Dee.....	14.10
Reed Hedges .....	2.10
John C. Warner.....	2.10
John W. Wicklund.....	2.10
Fred Porter .....	2.10
Lloyd Tenny .....	2.10
Waldo B. Fimmen.....	15.20
George T. Baker.....	194.11
Mrs. Pauline L. Devitt.....	198.91
S. J. Galvin.....	69.78
George W. Godfrey.....	52.26
E. P. Schoentgen.....	156.52
C. C. Sheakley.....	118.85
Helen Peterson .....	8.00
Georgia Washburn .....	12.00

Sec. 2. Before the payment to Muehle, Ream & McClain of the sum provided for in section one (1) hereof, said firm shall file a written and sworn report with the Secretary of the Senate and the Chief Clerk of the House setting out in detail all matters examined by them incident to said investigation, giving in full and in detail all facts and circumstances incident thereto together with their findings.

Also, to provide that the senate resolve itself into a committee of the whole, that the president appoint a committee of three lawyer members from the judiciary committees of the senate, that the accountants in question be called before the committee of the whole forthwith, and that the committee of three conduct an examination of the witness in the committee of the whole session, the testimony given to become a part of the records of the State University investigation and the witness and reporter expense to be added to the expense account previously filed by the investigating committee.

Sec. 3. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Sloan Star, a newspaper published in Sloan, Iowa, and the LeMars Semi-Weekly Sentinel, a newspaper published in LeMars, Iowa."

Also amend by striking the title of House File No. 242 and inserting in lieu thereof the following:

"An Act making an appropriation in the sum of nineteen thousand four hundred thirteen dollars and two cents (\$19,413.02) for the payment of the expenses of the investigation of the affairs of the State University of Iowa and other institutions under control of the State Board of Education,

and of the administration of the affairs of the State Board of Education as authorized by concurrent resolution number eight (8)."

#### CONFERENCE COMMITTEE ON HOUSE FILE NO. 155

As a conference committee on House File No. 155, the Speaker appointed the following members: Johnson of Marion, Tamisiea of Harrison, Millhone of Page and TePaske of Sioux.

#### COMMITTEE REPORT ADOPTED

Van Buren of Jones, chairman of the committee on appropriations, moved that the report of the committee recommending that Senate File No. 415 be indefinitely postponed be adopted.

Committee report adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Brown of Polk, unanimous consent having been given, House File No. 114, a bill for an act to amend sections sixty-nine hundred eighty-six (6986) and seventy-one hundred sixty-four (7164) of the code, 1927, so as to provide for the distribution of the tax realized on money and credits to district school funds, with Senate amendment, was taken up and the amendment read and considered.

#### SENATE AMENDMENT TO HOUSE FILE NO. 114

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section seventy-one hundred sixty-four (7164), Code 1927, be amended by striking from lines 6, 7, and 8, the following:

"(without including moneys and credits and other moneyed capital taxed at a flat rate as provided in section 6985),"

That section seventy-one hundred sixty-four (7164) of the code, 1927, be amended by adding thereto the following:

"Provided that the county auditor shall, in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district all of the tax to be derived from the moneys and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the code, 1927, and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided have been made."

Section 2. That section seventy-one hundred sixty-four (7164) of the Code, 1927, be amended by adding thereto the following:

Provided that the county auditor shall in computing the tax rate for any taxing district, deduct from the total budget requirements certified by any such district eighty (80) per cent of the tax collected and distributed to such district for the preceding year from the monies and credits and other moneyed capital taxed at a flat rate as provided in section sixty-nine hundred eighty-five (6985) of the Code, 1927, and shall then apply such rate to the adjusted taxable value of the property in the district, necessary to raise the amount required after the deductions herein provided for have been made.

Also to amend the title as follows:

An Act to amend section seventy-one hundred sixty-four (7164) of the Code, 1927, so as to provide for the replacement of the general property tax by the amount estimated for the monies and credits tax share of each taxing subdivisions.

Mr. Brown moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were, 83.

Augustine	Greene	Long	Reimers
Avery	Hansen of Scott	McCreery	Roe
Babcock	Hanson of	McDermott	Ryder
Bair	Winnebago	McLain	Rylander
Ballew	Hayes	Malone	Shields
Beath	Helgason	Mathews	Snyder
Berry	Hesse	Mayne	Sours
Bonnstetter	Hollingsworth	Mead	Stanzel
Brown	Hollis	Nelson of	Stiger
Ditto	Hook	Cherokee	Strachan
Donlon	Hopkins	Nelson of Story	Thiessen
Drake of Keokuk	Hush	O'Donnell	Thompson
Durant	Husted	Paisley	Torgeson
Ellsworth	Hutcheon	Pattison	Van Buren
Fabritz	Koch	Peaco	Van Wert
Felter	Kohler	Pendray	Wamstad
Figgins	Lamb	Randall	Watts
Gallagher	Langland	Randolph	Wearin
Garrett	Laughlin	Ratliff	Whiting
Gilmore	Lepley	Rawlings	Witt
Gissel	Lichty	Reed	Mr. Speaker.
Greaser			

The nays were, 3.

Finnern	Osborn	Rutledge
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Absent or not voting, 22.

Aiken	Craven	Drake of	Forsling
Allen	Davis	Muscatine	Hansen of
Byers	Dayton	Elliott	Audubon

Hunt  
Johnson of  
Marion  
Kern

McCaulley  
Millhone  
Miller

Morton  
Orr  
Short

Simmer  
Tamisiea  
TePaske

House concurred in Senate amendment to House File No. 114.

On request of Brown of Polk, unanimous consent having been given, House File No. 242, a bill for an act to provide for the appropriation, out of any funds in the state treasury not otherwise appropriated, of such sum or sums as may be necessary to pay the expenses of the investigation of the affairs of the state university of Iowa and other state institutions under the control of the state board of education, and of the administration of the affairs of the state board of education as authorized by concurrent resolution number eight (8), with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 242

Amend House File 242 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of nineteen thousand four hundred thirteen dollars and two cents (\$19,413.02) to be paid to the following named persons, the amount set opposite each name:

"Byron G. Allen.....	\$ 121.96
W. S. Baird.....	66.90
Frank C. Byers.....	44.64
H. B. Carroll.....	49.96
L. H. Doran.....	53.66
George Miller .....	105.71
W. F. Hathaway.....	35.00
Helen Dennerly .....	71.72
W. H. Wisdom.....	83.52
Dennis Kelleher .....	3,049.90
Emmet Tinley .....	2,548.28
Henry G. Walker.....	444.93
Gordon L. Elliott.....	7,267.38
Muehle, Ream & McClain.....	1,590.35
A. R. Lapitz.....	507.11
Security Abstract Company.....	117.00
Bureau of Investigation.....	130.49
Ross-Richards Reporting Agency.....	522.00
Robert G. Paramore.....	61.23
Hotel Sherman Company.....	5.00
Verne Marshall .....	33.00

N. J. Alexander.....	14.10
O. L. Rees.....	14.10
Leo Budreau .....	14.10
E. J. Folda.....	14.10
Wm. L. Zager.....	14.10
C. O. Paine.....	16.20
LeRoy Amish .....	16.10
Lewis Maske .....	30.00
A. H. Platzer.....	16.10
A. L. Hamilton.....	16.72
H. A. Morse.....	18.10
A. J. Parcel.....	16.10
Geo. Chadeka .....	16.10
John H. F. Miller.....	16.10
John Shalla .....	16.10
Roy Anderson .....	8.00
Ralph Crawford .....	17.50
J. H. Coster.....	2.10
Otis L. Leefers.....	16.30
Harry F. Lambertsen.....	16.30
C. R. Humphrey.....	72.00
Clark Souers .....	4.20
W. A. Fitzgerald.....	32.00
J. W. Darragh.....	16.30
David L. Williams.....	34.60
Willis W. Mercer.....	14.10
Dr. Paul E. Belting.....	17.00
Irvin Nelson .....	14.10
Mike Farroh .....	14.10
Oran H. Pape.....	24.70
Wm. L. Hassett.....	2.10
Dr. Arthur W. Erskine.....	16.30
Dr. A. V. Hennessy.....	16.50
Dr. B. L. Eiker.....	9.20
Orville Simmons .....	14.10
R. A. Bates.....	20.50
Lucille O'Hagan .....	2.10
W. A. Chapman.....	16.20
Charles Schmidt .....	2.10
Roy L. Murry.....	13.50
David C. Page.....	8.20
J. J. McNamara.....	2.10
Allen Wallen .....	16.10
Louis Pelzer .....	14.10
Dr. R. A. Fenton.....	28.20
C. C. Williams.....	16.10
R. A. Kuever.....	14.10
Dr. Howard L. Beyce.....	14.10
W. H. Gemmill.....	18.10
W. H. Cobb.....	8.10

W. H. Bates.....	22.20
John H. Blair.....	37.80
Thomas Farrell .....	2.10
Milo Dimity .....	2.10
Robert E. Neff.....	14.10
Dr. Henry Houghton.....	16.10
Dr. G. W. Stewart.....	14.10
Dr. Walter A. Jessup.....	16.10
W. J. McChesney.....	4.10
J. M. Fisk.....	10.10
Roy McGinnis .....	2.10
Frank E. Humeston.....	4.10
Charles Brown .....	2.10
Dillard W. Bray.....	2.10
Ray Slezak .....	2.10
E. H. Lauer.....	14.10
J. W. Bowdish.....	2.10
Ray Blakesley .....	14.10
E. F. Brown.....	2.10
Harry D. Breene.....	14.10
John F. Dee.....	14.10
Reed Hedges .....	2.10
John C. Warner.....	2.10
John W. Wicklund.....	2.10
Fred Porter .....	2.10
Lloyd Tenny .....	2.10
Waldo B. Fimmen.....	15.20
George T. Baker.....	194.11
Mrs. Pauline L. Devitt.....	198.91
S. J. Galvin.....	69.78
George W. Godfrey.....	52.26
E. P. Schoentgen.....	156.52
C. C. Sheakley.....	118.85
Helen Peterson .....	8.00
Georgia Washburn .....	12.00

Sec. 2. Before the payment to Muehle, Ream & McClain of the sum provided for in section one (1) hereof, said firm shall file a written and sworn report with the Secretary of the Senate and the Chief Clerk of the House setting out in detail all matters examined by them incident to said investigation, giving in full and in detail all facts and circumstances incident thereto together with their findings.

Also, to provide that the senate resolve itself into a committee of the whole, that the president appoint a committee of three lawyer members from the judiciary committees of the senate, that the accountants in question be called before the committee of the whole forthwith, and that the committee of three conduct an examination of the witness in the committee of the whole session, the testimony given to become a part of the records of the State University investigation and the witness and reporter expense to be added to the expense account previously filed by the investigating committee.

Sec. 3. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the *Sloan Star*, a newspaper published in Sloan, Iowa, and the *LeMars Semi-Weekly Sentinel*, a newspaper published in LeMars, Iowa."

Also amend by striking the title of House File No. 242 and inserting in lieu thereof the following:

"An Act making an appropriation in the sum of nineteen thousand four hundred thirteen dollars and two cents (\$19,413.02) for the payment of the expenses of the investigation of the affairs of the State University of Iowa and other institutions under control of the State Board of Education, and of the administration of the affairs of the State Board of Education as authorized by concurrent resolution number eight (8)."

Brown of Polk offered the following amendment to Senate amendment to House File No. 242, and moved its adoption:

Amend the Senate amendments by striking section two (2).

On the question "Shall amendment to Senate amendments be adopted?" a roll call was demanded.

The ayes were, 77.

Allen	Gallagher	Lichty	Rawlings
Avery	Garrett	Long	Reed
Babcock	Gillmore	McCaulley	Reimers
Bair	Greaser	McCreery	Roe
Ballew	Hansen of	McDermott	Rylander
Beath	Audubon	McLain	Short
Berry	Hanson of	Malone	Simmer
Bonnstetter	Winnebago	Mathews	Snyder
Brown	Helgason	Mayne	Sours
Byers	Hesse	Mead	Stanzel
Davis	Hollingsworth	Nelson of	Stiger
Dayton	Hollis	Cherokee	Strachan
Ditto	Hook	Nelson of Story	Thompson
Donlon	Hopkins	Orr	Torgeson
Drake of Keokuk	Hush	Osborn	Van Buren
Elliott	Husted	Pattison	Van Wert
Ellsworth	Hutcheon	Peaco	Wamstad
Felter	Koch	Pendray	Watts
Figgins	Kohler	Randall	Witt
Finnern	Lamb	Ratliff	Mr. Speaker

The nays were, 14.

Durant	Greene	Lepley	Ryder
Fabritz	Langland	O'Donnell	Thiessen
Gissel	Laughlin	Paisley	Wearin
		Randolph	Whiting

Absent or not voting, 17.

Aiken	Forsling	Johnson of	Morton
Augustine	Hansen of Scott	Marion	Rutledge
Craven	Hayes	Kern	Shields
Drake of	Hunt	Millhone	Tamisiea
Muscatine		Miller	TePaske



Amendment to Senate amendments adopted.

Hutcheon of Greene moved to amend Senate amendments by calculating per diem on the basis of \$100.00 per day.

Ditto of Osceola moved the previous question.

Motion prevailed.

On the question "Shall the amendment to the Senate amendment be adopted?" a roll call was demanded.

The ayes were, 21.

Allen	Hayes	Mayne	Sours
Brown	Hollingsworth	Nelson of Story	Strachan
Byers	Hutcheon	O'Donnell	Tamisiea
Garrett	Kern	Rutledge	Van Wert
Greene	Lepley	Rylander	Witt
			Mr. Speaker

The nays were, 73.

Augustine	Forsling	Langland	Ratliff
Avery	Gilmore	Lichty	Rawlings
Babcock	Gissel	Long	Reed
Bair	Greaser	McDermott	Reimers
Ballew	Hansen of	McLain	Roe
Beath	Audubon	Malone	Ryder
Berry	Hansen of Scott	Mathews	Shields
Bonnstetter	Hanson of	Mead	Short
Davis	Winnebago	Millhone	Simmer
Dayton	Helgason	Nelson of	Snyder
Ditto	Hesse	Cherokee	Stiger
Donlon	Hollis	Orr	TePaske
Drake of Keokuk	Hook	Osborn	Thiessen
Durant	Hopkins	Paisley	Thompson
Ellsworth	Hush	Pattison	Torgeson
Fabritz	Husted	Peaco	Van Buren
Felter	Koch	Pendray	Wamstad
Figgins	Kohler	Randall	Wearin
Finnern	Lamb	Randolph	Whiting

Absent or not voting, 14.

Aiken	Gallagher	Laughlin	Morton
Craven	Hunt	McCaulley	Stanzel
Drake of	Johnson of	McCreery	Watts
Muscatine	Marion	Miller	
Elliott			

Amendment to the Senate amendment lost.

Mr. Allen moved that the House concur in the Senate amendments, as amended.

On the question "Shall the House concur?"

The ayes were, 78.

Augustine	Finnern	Koch	Randolph
Avery	Forsling	Kohler	Ratliff
Babcock	Gallagher	Lamb	Reimers
Bair	Gilmore	Langland	Roe
Ballew	Gissel	Lichty	Ryder
Beath	Greaser	Long	Rylander
Berry	Hansen of	McCreery	Shields
Bonnstetter	Audubon	McDermott	Short
Brown	Hansen of Scott	Malone	Simmer
Davis	Hayes	Mathews	Snyder
Dayton	Helgason	Mayne	Stanzel
Ditto	Hesse	Mead	Stiger
Donlon	Hollis	Millhone	Tamisiea
Drake of Keokuk	Hook	Nelson of	Thiessen
Durant	Hopkins	Cherokee	Thompson
Elliott	Hush	Orr	Torgeson
Ellsworth	Husted	Pattison	Van Buren
Fabritz	Johnson of	Peaco	Wamstad
Felter	Marion	Pendray	Wearin
Figgins	Kern	Randall	Whiting
			Witt

The nays were, 19.

Allen	Hollingsworth	Nelson of Story	Sours
Garrett	Hutcheon	O'Donnell	Strachan
Greene	Lepley	Osborn	Van Wert
Hanson of	McCaulley	Reed	Watts
Winnebago	McLain	Rutledge	Mr. Speaker

Absent or not voting, 11.

Aiken	Drake of	Laughlin	Paisley
Byers	Muscatine	Miller	Rawlings
Craven	Hunt	Morton	TePaske

House concurred in Senate amendments, as amended, to House File No. 242.

#### EXPLANATION OF VOTE

MR. SPEAKER: I voted "yes" on house resolution providing for the appointment of the committee to investigate the acts and conduct of Arch W. McFarlane, Lieutenant Governor of Iowa for the following reasons:

1. Official records of the Interstate Commerce Commission of the United States show that the Lieutenant Governor wrote a letter during the 43rd General Assembly to the Illinois Central Railroad Company suggesting that it order coal from his company and as a basis for such orders he stated that he had done much in a legislative way for the railroad companies. That record further shows that he had impressed upon officers of that company that he was in position, as Lieutenant Governor, to affect railroad shipments to state institutions and that he was assured coal contracts by the Chicago, Great Western Railroad Company and others, particularly public utility companies. Upon these coal contracts he stated that he was to receive a commission of ten cents (10c) per ton. I sincerely believe that such use, of political office, particularly of his high office was highly improper and that he stands condemned in the eyes of all

good citizens of the state of Iowa for such improper use of his high office. It is my belief, that it was the solemn duty of this house, to investigate the extent of such operations and to perform its constitutional function fearlessly and without favor.

2. The records, of the joint legislative committee, appointed by the 44th General Assembly to investigate the affairs of the State University of Iowa, show that Mr. McFarlane has used his high office to demand and receive a commission upon coal sold at the University of Iowa and at the State Teachers College: That he organized a fictitious company, the O'Hagan Coal Company, for the expressed purpose of bidding through it upon coal at the State University of Iowa and that he also sold coal under the name of that company at the State Teachers College; and that he demanded and received a commission of ten cents per ton upon coal sold to the State University by other companies than his own. (See testimony of Lucille O'Hagan transcript 3502 and testimony of W. A. Chapman beginning page 3577 of said transcript and the testimony of David C. Page, beginning on page 4515 of said transcript, now on file with this house.)

3. That he organized this fictitious company without complying with Chapter 429 A1 of the Code and that he has done business under the name of said company at least since July 23rd, 1927, which makes the said company in operation for a period of over three and one-half years. The minimum fine to which he would be subject would be over \$25,000.00 and, the maximum fine over \$100,000.00.

I believe, that such vicious practices on the part of one enjoying next to the highest office within the power of the State of Iowa, will pollute our citizenry, disgrace our institutions, create disrespect for law, and that it brings his high office into the lowest form of disrepute. In my humble opinion, he should not, as he has admittedly done, drag the robes of his high office through the dregs of political corruption and chicanery. One holding such high office should set the highest standards of honesty, integrity and loyalty to his state and set an example of public service, not only to this generation but for those that are to come. I sincerely believe that it is only through such high standards that the republican form of government can continue to exist and serve mankind in the science of self-government.

In my opinion, these charges should have been investigated and if they were found to be true, the severest penalty as adopted out of the wisdom of our forefathers in the constitution of Iowa and the statutes which have been made in conformity therewith; and if untrue that they be so declared in order that the citizens of this state might be saved, the conception of dishonesty, lack of integrity and disloyalty to his trust which must, under the present record, forever be lodged in the minds of men, and the name of the Lieutenant Governor be cleared of such charges, not only for his own sake, but for the sake of posterity.

P. H. DONLON.

## MOTION

MR. SPEAKER: We, the undersigned, move that House consideration be limited during the remainder of the session to the millage bill, road enabling act, any such bills as are in conference or have in some form passed both the Senate and House.

L. B. FORSLING  
H. C. PATTISON  
ANTHONY TePASKE  
MARION R. McCAULLEY  
FRED B. WITT  
HOWARD A. MATHEWS  
ED R. BROWN  
HUGH J. TAMISIEA  
LEONARD SIMMER  
H. M. GREENE  
JOHN T. HANSEN  
C. B. STIGER

JOHN T. RYLANDER  
LEROY SHIELDS  
W. E. S. HUTCHEON  
S. R. TORGESON  
STANLEY WATTS  
CHAS. HOOK  
H. F. GARRETT  
WALTER OSBORN  
CAROLYN C. PENDRAY  
H. C. FINNERN  
WALLACE M. SHORT

Motion prevailed.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER: Your conference committee to whom was referred House File No. 155, begs leave to report that it has carefully considered the same and recommends that the House concur in the Senate amendments.

GEO. A. WILSON  
W. E. McLELAND  
F. D. ICKIS  
C. H. TOPPING

J. H. JOHNSON  
HUGH J. TAMISIEA  
ANTHONY TePASKE  
PAUL L. MILLHONE

*On behalf of the Senate.*

*On behalf of the House.*

On the question "Shall the conference committee report with amendments recommended therein, be adopted?" a roll call was demanded.

The ayes were, 75.

Allen  
Augustine  
Avery  
Babcock  
Ballew  
Beath  
Brown  
Craven  
Dayton  
Ditto  
Donlon  
Durant  
Elliott  
Ellsworth  
Fabritz  
Figgins

Finnern  
Forsling  
Gallagher  
Garrett  
Gilmore  
Greene  
Hansen of  
Audubon

Hansen of Scott  
Hanson of  
Winnebago  
Hayes  
Helgason  
Hollingsworth  
Hollis  
Hopkins

Hush	McDermott	Pattison	TePaske
Husted	McLain	Peaco	Thiessen
Hutcheon	Malone	Pendray	Thompson
Johnson of	Mathews	Randolph	Torgeson
Marion	Mayne	Ratliff	Van Buren
Koch	Mead	Reed	Van Wert
Kohler	Millhone	Roe	Wamstad
Langland	Nelson of	Ryder	Wearin
Lepley	Cherokee	Rylander	Whiting
Lichty	Nelson of Story	Shields	Witt
Long	Osborn	Stiger	Mr. Speaker
McCreery	Paisley	Tamisiea	

The nays were, 2.

Gissel Greaser

Absent or not voting, 31.

Aiken	Felter	Miller	Short
Bair	Hesse	Morton	Simmer
Berry	Hook	O'Donnell	Snyder
Bonnstetter	Hunt	Orr	Sours
Byers	Kern	Randall	Stanzel
Davis	Lamb	Rawlings	Strachan
Drake of Keokuk	Laughlin	Reimers	Watts
Drake of	McCaulley	Rutledge	
Muscatine			

Conference 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. 463, a bill for an act relating to drivers of commercial motor vehicles.

Also, that the Senate has amended and concurred in House amendments to Senate File No. 429, the omnibus bill.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 587, a bill for an act relative to incurring of certain expenses by the secretary of agriculture.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 419, a bill for an act providing for the payment of publications.

WALTER H. BEAM, *Secretary.*

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO  
SENATE FILE NO. 429

1. Amend amendment No. 1 of the House amendments by striking the words and figures "four hundred dollars (\$400.00) and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)". Also by adding at the end of said amendment No. 1, the following: "To Walter H. Beam, for extra services during the Forty-fourth General Assembly the sum of one hundred and fifty dollars (\$150.00)".

2. Amend amendment No. 3 of the House amendments by adding thereto the following: "Adeline Havel, clerk of the special tax revision committee, the sum of seventy-five dollars (\$75.00)"; C. F. Clark, C. L. Rigby, George W. Patterson, J. H. Johnson, M. R. McCaulley and H. M. Greene, the sum of five hundred dollars (\$500.00) each, as partial compensation and to cover expenses as members of the special legislative tax revision committee of the Forty-third General Assembly.

3. Strike sub-sections a, c, and e of amendment No. 4. In sub-sections d and f of amendment No. 4 strike out the words and figures "fifteen hundred dollars (\$1500.00)" and insert in lieu thereof the words and figures "one thousand dollars (\$1,000.00)".

4. Strike out amendment No. 5 of the House amendments.

5. Strike out amendment No. 6 of the House amendments.

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE  
FILE NO. 429 CALLED UP

Brown of Polk moved that the House concur in Senate amendments to House amendments to Senate File No. 429.

On the question "Shall the House concur?" a roll call was demanded.

The ayes were, 2.

Durant                      Whiting

The nays were, 84.

Augustine	Drake of	Greene	Husted
Avery	Muscatine	Hansen of	Hutcheon
Babcock	Ellsworth	Audubon	Kern
Bair	Fabritz	Hansen of Scott	Koch
Ballew	Felter	Hanson of	Kohler
Beath	Figgins	Winnebago	Langland
Berry	Finnern	Helgason	Laughlin
Brown	Forsling	Hesse	Lichty
Craven	Gallagher	Hollingsworth	Long
Davis	Garrett	Hollis	McCreery
Dayton	Gilmore	Hook	McLain
Donlon	Gissel	Hopkins	Mathews
Drake of Keokuk	Greaser	Hush	Mayne

Mead	Peaco	Shields	Thompson
Nelson of Cherokee	Pendray	Short	Torgeson
Nelson of Story	Randall	Snyder	Van Buren
O'Donnell	Ratliff	Stanzel	Van Wert
Orr	Reed	Stiger	Wamstad
Osborn	Reimers	Strachan	Watts
Paisley	Roe	Tamisiea	Wearin
Pattison	Ryder	TePaske	Witt
	Rylander	Thiessen	Mr. Speaker

Absent or not voting, 22.

Aiken	Hayes	McCaulley	Randolph
Allen	Hunt	McDermott	Rawlings
Bonnstetter	Johnson of Marion	Malone	Rutledge
Byers	Lamb	Millhone	Simmer
Ditto	Lepley	Miller	Sours
Elliott		Morton	

House refuses to concur in Senate amendments to House amendments to Senate File No. 429.

Brown of Polk moved the House recede.

On the question "Shall the House recede?" a roll call was demanded.

The ayes were, none.

The nays were, 83.

Augustine	Garrett	Laughlin	Roe
Avery	Gilmore	Lichty	Ryder
Babcock	Gissel	Long	Rylander
Bair	Greaser	McCreery	Shields
Ballew	Greene	McDermott	Short
Beath	Hansen of Audubon	McLain	Snyder
Berry	Hanson of Winnebago	Mathews	Stanzel
Brown	Helgason	Mayne	Stiger
Craven	Hesse	Mead	Strachan
Davis	Hollingsworth	Nelson of Cherokee	Tamisiea
Dayton	Hollis	Nelson of Story	TePaske
Donlon	Hook	O'Donnell	Thiessen
Drake of Keokuk	Hopkins	Osborn	Thompson
Drake of Muscatine	Hush	Paisley	Torgeson
Durant	Husted	Peaco	Van Buren
Ellsworth	Hutcheon	Pendray	Van Wert
Felter	Kern	Randall	Wamstad
Figgins	Koch	Randolph	Watts
Finnern	Kohler	Ratliff	Whiting
Forsling	Langland	Reed	Witt
Gallagher		Reimers	Mr. Speaker

Absent or not voting, 25.

Aiken	Byers	Fabritz	Hayes
Allen	Ditto	Hansen of Scott	Hunt
Bonnstetter	Elliott		

Johnson of	McCaulley	Morton	Rutledge
Marion	Malone	Orr	Simmer
Lamb	Millhone	Pattison	Sours
Lepley	Miller	Rawlings	Wearin

Houses refuses to recede.

Hanson of Winnebago moved that a conference committee be appointed for the consideration of Senate File No. 429.

Motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 429

As a conference committee on Senate File No. 429, the Speaker appointed the following members: Hanson of Winnebago, Rutledge of Webster, Ditto of Osceola and Forsling of Woodbury.

#### 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 report on House File No. 155, relative to dentists exemptions.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 431, a bill for an act to make an appropriation for state aid to short courses in counties where no county or district fairs are held.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 432, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the State Board of Assessment and Review.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein on the following bill in which the concurrence of the House is asked:

Senate File No. 429, a bill for an act making appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses that are payable from the general fund of the state.

Also, that the Senate has failed to pass the following bill in which the concurrence of the Senate was asked:



House File No. 333, a bill for an act relating to meetings of township trustees.

Also, that the Senate has concurred in House amendment to the following concurrent resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution No. 19, relative to purchase of chairs.

Also, that the Senate has concurred in House amendments to the following bill in which the concurrence of the Senate was asked:

Senate File No. 420, a bill for an act relating to supplements to books of annotations.

Also, that the Senate has concurred in the House amendments to Senate amendments to the following bill in which the concurrence of the Senate was asked:

House File No. 242, relating to investigation in the affairs of the State University of Iowa.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 431, a bill for an act to make an appropriation for state aid to short courses in counties where no county or district fairs are held, as provided in House File No. 288.

Read first and second times and referred to committee on appropriations.

Senate File No. 432, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the State Board of Assessment and Review.

Read first and second times and referred to committee on ways and means.

#### CALL OF THE HOUSE

MR. SPEAKER: We, the undersigned, hereby request a call of the House for the consideration of the conference committee report on Senate File No. 429.

ED. R. BROWN  
THORE THOMPSON  
G. J. VAN BUREN  
C. M. LANGLAND  
W. H. STRACHAN  
W. H. GISSEL

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except, Hunt of Louisa, Millhone of Page, Morton of Wright, and Sours of Floyd, who on motion, were excused.

Hanson of Winnebago, chairman of the conference committee on Senate File No. 429 on the part of the House, submitted the following report and moved its adoption:

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE  
NO. 429

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, your conference committee appointed to consider the differences between the Senate and the House on Senate File No. 429, beg leave to report that we have had the same under consideration and desire to report as follows:

We recommend that the House concur in the Senate amendment to the House amendment No. 1 to section 7.

Also, that the Senate recede from its amendment to House amendment No. 3, and that the following be inserted in lieu thereof:

"Sec. 19. As additional compensation to the following persons:

Gertrude Taggart, judiciary clerk of the house; Laura Schulze, appropriation clerk of the senate; Vera Meyer, clerk of the claims committee of the house, the sum of one hundred dollars (\$100.00) each.

Bernice Maine, clerk of the senate sifting committee; Myra Larson, clerk of the house sifting committee; Adeline Havel, clerk of the special tax revision committee, the sum of seventy-five dollars (\$75.00) each."

Also, that the House concur in the Senate amendment to sub-section e of the House amendment No. 4.

Also, that the House concur in the Senate amendment to House amendments Nos. 5 and 6.

B. M. STODDARD

T. E. MOEN

E. W. CLARK

E. R. HICKLIN

*On the Part of the Senate.*

H. N. HANSON

L. B. FORSLING

R. L. RUTLEDGE

O. J. DITTO,

*On the Part of the House.*

Elliott of Scott moved the previous question. Motion prevailed.

Hutcheon of Greene invoked Rule 67 which is as follows: "No employee shall receive any extra compensation or tips for services performed while on duty. Any violation of this Rule shall be grounds for removal.

On the question "Shall the report of the conference committee

with the amendments recommended therein, be adopted?" a roll call was demanded.

The ayes were, 43.

Augustine	Garrett	Hush	Orr
Bair	Gilmore	Johnson of	Rawlings
Ballew	Gissel	Marion	Rutledge
Beath	Greene	Kern	Ryder
Byers	Hanson of	Laughlin	Rylander
Ditto	Winnebago	Lepley	Stiger
Drake of	Hayes	McCaulley	Tamisica
Muscatine	Hesse	McCreery	Torgeson
Elliott	Hollingsworth	Malone	Van Wert
Finnern	Hollis	Mayne	Wamstad
Forsling	Hopkins	Mead	Witt
Gallagher		O'Donnell	

The nays were, 59.

Aiken	Figgins	McLain	Reimers
Allen	Greaser	Mathews	Roe
Avery	Hansen of	Miller	Shields
Babcock	Audubon	Nelson of	Short
Berry	Hansen of Scott	Cherokee	Snyder
Bonnstetter	Helgason	Nelson of Story	Stanzel
Brown	Hook	Osborn	Strachan
Craven	Husted	Paisley	TePaske
Davis	Hutcheon	Pattison	Thiessen
Dayton	Koch	Peaco	Thompson
Donlon	Kohler	Pendray	Van Buren
Drake of Keokuk	Lamb	Randall	Watts
Durant	Langland	Randolph	Wearin
Ellsworth	Lichty	Ratliff	Whiting
Fabritz	McDermott	Reed	Mr. Speaker
Felter			

Absent or not voting, 6.

Hunt	Millhone	Morton	Sours
Long		Simmer	

Conference committee report rejected.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 134, 163, 202, 224, 235, 242, 256, 285, 330, 332, 348, 353, 355, 365, 366, 367, 396, 398, 404, 407, 416, 10, 327, 420, S. J. R. No. 12.

and House Files Nos. 464, 285, 183, 114, 553, 463, 587, 419, 155 and 242.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 464, 285, 183, 114, 553, 463, 587, 419, 155, 242, Senate Files Nos. 134, 163, 202, 224, 235, 242, 256, 285, 330, 332, 348, 353, 355, 365, 366, 367, 396, 398, 404, 407, 416, 10, 327, 420 and S. J. R. No. 12.

#### BILLS SENT TO THE GOVERNOR

Orr of Clayton, 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 April, 1931, sent to the governor for his approval:

House Files Nos. 464, 285, 183, 114, 553, 587, 419, 463, 155, 242.

C. J. ORR, *Chairman.*

Report adopted.

#### APPOINTMENT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE NO. 429

As a second conference committee on Senate File No. 429, the Speaker appointed the following members: Allen of Pocahontas, Elliott of Scott, Garrett of Wayne and Ratliff of Henry.

#### HON. OLEY NELSON ADDRESSES THE HOUSE

Torgeson of Worth moved that Hon. Oley Nelson be permitted to address the House at this time.

Motion prevailed and Mr. Nelson addressed the House as follows:

MR. SPEAKER, GENTLEMEN OF THE HOUSE, AND THE LADY FROM JACKSON:

Some times in my life I have been surprised, or taken by surprise. This morning came a little surprise to me that I didn't expect,—to have the honor to stand before this august body in the closing hours of this session to say a few words of farewell.

The little bill—an innocent bill—that was placed on your desks here the other day, was nothing more nor less than the result of a historical research that I tried, but was unable to make two years ago. At this time, with the assistance of Mary Rosemand, the librarian, I got the facts in regard to what was put in that leaden box when I stood beside the man who presented those silver tools: the trowel to spread the mortar, and the silver hammer to lay the stone.

Sixty-four years ago, gentlemen, I was here in the City of Des Moines. Sixty-three years ago I was a teamster hauling brick for S. A. Robertson, who had then the contract to make a new foundation under the old capitol building, long before this building was contemplated. I was interested in a man by the name of John A. Kasson, living then in the City of Des Moines, and became personally acquainted with him. When the time came that the cornerstone of this capitol building was to be laid, I understood from conversations that I had with people at that time that probably John A. Kasson would take part in the laying of that cornerstone. I walked up here on the hill that November day the cornerstone was laid. At the reading of what was placed in that leaden box in that cornerstone, the first item appealed to me. If you will look at the little leaflet that was put on your desk, gentlemen, you will see the first thing deposited in the laying of the cornerstone of this building, as of any building for the state, was the Holy Bible, wrapped in the American Flag.

The other day when you celebrated Saint Patrick's Day, two of the Gentlemen of the House referred to the Irish coming to America and taking part in the Civil War. For the information of those two gentlemen I will state, on authority, that 150,000 young men born in Ireland, came to America and enlisted in the Civil War to protect Old Glory and the Union from dismemberment, and of that number, 100,000 were under twenty-one years of age.

The boys in the Spanish-American War carried Old Glory to victory on San Juan Hill in Cuba, and in the Philippines they again crowned Old Glory with success.

In the World War the boys in khaki, who went overseas, and those who were in training here in camp and didn't get overseas, had Old Glory with them. When the boys landed in France what did you see? As they marched along in the streets and in the country, old men and old women and boys and girls stood at attention, holding their hands and looking up

to the Heavens in supplication and prayer, to salute Old Glory as the saviour of France.

I am told when General Pershing landed with his staff, he requested that he might visit the tomb of Lafayette, and as he stood at the tomb, with his staff and Old Glory beside him, the command was given: "Attention, Parade Rest". He took a wreath in his hands and went over to the tomb and as he stood there in silence, one of his staff said in a low, but distinct tone, "Lafayette, Lafayette, we are here."

When the 11th day of November came, and news came to the boys and to us that the World War had ceased, you came home, you World War Boys, with another crown for Old Glory, which has stood and stands today as a beacon light to the nations of the world when the crowned heads in all directions are tottering. The constitutional form of government is the proper form of government for the human race, and the nations of this earth. And Old Glory goes with our boys wherever they go to represent the United States and to represent us as a nation, one and inseparable.

And on behalf of the employees, Mr. Speaker of the House, may I say to you and your lieutenants here: thank you, Mr. Speaker, for the courtesies that you have shown us as employees of this House, and when all of you go home may you remember the Forty-fourth General Assembly and the courtesies that you have shown to us as employees, and may I not forget to include our clerks. I want to thank you on behalf of the employees in the bill room for the courtesies every morning you show us when you go in and get your work in the bill room, and may you all go home to your loved ones and associates, not only with honor, but with health and strength, and God's richest blessings be on you all, is my prayer. Thank you.

#### SPEAKER ANNOUNCES INTERIM COMMITTEE ON HOUSE JOINT RESOLUTION NO. 6

Pursuant to the provisions of House Joint Resolution No. 6, the Speaker announced as members of the interim committee: Tamisiea of Harrison and Garrett of Wayne. Said resolution provides for a commission to study the corporate laws of the State of Iowa and to make a report to the Forty-fifth General Assembly.

#### SPEAKER ANNOUNCES INTERIM COMMITTEE ON SENATE JOINT RESOLUTION NO. 12

Pursuant to the provisions of Senate Joint Resolution No. 12, providing for the thorough study and research in the conduct of state, county, township, city and town governments, and recommending ways and means of reduction of public funds, the

Speaker appointed the following members: Brown of Polk and Reimers of Lyon.

### REPORT OF COMMITTEE

Hush of Montgomery, 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. 432, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the state board of assessment and review, beg leave to report they have had the same 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) thereof and by substituting in lieu thereof the following: (See pages 1962 to 1986 inclusive.)

HOMER HUSH, *Chairman.*

Report adopted.

### CONSIDERATION OF BILLS

Senate File No. 431, a bill for an act to make an appropriation for state aid to short courses in counties where no county or district fairs are held, as provided in House File No. 288, was taken up for consideration.

Van Buren 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 nays were, 80.

Allen	Forsling	Husted	Nelson of
Augustine	Gallagher	Hutcheon	Cherokee
Avery	Garrett	Koch	Nelson of Story
Babcock	Gissel	Kohler	Osborn
Ballew	Greaser	Lamb	Pattison
Beath	Hansen of	Langland	Peaco
Bonnstetter	Audubon	Laughlin	Pendray
Dayton	Hansen of Scott	Lepley	Randolph
Ditto	Hanson of	Lichty	Ratliff
Donlon	Winnebago	McDermott	Rawlings
Durant	Helgason	McLain	Reed
Elliott	Hesse	Malone	Reimers
Ellsworth	Hollingsworth	Mathews	Roe
Fabritz	Hollis	Mayne	Ryder
Felter	Hook	Mead	Rylander
Figgins	Hopkins	Millhone	Simmer
Finnern	Hush	Miller	Snyder

Stanzel	TePaske	Van Buren	Whiting
Stiger	Thiessen	Van Wert	Witt
Strachan	Thompson	Wamstad	Mr. Speaker
Tamisiea	Torgeson	Wearin	

The nays were, 1.

Watts

Absent or not voting, 27.

Aiken	Drake of Keokuk	Johnson of	Orr
Bair	Drake of	Marion	Paisley
Berry	Muscatine	Kern	Randall
Brown	Gilmore	Long	Rutledge
Byers	Greene	McCaulley	Shields
Craven	Hayes	McCreery	Short
Davis	Hunt	Morton	Sours
		O'Donnell	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, request a call of the House for the consideration of Senate File No. 429 and Senate File No. 432.

E. R. BROWN  
Z. S. RATLIFF  
C. W. LAMB  
L. B. FORSLING  
W. J. McLAIN  
I. M. REED

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present, except Hunt of Louisa, Long of Cerro Gordo, Morton of Wright, Sours of Floyd, who, on motion, were excused.

#### CONSIDERATION OF BILLS

Senate File No. 432, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the State Board of Assessment and Review, with report of committee recommending amendment and passage, was taken up for consideration,



Simmer of Wapello in the chair.

Speaker Johnson in the chair.

Hush of Montgomery, chairman of the committee on ways and means, submitted the following committee amendment, and moved its adoption:

"Section 1. That the amount of revenue for general state purposes for each year of the biennium is hereby designated and fixed by the General Assembly as the sum of \$7,900,000, \$3,900,000 of which to be provided by the levy for 1931 and \$3,900,000 to be provided by the levy for 1932; said levy to be made as provided in sections seven thousand one hundred eighty-two (7182) and seven thousand one hundred eighty-three (7183) of the Code, 1927, and \$4,000,000 to be provided by the imposition, levying and collection of an income tax for 1931 and \$4,000,000 to be provided by the imposition, levying and collection of an income tax for the year 1932."

Also amend by adding thereto the following:

"Sec. 2. The amount of revenue to be raised by the imposition, levying and collection of an income tax as specified and provided for in section 1 hereof, shall be collected by the imposition and levying of taxes on incomes in the following manner:

Sec. 3. Definitions. For the purpose of this act and unless otherwise required by the context:

1. The word "board" or "state board" means the state board of assessment and review.

2. The word "taxpayer" includes any individual, corporation or fiduciary whose income is in whole or in part subject to the tax imposed by this act.

3. "Taxable income" means, so far as a person or corporation is concerned, all net income.

4. The word "person" includes individuals, fiduciaries and partnerships.

5. The word "corporation" includes joint stock companies, limited partnerships, and associations organized for pecuniary profit.

6. The words "domestic corporation" mean any corporation organized under the laws of this state.

7. The words "foreign corporation" mean any corporation other than a domestic corporation.

8. The words "income year" mean the calendar year or the fiscal year upon the basis of which the net income is computed under this act; if no fiscal year has been established they mean the calendar year.

9. The words "tax year" mean the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this act.

10. The words "fiscal year" mean an accounting period of twelve months, ending on the last day of any month other than December.

11. The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual, or corporate, acting in any fiduciary capacity for any person, trust or estate.

12. The word "paid", for the purposes of the deductions under this act means "paid or accrued" or "paid and incurred", and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act. The term "received", for the purpose of the computation of net income under this act, means "received or accrued", and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

13. The word "resident" applies only to individuals and includes for the purpose of determining liability to the tax imposed by this act upon or with reference to the income of any tax year, any individual domiciled in the state of Iowa, and any other individual who maintains a permanent place of abode within the state, and spends in the aggregate more than six months of the tax year within the state.

14. The words "foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States", when used in a geographical sense, include the states, the territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

15. The word "individual" means a natural person.

16. The word "dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property or in stock of the corporation.

#### IMPOSITION OF TAX

Sec. 4. Individuals. 1. A tax is hereby imposed upon every resident of the state, which tax shall be levied, collected and paid annually upon and with respect to his entire taxable income as herein defined at rates as follows:

(a) On the first two thousand dollars of taxable income or any part thereof, one per cent (1%).

(b) On the third and fourth thousand dollars of taxable income, or any part thereof, two per cent (2%).

(c) On the fifth and sixth thousand dollars of taxable income or any part thereof, three per cent (3%).

(d) On the seventh and eighth thousand dollars of taxable income, or any part thereof, four per cent (4%).

(e) On all taxable income in excess of eight thousand dollars, five per cent (5%). Such tax shall first be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931; provided, however, that every single person, a resident of the state, having a net income of more than fifteen hundred dollars a year plus five hundred dollars for each dependent, and every married person, a resident of the state having a net income of more than thirty-five hundred dollars a year, plus four hundred dollars for each dependent, shall pay a tax of not less than three dollars.

2. Corporations. A tax is hereby imposed upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount equivalent to one per cent of the net income as herein defined, received by such corporation during the income year; but no corporation having a net income of less than one thousand dollars (\$1000.00) during the income year shall be required to file a return or to pay a tax.

(a) Allocation and Apportionment of Net Income. If the trade or business of the corporation is carried on entirely within the state, the tax shall be imposed on the entire net income, but if such trade or business is carried on partly within and partly without the state, the tax shall be imposed only on the portion of the net income reasonably attributable to the trade or business within the state, said net income attributable to the State of Iowa to be determined as follows:

(1) Interest, dividends, rents and royalties (less related expenses) received in connection with business in the state, shall be allocated to the state and where received in connection with business outside the state, shall be allocated outside of the state.

(2) Gains from the sale of capital assets or property held, owned or used in connection with the trade or business of the taxpayer, but not for sale in the regular course of business, shall be allocated to the state, if the property sold is real or tangible personal property situated in the state; otherwise, such gains shall be allocated outside of the state. Gains from the sale of intangible property shall be allocated upon the basis hereinafter provided for the allocation of net income.

(3) Net income of the above classes having been separately allocated and deducted as above provided, the remainder of the net income of the taxpayer shall be allocated and apportioned as follows:

Where income is derived from business other than the manufacture and sale of tangible personal property, such income shall be specifically allocated or equitably apportioned within and without the state under rules and regulations of the board.

Where income is derived from the manufacture or sale of tangible

personal property, the portion thereof attributable to business within the state shall be taken to be such percentage of the total of such income as gross sales within the state bear to the total gross sales of the corporation.

The gross sales of the corporation within the state shall be taken to be the gross sales from goods sold and delivered within the state, excluding deliveries for transportation out of the state.

For the purpose of this section, the word "sale" shall include exchange and the word "manufacture" shall include the extraction and recovery of natural resources and all processes of fabricating and curing.

(b) Allocation in Special Cases. If any taxpayer believes that the method of allocation and apportionment hereinbefore prescribed as administered by the board and applied to his business has operated or will so operate as to subject him to taxation on a greater portion of his net income than is reasonably attributable to business or sources within the state, he shall be entitled to file with the board a statement of his objections and of such alternative method of allocation and apportionment as he believes to be proper under the circumstances with such detail and proof and within such time as the board may reasonably prescribe; and if the board shall conclude that the method of allocation and apportionment theretofore employed is in fact inapplicable and inequitable, it shall redetermine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to business and sources within the state, not exceeding, however, the amount which would be arrived at by application of the statutory rules for apportionment.

(c) The words "tangible personal property" shall be taken to mean corporeal personal property, such as machinery, tools, implements, goods, wares and merchandise, and shall not be taken to mean money deposits in banks, shares of stock, bonds, notes, credits, or evidence of an interest in property and evidences of debt.

3. Taxable year. The tax imposed by this act shall be levied, collected and paid with respect to the net income received during the calendar year 1931, or during that portion of any tax year included within the calendar year 1931 and annually thereafter.

4. Exemptions. The following organizations and corporations shall be exempt from taxation under this act:

(a) All state, national, cooperative and savings banks, title insurance and trust companies, building and loan associations, insurance companies and/or insurance associations, railway companies, equipment car companies and pullman car companies, now or hereafter organized and incorporated by or under the laws of this state or lawfully operating in the state of Iowa.

(b) Fraternal beneficiary associations.

(b1) Insurance companies organized under the laws of the state of Iowa and existing by reason of the law as it appears in sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719) of the code, 1927.

(c) All domestic companies described in sections 6994-6995 of the code, 1927, engaged in the business of loaning money to deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans.

(d) Cemetery corporations and corporations organized for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(e) Business leagues, chambers of commerce, or bonds of trade not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(f) Civic leagues or organizations not organized for profit, but operated exclusively for the promotion of social welfare.

(g) Clubs organized and operated exclusively for pleasure, recreation, and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member.

(h) Farmers' associations and fruit growers' associations, or like organizations organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them.

5. The tax imposed by this act shall apply to and become a charge against estates or trusts, which tax shall be levied, collected and paid annually upon and with respect to the income of estates or of any kind of property held in trust, including:

(a) Income received by estates of deceased persons during the period of administration or settlement of the estate.

(b) Income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interest.

(c) Income held for future distribution under the terms of the will or trust.

(d) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed, as the court may direct.

(e) Income of an estate during the period of administration or settlement permitted by subdivision seven (7), to be deducted from the net income upon which the tax is to be paid by the fiduciary.

(f) The net income received during the year by deceased individuals who have died on or after the date a return was due to be filed without having made a return.

6. The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts, whether such income be taxable to the estate or trust or to the beneficiaries thereof. The net income of an estate or trust shall be computed in the same manner and on the same basis as provided in this act for individual taxpayers, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is, during the taxable year, paid to or permanently set aside for the United States, any state, territory, or any political subdivision thereof, or the District of Columbia, or any corporation or association organized and operated exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and, in cases under paragraphs (d) and (e) of subdivision five (5) of this section, the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income whether or not distributed before the close of the tax year for which the return is made.

7. In cases under paragraphs (a), (b) and (c) of subdivision five (5) of this section the tax shall be imposed upon the estate or trust with respect to the net income of the estate or trust and shall be paid by the fiduciary, except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee, heir or other beneficiary. In cases under (a), (b) and (c) the estate or trust shall be allowed the same exemptions as are allowed to single persons under section twelve (12), and in cases under paragraph (f) the same exemption as would be allowed the deceased, if living.

8. In cases under paragraphs (d) and (e) of sub-division five (5) of this section, if the distribution of income is in the discretion of the fiduciary, either as to the beneficiaries to whom payable or as to the amounts to which any beneficiary is entitled, the tax shall be imposed upon the estate or trust in the manner provided in subdivision seven (7) of this section, but without the deduction of any amounts of income paid or credited to any such beneficiary. In all other cases under paragraphs (d) and (e) of subdivision five (5) of this section, the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his distributive share whether distributed or not, of the net income of the estate or trust for the taxable year, or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his distributive share of the income of the estate or trust for any accounting period of such estate or trust ending within the fiscal or calendar year upon the basis of which such beneficiary's net income is computed.

9. A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under this section, but the amount contributed to such fund by the employer and all earnings of such fund shall be taxed to the distributee in the year in which distributed or made available to him.

#### COMPUTATION OF TAX

Sec. 5. Net income defined. The term "net income" means the gross income of the taxpayer less the deductions allowed by this act.

Sec. 6. Gross income defined. 1. The term "gross income" includes gains, profits and incomes derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, business, commerce of sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit; or gains or profits, and income derived from any source whatever and in whatever form paid. The amount of all such items shall be included in the gross income of the tax year in which received by the taxpayer, unless, under the methods of accounting permitted under this act, any such amounts are to be properly accounted for as of a different period.

2. The term "gross income" does not include the following items, which shall be exempt from taxation under this act:

(a) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or in installments (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income);

(b) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under a life insurance, endowment, or annuity contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (a) of this paragraph;

(c) The value of property acquired by gift, bequest, devise, or descent (but the income from such property shall be included in gross income).

(d) Interest upon the obligations of the United States or its possessions, agencies, or instrumentalities, which is or shall be exempt from state taxation by federal law.

(e) Salaries, wages and other compensation received from the United States by officials or employees thereof which are or shall be exempt from state taxation by federal law.

(f) Any amounts received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness, plus the amount of damages received, whether by suit or agreement, on account of such injuries or sickness.

(g) Stock dividends of a corporation distributed to its own stockholders.

Sec. 7. Basis of return of net income. 1. Taxpayers, who customarily determine their income on a basis other than that of actual cash receipts and disbursements, may, with the approval of the board return their net income under this act upon a similar basis. Taxpayers who customarily determine their income on the basis of an established fiscal year instead of on that of the calendar year, may, with the approval of the board, and subject to such rules and regulations as it may establish, return their net income under this act on the basis of such fiscal year, in lieu of that of the calendar year.

2. A taxpayer may, with the approval of the state board, and under such regulations as it may prescribe, change his income year from the fiscal year to the calendar year or otherwise, in which case his net income shall be computed upon the basis of such new tax year.

3. An individual carrying on business in partnership shall be liable for income tax only in his individual capacity and shall include in his gross income his share of the net income of the partnership during the income year, but when the partner's net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his share of the net income of the partnership for any accounting period of such partnership ending within the fiscal or calendar year upon the basis of which such partner's net income is computed.

4. Every individual, taxable under this act, who is a beneficiary of an estate or trust, shall include in his gross income the distributive share of the net income of the estate or trust, received by him or distributable to him during the income year. Unless otherwise provided in the law, the will, the deed or other instrument creating the estate, trust or fiduciary relation, the net income shall be deemed to be distributed or distributable to the beneficiaries (including the fiduciary as a beneficiary, in the case of income accumulated for future distribution) ratably, in proportion to their respective interests.

Sec. 8. Determination of gain or loss. 1. For the purpose of ascertaining the gain derived or loss sustained from the sale or other disposi-



tion of property, real, personal or mixed, the basis shall be, in case of property acquired on or after January 1, 1931, the cost thereof, or the inventory value, if the inventory is made in accordance with this act.

2. In case of property acquired prior to January 1, 1931, and disposed of thereafter:

(a) No profit shall be deemed to have been derived if either the cost or the fair market price or value on January 1, 1931, exceeds the value realized.

(b) No loss shall be deemed to have been sustained if either the cost or the fair market price or value on January 1, 1931, is less than the value realized.

(c) Where both the cost and the fair market price or value on January 1, 1931, are less than the value realized, the basis for computing profit shall be the cost or the fair market price or value on January 1, 1931, whichever is higher.

(d) Where both the cost and the fair market price or value on January 1, 1931, are in excess of the value realized, the basis for computing loss shall be the cost or the fair market price or value on January 1, 1931, whichever is lower.

(e) Any distribution to the taxpayer of the assets of a corporation in partial or complete liquidation thereof shall be treated as a sale of the stock or securities of the corporation owned by him and the gain or loss shall be computed accordingly.

Sec. 9. Exchange of property. 1. When property is exchanged for other property having a readily ascertainable market value, the property received in exchange shall, for the purpose of determining gain or loss, be treated as the equivalent of cash to the amount of its fair market value, if any, but even if property received in exchange has a readily ascertainable market value, no gain or loss shall be recognized (1) when in the reorganization, recapitalization, or other change in identity, form, or place of organization, however affected, consolidation or merger of one or more corporations a taxpayer receives in place of any stock, or securities owned by him, stock or securities in a corporation a party to or resulting from such reorganization, consolidation or merger, or (2) when a taxpayer or taxpayers transfer any property, real, personal or mixed, to a corporation for stock and securities in the corporation and immediately after the transfer is or are in control of such corporation by stock ownership.

2. When property is exchanged for other property and no gain or loss is recognized, the property received shall be treated as taking the place of the property exchanged therefor.

3. Installment Basis.

a. Dealers in personal property. Under regulations prescribed by the board, any person or corporation who regularly sells or otherwise

disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

b. Sales of realty and casual sales of personalty. In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the selling price, the income may, under regulations prescribed by the board, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

c. Change from accrual to installment basis. If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded; provided, however, no tax shall be imposed on any income accrued from sales made prior to January 1, 1931.

d. Gain or loss upon disposition of installment obligations. If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

Sec. 10. Inventory. Whenever, in the opinion of the board, the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the board may prescribe, conforming as nearly as may be to the best accounting practice in the trade or business and most clearly reflecting the income.

Sec. 11. Deductions. In computing net income there shall be allowed as deductions:

1. All the ordinary and necessary expenses, paid or incurred during the tax year in carrying on any trade or business, including a reasonable

allowance for salaries or other compensation for personal service actually rendered, traveling expenses while away from home in pursuit of trade or business, and including rentals or other payments required to be made as a condition to the continued use or possession, for the purpose of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

2. All interest paid or accrued during the tax year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities, the interest on which is exempt from taxation under this act.

3. Taxes paid or accrued within the income year, imposed by the authority of the United States or of any of its possessions or of any state, territory or the District of Columbia or of any foreign country; except inheritance taxes, Federal estate taxes or estate taxes of this or any other state, and except income taxes imposed by this act and taxes assessed for local benefits, of a kind tending to increase the value of the property assessed.

4. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in trade or business.

5. Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business.

6. Losses sustained during the tax year of property not connected with the trade or business, if arising from fires, storm, shipwreck or other casualty, or from theft and not compensated for by insurance or otherwise.

7. Losses deducted under the foregoing paragraphs four, five, and six shall be ascertained and computed upon the same basis as provided in section seven of this act.

8. Debts ascertained to be worthless and charged off within the tax year; provided, however, that such deductions shall not exceed the value of such debt on January 1, 1931.

9. A reasonable allowance for the depreciation, exhaustion, wear and tear and obsolescence of property used in the trade or business, and in the case of mines or other natural deposits and timber, a reasonable allowance for depletion; provided, that in computing the deductions allowed under this paragraph the basis shall be the cost (including in the case of mines and other natural deposits, the cost of development, not otherwise deducted), and in the case of property acquired prior to January 1, 1931, the fair market value of the property on that date shall be taken in lieu of cost up to that date. The reasonable allowance under this paragraph shall be made under rules and regulations to be prescribed by the board. In the case of leases the deductions allowed may be equitably apportioned between the lessor and the lessee.

10. Contributions made within the taxable year to or for the use of:

(a) The United States, any state, territory or political subdivision thereof, or the District of Columbia, for exclusive public purposes;

(b) Any corporation or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals;

(c) The special fund for vocational rehabilitation authorized by section seven of the vocational rehabilitation act;

(d) Posts or organization of war veterans, or auxiliary units or societies of any such posts or organizations;

(e) Fraternal societies operating under the lodge system, if such contributions are to be used exclusively for religious charitable or educational purposes. This deduction is limited to an amount which, in all of the above cases combined, does not exceed fifteen per cent (15%) of the taxpayer's net income, computed without the benefit of such deductions.

11. If for any taxable year beginning after December 31, 1930, it appears on the production of evidence satisfactory to the board that any taxpayer has sustained a net loss, the amount thereof shall be deducted from the net income of the taxpayer for the succeeding year; and if such net loss is in excess of the net income for such succeeding tax year, the amount of such excess shall be used as a reduction in computing the net income for the next two succeeding tax years, the deduction in all cases to be made under regulations prescribed by the board.

12. Dividends received within the year from stock in any corporation, the income of which shall have been assessed, and the tax on such income paid by the corporation under the provisions of this act; provided, however, that the taxpayer shall not be allowed a credit upon his income tax in excess of the amount of the tax paid by the corporation upon the earnings from which the dividend was paid; and provided further that such corporation has reported the name and address of each person owning stock and the amount of dividends paid each such person during the year.

Sec. 12. Items not deductible. In computing the net income no deductions shall in any case be allowed in respect to the following:

1. Personal, living or family expenses.

2. Any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate.

3. Any amount expended in restoring property or in making good the exhaustion thereof, for which an allowance is or has been made.

4. Premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade

or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

Sec. 13. Exemptions. 1. There shall be deducted from the tax after the same shall have been computed as set forth in this act a personal exemption for individuals as follows:

(a) For an individual, fifteen dollars.

(b) For husband and wife or head of a family, fifty dollars.

For the purposes of this chapter, the term "head of a family" means an individual who maintained a household and supported therein himself and one or more persons who were dependent upon him for support.

(c) For each child under the age of eighteen years who is actually supported by and dependent upon the taxpayer for his support, an additional four dollars.

(d) The personal exemptions provided by this section shall be determined by the personal status of a taxpayer on the last day of the tax year.

## RETURNS

Sec. 14. Individual returns. 1. Every individual having a net income for the tax year from sources taxable under this act of fifteen hundred dollars or over, if single, or if married and not living with husband or wife; or having a net income for the tax year of thirty-five hundred dollars or over if married and living with husband or wife; and every partnership doing business in this state shall make a return under oath, stating specifically the items of gross income and the deductions and exemptions allowed by this act.

2. If husband and wife living together have an aggregate net income of thirty-five hundred dollars or over, each shall make such a return, unless the income of each is included in a single joint return.

3. If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

4. Provided, also, that every individual having a gross income of five thousand dollars a year or over, shall file a return.

Sec. 15. Fiduciary return. 1. Every fiduciary subject to taxation under the provisions of this act, as provided in section three (3) hereof, shall make a return under oath for the individual, estate or trust for whom or for which he acts, if the net amount thereof amounts to one thousand dollars or more or the gross amount thereof amounts to two thousand dollars or more.

2. The return made by a fiduciary shall state specifically the items of gross income, and the deductions and exemptions allowed by this act and such other facts as the board may prescribe. Under such regulations

as the board may prescribe, a return may be made by one of two or more joint fiduciaries.

3. Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

Sec. 16. Corporation returns. 1. The return by a corporation shall be sworn to by the president, vice-president, or other principal officer and by the treasurer or assistant treasurer. Before a corporation shall be dissolved and its assets distributed it shall make a return for a settlement of the tax for any income earned in the income year up to its final date of dissolution.

2. When any corporation, liable to taxation under this act, conducts its business in such a manner as either directly or indirectly to benefit the members or stockholders thereof or any person interested in such business by selling its products or the goods or commodities in which it deals at less than the fair price which might be obtained therefor, or where a corporation, a substantial portion of whose capital stock is owned either directly or indirectly by another corporation, acquires and disposes of the products, goods or commodities of the corporation so owning a substantial portion of its stock in such a manner as to create a loss or improper net income for either of said corporations, or where a corporation, owning directly or indirectly a substantial portion of the stock of another corporation, acquires and disposes of the products, goods or commodities, of the corporation of which it so owns a substantial portion of the stock, in such a manner as to create a loss or improper net income for either of said corporations, the board may determine the amount of taxable income of either or any of such corporations for the calendar or fiscal year, having due regard to the reasonable profits which, but for such arrangements or understanding, might or could have been obtained, by the corporation or corporations liable to taxation under this act, from dealing in such products, goods or commodities.

3. Where the state board has reason to believe that any person or corporation so conducts his trade or business as either directly or indirectly to distort his true net income and the net income properly attributed to the state, whether by the arbitrary shifting of income, through price fixing, charges for services, or otherwise, whereby the net income is arbitrarily assigned to one or another unit in a group of taxpayers carrying on business under a substantially common control, it may require such facts as it deems necessary for the proper computation of the entire net income and the net income properly attributable to the state, and in determining the same the board shall have regard to the fair profits which would normally arise from the conduct of the trade or business.

Sec. 17. Consolidated Returns. 1. Any corporation capable of exercising directly or indirectly substantially the entire control of the business of another corporation doing business in the United States either by ownership or control of substantially the entire capital stock of such other corporation or otherwise may, under regulations to be prescribed

by the board, be permitted, and upon demand of the board shall be required, to make a consolidated return, showing the consolidated net income of all such corporations, and such other information as the board may require in order to compute the net income properly attributable to the state and to impose the tax upon the taxpayers concerned.

2. The board may permit or require the filing of a consolidated return where substantially the entire control of two or more such corporations liable to taxation under this act is exercised by the same interests. Any corporation liable to report under this act and owned or controlled, either directly or indirectly, by another corporation, may be required to make a consolidated report showing the combined net income, such assets of the corporation as are required for the purpose of this act, and such other information as the board may require.

3. In case it shall appear to the board that any arrangement exists in such a manner as to improperly reflect the business done, the segregable assets or the entire net income earned from business done in the state, the board is authorized and empowered, in such manner and under such rules and regulations as it may determine, to equitably adjust the tax.

Sec. 18. Information at source. 1. Every person or corporation being a resident of or having a place of business in this state, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the state or of any political subdivision of the state, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete returns thereof under oath, to the state board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

2. Every partnership, having a place of business in the state, shall make a return, stating specifically the items of its gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed, and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

3. Every fiduciary shall make, under oath, a return for the individual, estate, or trust for whom or for which he acts, and shall set forth in such return the items of the gross income, the deductions allowed by this act, the net income, the names and addresses of the beneficiaries, the amounts distributed or distributable to each and the amount, if any, lawfully retained by him for future distribution. Such return may be made by one of two or more joint fiduciaries.

Sec. 19. Time and place of filing returns. Returns shall be in such form as the board may, from time to time, prescribe, and shall be filed

with the board within ninety days after the expiration of the tax year. In case of sickness, absence or other disability, or whenever, in its judgment, good cause exists, the board may allow further time for filing returns. There shall be annexed to the return the affidavit or affirmation of the taxpayer making the return to the effect that the statements contained therein are true. The board shall cause to be prepared blank forms for said returns and shall cause them to be distributed throughout the state and to be furnished upon application, but failure to receive or secure the form shall not relieve the taxpayer from the obligation of making any return herein required.

Sec. 20. Failure to file returns; supplemental returns. If the board shall be of the opinion that any person or corporation required under this act to file a return has failed to file such a return, or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxpayer a return or supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the board finds that any items of income, taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of this act whether or not the board required a return or a supplementary return under this section.

Sec. 21. Return by administrator or executor. 1. The return by an individual, who, while living, was subject to income tax in the state during the tax year, and who has died before making the return, shall be made in his name and behalf by the administrator or executor of the estate and the tax shall be levied upon and collected from his estate.

Sec. 22. Change of tax year. If a taxpayer, with the approval of the board, changes the tax year on the basis of which his net income is computed, he shall, at such time and in such manner as the board may prescribe, make a separate return of his net income received during the period intervening between the end of his former income year and the beginning of his new income year.

#### COLLECTION AND ENFORCEMENT OF TAXES

Sec. 23. Time and place of payment. 1. The tax may be paid in two installments, each consisting of one-half of the total amount of the tax. The first installment shall be remitted with the return and the second installment shall be paid on or before six months after the date fixed for filing the return; provided, however, that in case the total amount of the tax shall be ten dollar or less, then, and in that case, the whole amount of the tax shall be paid at the time of filing the return.

2. When, at the request of the taxpayer, the time for filing the return



is extended, interest at the rate of six per cent (6%) per annum on one half of the total tax, from the time when the return was originally required to be filed to the time of payment shall be added and paid.

Sec. 24. Examination of returns. 1. As soon as practicable after the return is filed the board shall examine it and determine the correct amount of the tax, and the amount so determined by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid within ten days after notice of the amount shall be mailed by the board.

2. If the return is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty added because of the understatement, but interest shall be added to the amount of the deficiency at the rate of one half of one per cent ( $\frac{1}{2}\%$ ) for each month or fraction of a month.

3. If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent (5%) thereof, and in addition, interest at the rate of one half of one per cent ( $\frac{1}{2}\%$ ) per month or fraction of a month.

4. If the understatement is found by the board to be false or fraudulent, with intent to evade the tax, the tax on the additional income discovered to be taxable shall be doubled and an additional one per cent (1%) per month or fraction of a month shall be added.

5. The interest provided for in this section shall in all cases be computed from the date the return was originally required to be filed to the date of payment.

6. If the amount of tax as determined by the board shall be less than the amount theretofore paid, the excess shall be refunded with interest from date of payment at six per cent per annum under the provisions of such regulations as may be prescribed by the state board.

7. All payments received must be credited, first, to penalty and interest accrued, and then to tax due.

Sec. 25. Additional Taxes. 1. If the board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within two years after the time when the return was due, compute the tax and give notice to the taxpayer of the proposed assessment, and the taxpayer shall thereupon have an opportunity, within thirty days, to file an appeal with the board and a hearing shall be granted and a final decision thereon shall be made by the board as soon as possible. The limitation of two years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from such notification, if no appeal has been filed or after such hearing if such appeal has been filed, the board shall assess the income of such taxpayer or any portion thereof

which it determines has not theretofore been assessed and shall give notice to the taxpayer so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than five dollars shall be assessed.

Sec. 26. Warrant for the collection of taxes. If any tax imposed by this act or any portion of such tax be not paid within sixty days after the same becomes due, the board shall issue a warrant under its official seal directed to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property of the taxpayer found within his county, for the payment of the amount thereof, with the added penalties, interest, and the cost of executing the warrant, and to return such warrant to the board and pay to it the money collected by virtue thereof by a time to be therein specified, not less than sixty days from the date of the warrant. The sheriff shall, within five days after receipt of the warrant, file with the clerk of the district court of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The said sheriff shall thereupon proceed upon the same in all respects, with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgment of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be collected in the same manner.

Sec. 27. Tax a debt. Every tax imposed by this act, and all increases, interest and penalties thereon shall become, from the time it is due and payable, a personal debt from the person or persons liable to pay the same to the state of Iowa, and all property of the taxpayer, whether exempt from execution or not, shall be liable for satisfaction of the debt.

Sec. 28. Action for recovery of taxes. Action may be brought at any time by the attorney general of the state, and shall be brought by him upon the request of the state board, in the name of the state, to recover the amount of any taxes, penalties, and interest due under this act.

Sec. 29. Tax upon settlement of fiduciary's account.

1. No final account of a fiduciary shall be allowed by any court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipt for the amount of the tax therein certified

shall be conclusive as to the payment of the tax to the extent of said certificate.

2. For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board may, on behalf of the state, agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

### PENALTIES

Sec. 30. Penalties. 1. If any taxpayer, without intent to evade any tax imposed by this act, shall fail to file a return of income or pay a tax, if one is due at the time required by or under the provisions of this act, but shall voluntarily file a corrected return of income and pay the tax due, within sixty days thereafter, there shall be added to and made a part of the tax an additional amount equal to five per cent (5%) thereof, plus one dollar, and an additional one per cent (1%) for each month or fraction of a month during which the tax remains unpaid.

2. If any taxpayer fails voluntarily to file a return of income or to pay a tax, if one is due, within sixty days of the time required by or under the provisions of this act, the tax rates shall be increased by twenty per cent (20%), and such increased tax shall be further increased by one per cent (1%) for each month or fraction of a month from the time the tax was originally due to the date of payment.

3. The board shall have power, upon making a record of its reason therefor, to waive or reduce any of the additional taxes or interest provided in subdivisions one (1) and two (2) of this section or in subdivisions two (2), three (3) and four (4) of section twenty-four (24), and to credit all payments received first to penalty and interest, then to tax due.

4. If any taxpayer fails to file a return within sixty days of the time prescribed by this act, any judge of the district court, upon petition of the state board or county assessor of any county, shall issue a writ of mandamus requiring such person to file a return. The order of notice upon the petition shall be returnable not later than ten days after the filing of the petition. The petition shall be heard and determined on the return day or on such day thereafter as the court shall fix, having regard to the speediest possible determination of the case, consistent with the rights of the parties.

5. Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction.

6. If a corporation required by the provisions of this act to file any

report or return or to pay any tax or fee, either as a corporation organized under the laws of this state, or as a foreign corporation doing business in this state for profit, or owning and using a part or all of its capital or plant in this state, fails or neglects to make any such report or return or to pay any such tax or fee for ninety days after the time prescribed in this act for making such report or return, or for paying such tax or fee, the board may in its discretion certify such fact to the secretary of state. The secretary of state shall thereupon cancel the articles of incorporation of any such corporation which is organized under the laws of this state by appropriate entry upon the margin of the record thereof, or cancel the certificate of authority of any such foreign corporation to do business in this state by proper entry. Thereupon all the powers, privileges, and franchises conferred upon such corporation by such articles of incorporation or by such certificate of authority shall cease and determine. The secretary of state shall immediately notify by registered mail such domestic or foreign corporation of the action taken by him.

7. Any person or persons who shall exercise or attempt to exercise any powers, privileges, or franchises under articles of incorporation or certificate of authority after the same are cancelled, as provided in any section of this act, shall pay a penalty of not less than one hundred dollars nor more than one thousand dollars, to be recovered in an action to be brought by the board in the district court of Polk County.

8. Any corporation whose articles of incorporation or certificate of authority to do business in this state have been cancelled by the secretary of state, as provided in sub-section six (6), or similar provisions of prior revenue acts, upon the filing, within ten years after such cancellation, with the secretary of state, of a certificate from the board that it has complied with all the requirements of this act and paid all state taxes, fees, or penalties due from it, and upon the payment to the secretary of state of an additional penalty of fifty dollars, shall be entitled to again exercise its rights, privileges, and franchises in this state; and the secretary of state shall cancel the entry made by him under the provisions of subsection six (6) or similar provision of prior revenue acts, and shall issue his certificate entitling such corporation to exercise its rights, privileges, and franchises.

9. Any person, or any officer or employee of any corporation, or member or employee of any partnership, who, with intent to evade any requirement of this act or any lawful requirement of the board thereunder, shall fail to pay any tax or to make, sign, or verify any return or to supply any information required by or under the provisions of this act, shall be guilty of a misdemeanor and punished accordingly. Any person, corporation, or any officer or employee of a corporation, or member or employee of any partnership, who with intent to evade any of the requirements of this act, or any lawful requirement of the board thereunder, shall make, render, sign or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, or who shall aid, abet, direct, cause or who shall procure anyone so to

do, shall be liable to a penalty of not more than five thousand dollars, to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction, and shall also upon conviction be punished by imprisonment in the penitentiary for a term of from one to three years and by a fine of not less than one thousand dollars nor more than five thousand dollars.

10. The board shall have the power to compromise any penalty under subsections five (5) and nine (9) of this section. The penalties provided by such subsections shall be additional to all other penalties in this act provided.

11. The failure to do any act required by or under the provisions of this act shall be deemed an act committed in part at the office of the board in Iowa. The certificate of the board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

12. If any taxpayer who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the board of his delinquency refuses or neglects, within twenty days after such notice, to file a proper return, or files a fraudulent return, the board shall determine the income of such taxpayer, according to its best information and belief, and assess the same at not more than double the amount so determined. The board may, in its discretion, allow further time for filing a return in such case.

### REVISION AND APPEAL

Sec. 31. Revision by board. A taxpayer may appeal to the board for revision of the tax assessed against him at any time within one year from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The board shall grant a hearing thereon and if, upon such hearings, it shall determine that the tax is excessive or incorrect, it shall re-settle the same according to the law and the facts and adjust the computation of the tax accordingly. The board shall notify the taxpayer of its findings and shall refund to the taxpayer the amount if any, paid in excess of the tax found by it to be **due with interest at six per cent per annum**. If the taxpayer has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return, or, having filed an incorrect return, has failed, after notice, to file a proper return, the board shall not reduce the tax below the amount for which the taxpayer is found to be properly assessed.

Sec. 32. Appeal. The determination of the board upon application made by a taxpayer for revision of any tax may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the board in the county in which the taxpayer resides or has his principal place of business within sixty days after notice by the board of its

determination, given as provided in section twenty-four (24) and/or section thirty (30) of this act. Thereupon appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any such taxes, interest or penalties paid, found by the court to be in excess of those legally assessed, shall be ordered refunded to the taxpayer, with interest at six per cent per annum from time of payment. An appeal may be taken by the taxpayer or the board to the supreme court in the manner that appeals are taken in suits in equity, irrespective of the amounts involved.

### ADMINISTRATION

Sec. 33. The State Board shall administer, enforce, collect, and receipt for the taxes herein imposed. Each member of said board shall give a bond in an amount to be fixed by the Governor. Said bond shall be signed as surety by an association or an incorporation authorized to do a fidelity insurance business in the State of Iowa, and the reasonable cost of said bond shall be paid by the State. The board may for administrative purposes divide the state into districts, provided, that in no case shall a county be divided in forming a district.

The board is hereby authorized to make such rules and regulations as it may deem necessary to the proper administration and enforcement of this act. Such rules and regulations shall be in full force and effect from and after their publication in two newspapers of general circulation in the state of Iowa.

Sec. 34. Board may examine books and records. The board, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power: to examine or cause to be examined by any agent or representative designated by its books, papers, records or memoranda; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oaths and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination books, papers, records and documents relating to any matter which it shall have the authority to investigate or determine.

In all cases where it finds that the taxpayer has not properly reported his or its income, as provided by law, and all hearings where it decides a matter against the taxpayer, the board shall tax the costs to the taxpayer, otherwise they shall be taxed to the state.

The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases. Where the costs are taxed to the taxpayer they shall be added to the taxes, assessed against said taxpayer and shall be collected in the same manner.

In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and production of records, books, papers and

documents, and such court may issue an order requiring the person to appear before the board and give evidence or produce records, books, papers and documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof.

Testimony on hearings before the board may be taken by a deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

Sec. 35. Officers, agents and employees. 1. The board may appoint and remove such agents, auditors, clerks and employees as it may deem necessary, such persons to have such duties and powers as the board may, from time to time prescribe.

2. The salaries of all agents and employees shall be fixed by the board subject to the approval of the executive council.

3. All such agents and employees shall be allowed such reasonable and necessary traveling and other expenses as may be incurred in the performance of their duties.

4. The board may require such of the officers, agents, and employees as it may designate to give bond for the faithful performance of the duties in such sum and with such sureties as it may determine and the state shall pay the premiums on such bonds.

Sec. 36. Oaths and acknowledgments. All officers empowered by law to administer oaths, and all agents, auditors, and such other employees as the board may designate, shall have the power to administer an oath to any person or take the acknowledgment of any person in respect of any return or report required by this act or the rules and regulations of the board.

Sec. 37. Publication of statistics. The board shall prepare and publish annually statistics reasonably available, with respect to the operation of this act, including amounts collected, classification of taxpayers, and such other facts as are deemed pertinent and valuable.

Sec. 38. Secrecy required; penalty for violation.

1. Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the board, any deputy, agent, auditor or other officer or employee, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act. Nothing herein shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act. Reports and returns shall be preserved

for four years and thereafter until the board orders them to be destroyed. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax.

2. Any person violating subdivision one (1) of this section shall be deemed guilty of a misdemeanor, and if the offender be an officer or employee of the state he shall be dismissed from office and shall be incapable of holding any public office in this state for a period of five years thereafter.

3. Every taxpayer shall, upon request of the board, furnish a copy of the return for the corresponding year which he has filed or may file with the federal government of the United States, showing his net income and how obtained and the several sources from which derived.

4. Notwithstanding the provisions of this section, the auditor may permit the commissioner of internal revenue of the United States, or the proper officer of any state imposing an income tax upon the income of individuals, or the authorized representatives of either such officer, to inspect the income tax returns of any individuals, or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any individual but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper office of this state charged with the administration of the income tax law thereof.

Sec. 39. Accounting by Board. All revenue arising under the operation of this act and collected by the board shall be remitted daily by it to the treasurer of state and the same shall become a part of and be credited to the general fund of the state.

Sec. 40. Refunds. 1. The board is hereby authorized to grant a refund of any taxes erroneously or illegally assessed or collected, and all penalties and/or interest assessed or collected thereon, and all taxes that appear to it to be unjustly assessed or excessive in amount, or in any manner wrongfully collected under this act, with interest thereon at six per cent per annum.

2. Such refunds shall be ordered only after claims therefor have been filed by the taxpayer and after hearing, investigation, or such other proofs under oath, as the said board may require.

3. No claim for refund shall be allowed by the board unless a claim therefor has been filed, under oath, with the board within one year after the payment of said tax, penalty or interest thereon.

4. Upon final determination by the board that such refund shall be allowed, the said board shall certify the amount thereof and the name



of the claimant to the auditor of state, who, shall, upon the receipt of such certificate, draw his warrant upon the treasurer of state therefor; and the treasurer of state shall pay the same out of any funds in the state treasury not otherwise appropriated."

Also amend by striking all of the title of Senate File No. 431 and substituting in lieu thereof the following:

"An act designating and fixing the amount of revenue for the biennium for general state purposes; fixing the amount for which levy is to be made by the state board of assessment and review and fixing the amount to be collected by a tax on incomes providing for the levying, imposing, collecting and paying of taxes on incomes, providing for rules and regulations for the enforcement thereof and prescribing for the enforcement thereof and prescribing penalties for the violation thereof."

Elliott of Scott raised the point of order that the pending amendment was out of order for the reason that the same subject matter is still pending.

Speaker Johnson held the point of order not well taken, for the reason that the pending amendment has not been disposed of either by defeat or indefinite postponement.

Bair of Buena Vista moved the previous question on the amendment and the main bill.

Motion prevailed.

Nelson of Story moved to reconsider the vote by which the previous question was ordered.

Motion lost.

On the question "Shall the committee amendment be adopted?" a roll call was demanded.

The ayes were, 46.

Allen	Hansen of	McLain	Simmer
Augustine	Audubon	Miller	Snyder
Beath	Hanson of	Nelson of Story	Stanzel
Bonnstetter	Winnebago	Pattison	Strachan
Donlon	Helgason	Pendray	Tamisiea
Durant	Hollingsworth	Randolph	TePaske
Felter	Hook	Rawlings	Thompson
Gallagher	Hopkins	Reimers	Torgeson
Garrett	Hush	Roe	Van Buren
Gilmore	Lamb	Rylander	Van Wert
Gissel	Langland	Shields	Wamstad
Greaser	Lepley	Short	Mr. Speaker

The nays were, 57.

Aiken	Ellsworth	Koch	Orr
Avery	Fabritz	Kohler	Osborn
Babcock	Figgins	Laughlin	Paisley
Bair	Finnern	Lichty	Peaco
Ballew	Forsling	McCaulley	Randall
Berry	Greene	McCreery	Ratliff
Brown	Hansen of Scott	McDermott	Reed
Byers	Hayes	Malone	Rutledge
Craven	Hesse	Mathews	Ryder
Dayton	Hollis	Mayne	Stiger
Ditto	Husted	Mead	Thiessen
Drake of Keokuk	Hutcheon	Millhone	Watts
Drake of	Johnson of	Nelson of	Wearin
Muscatine	Marion	Cherokee	Whiting
Elliott	Kern	O'Donnell	Witt

Absent or not voting, 5.

Davis	Long	Morton	Sours
Hunt			

Committee amendment lost.

Hush 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, 95.

Aiken	Gallagher	Lamb	Reed
Augustine	Gilmore	Langland	Reimers
Avery	Gissel	Laughlin	Roe
Babcock	Greaser	Lepley	Rutledge
Bair	Greene	Lichty	Ryder
Ballew	Hansen of	McCreery	Rylander
Beath	Audubon	McLain	Shields
Bonnstetter	Hansen of Scott	Malone	Short
Brown	Hanson of	Mathews	Snyder
Byers	Winnebago	Mayne	Stanzel
Craven	Hayes	Mead	Stiger
Dayton	Helgason	Millhone	Strachan
Ditto	Hesse	Miller	Tamisiea
Donlon	Hollingsworth	Nelson of	TePaske
Drake of Keokuk	Hollis	Cherokee	Thiessen
Drake of	Hook	Nelson of Story	Thompson
Muscatine	Hopkins	O'Donnell	Torgeson
Durant	Hush	Orr	Van Buren
Elliott	Husted	Paisley	Van Wert
Ellsworth	Hutcheon	Pattison	Wamstad
Fabritz	Johnson of	Peaco	Watts
Felter	Marion	Pendray	Wearin
Figgins	Kern	Randall	Whiting
Finnern	Koch	Ratliff	Witt
Forsling	Kohler	Rawlings	Mr. Speaker

The nays were, 5.

Allen  
Berry

Garrett

McCaulley

Osborn

Absent or not voting, 8.

Davis  
Hunt

Long  
McDermott

Morton  
Randolph

Simmer  
Sours

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Elliott of Scott moved that the vote by which Senate File No. 432 passed the House be reconsidered and the motion to reconsider be laid on the table.

Motion prevailed.

## RESOLUTION

Allen of Pocahontas offered the following resolution:

MR. SPEAKER: I move the adoption of the following resolution:

*Be It Resolved by the House of Representatives of the Forty-fourth General Assembly:* That the retiring House of Representatives of the Forty-fourth General Assembly recommend that future Patronage Committees set a scale of salaries or wages for all Committee Clerks at the beginning of the session according to the work of their respective Committees and that the practice of awarding bonuses in the Omnibus bill be discontinued.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Allen moved its adoption.

On the question "Shall the resolution be adopted?" a roll call was demanded.

The ayes were, 89.

Allen  
Augustine  
Avery  
Babcock  
Bair  
Ballew  
Beath  
Berry  
Bonnstetter  
Brown  
Byers  
Craven  
Dayton  
Donlon

Drake of  
Muscatine  
Durant  
Elliott  
Ellsworth  
Fabritz  
Felter  
Figgins  
Finnern  
Forsling  
Gallagher  
Garrett  
Gilmore  
Gissel

Greaser  
Greene  
Hansen of  
Audubon  
Hanson of  
Winnebago  
Hayes  
Helgason  
Hesse  
Hollingsworth  
Hook  
Hopkins  
Husted  
Hutcheon

Kern  
Koch  
Lamb  
Langland  
Laughlin  
Lepley  
Lichty  
McCaulley  
McCreery  
McDermott  
Malone  
Mathews  
Mead  
Millhone

Miller	Pendray	Rylander	Thompson
Nelson of	Randall	Shields	Torgeson
Cherokee	Randolph	Short	Van Wert
Nelson of Story	Ratliff	Snyder	Wamstad
O'Donnell	Rawlings	Stanzel	Watts
Orr	Reed	Stiger	Wearin
Osborn	Reimers	Strachan	Whiting
Paisley	Roe	TePaske	Witt
Pattison	Ryder	Thiessen	Mr. Speaker
Peaco			

The nays were, 1.

Hollis

Absent or not voting, 18.

Aiken	Hunt	Long	Simmer
Davis	Hush	McLain	Sours
Ditto	Johnson of	Mayne	Tamisiea
Drake of Keokuk	Marion	Morton	Van Buren
Hansen of Scott	Kohler	Rutledge	

Resolution 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 report of the second conference committee and concurred in the amendments proposed therein on Senate File No. 429, the omnibus bill.

WALTER H. BEAM, *Secretary*.

#### REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE NO. 429

*To the President of the Senate and the Speaker of the House:*

We, your conference committee appointed to consider the differences between the Senate and the House on Senate File No. 429, beg leave to report that we have had the same under consideration and desire to report as follows:

1. We recommend that the Senate recede from its amendment to House amendment No. 1 to section 7 of the bill, and that the following be inserted in lieu of all other amendments as section 7 of the original bill:

"Sec. 7. To A. C. Gustafson for preliminary expenses, including extra stenographic assistance prior to the convening of the general assembly, and postage, the sum of three hundred twenty dollars (\$320.00). To Walter H. Beam, for extra services during the Forty-fourth General Assembly the sum of one hundred and fifty dollars (\$150.00)."

2. Also, that the House concur in the Senate amendment to House amendment No. 5.

3. Also, that the Senate recede from its amendment to House amendment No. 3, and that the following be inserted in lieu thereof and in lieu of all other amendments to section 19 of the original bill:

"Sec. 19. As additional compensation to the following persons:

Laura Schulze, appropriation clerk of the Senate; Vera Meyer, clerk of the claims committee of the House; Adeline Havel, clerk of the special tax revision committee, the sum of \$100.00 each.

Gertrude Taggart, judiciary clerk of the house, the sum of \$75.00.

Bernice Maine, clerk of the Senate sifting committee; Myra Larson, clerk of the house sifting committee, the sum of \$50.00 each.

C. F. Clark, C. L. Rigby, George W. Patterson, J. H. Johnson, M. R. McCaulley and H. M. Greene, the sum of three hundred dollars (\$300.00) each, as partial compensation and to cover expenses as members of the special legislative tax revision committee of the Forty-third General Assembly.

4. Also that the Senate recede from its amendment to sub-sections "A" and "E" of the House amendment No. 4, creating the new Section 21 and that the following be inserted in lieu of all other amendments as paragraph "E" of section 4 of the House amendments:

"Par. E. Sec. 21. To Fred H. Free, the sum of \$387.03."

5. Also amend by renumbering the publication clause of the original bill as Section 22.

O. P. BENNETT,  
M. D. COONEY,  
WESLEY C. LOWE,  
FRANK BISSELL,

*On the Part of the Senate.*

BYRON G. ALLEN,  
FRANK W. ELLIOTT,  
H. F. GARRETT,  
Z. S. RATLIFF,

*On the Part of the House.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Orr of Clayton, 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. 431 and 432.

C. J. ORR,  
*Chairman House Committee.*

E. R. HICKLIN,  
*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. 431 and 432.

## CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We, the undersigned, request a call of the House for the consideration of Senate File No. 429.

ED. R. BROWN  
Z. S. RATLIFF  
C. W. LAMB  
L. B. FORSLING  
W. J. McLAIN  
I. M. REED

The roll was called to ascertain the absentees.

The roll call disclosed all members were present, except Ditto of Osceola, Hunt of Louisa, Morton of Wright and Sours of Floyd, who, on motion, were excused from the call of the House.

REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE  
FILE NO. 429 ADOPTED

On the question "Shall the report of the second conference committee on Senate File No. 429, with the amendments recommended therein be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 58.

Aiken	Gallagher	Lepley	Ratliff
Allen	Garrett	Lichty	Rawlings
Augustine	Hanson of	McCreery	Reimers
Babcock	Winnebago	Malone	Ryder
Bair	Hayes	Mayne	Rylander
Ballew	Helgason	Mead	Shields
Beath	Hesse	Millhone	Simmer
Byers	Hollingsworth	Nelson of	Stanzel
Craven	Hollis	Cherokee	Stiger
Donlon	Hopkins	O'Donnell	Tamisiea
Drake of Keokuk	Hush	Orr	TePaske
Drake of	Kern	Paisley	Van Buren
Muscatine	Koch	Pattison	Van Wert
Elliott	Lamb	Peaco	Wamstad
Ellsworth	Langland	Randolph	Witt
Forsling			

The nays were, 40.

Avery	Gilmore	McLain	Short
Berry	Gissel	Mathews	Snyder
Bonnstetter	Greaser	Miller	Strachan
Brown	Hansen of	Nelson of Story	Thiessen
Davis	Audubon	Osborn	Thompson
Dayton	Hansen of Scott	Pendray	Torgeson
Durant	Hook	Randall	Watts
Fabritz	Husted	Reed	Wearin
Felter	Hutcheon	Roe	Whiting
Figgins	Kohler	Rutledge	Mr. Speaker
Finnern			

Absent or not voting, 10.

Ditto	Johnson of	Long	Morton
Greene	Marion	McCaulley	Sours
Hunt	Laughlin	McDermott	

Second conference committee report adopted.

### EXPLANATION

Brown of Polk filed the following explanation of vote:

MR. SPEAKER: I desire to explain my vote of "No" on the conference report on Senate File No. 429, known as the omnibus bill. I am opposed to bonuses in any form. Those to whom bonuses have been voted in this bill were employed with the distinct understanding they were to receive certain compensation for their work, and now they are either asking for, or there has been given them in the omnibus bill, bonuses in certain amounts. They are not entitled to such bonuses or any other compensation for such services, than their regular pay, and committee clerks who have had as much work to do as they have, are not included in the omnibus bill. The system is wrong and no one should be given the state's money as a bonus, above their regular compensation.

I have talked and voted against these bonuses. Two conference committees have been appointed, and the first conference report was rejected, and the present conference report is made within a few hours of adjournment of the session. It is making added expense to continue to fight against this bonus, and I feel I should not make further open objections to the adoption of the report of this other conference committee.

ED. R. BROWN.

### RESOLUTION

Donlon of Palo Alto and TePaske of Sioux offered the following resolution:

MR. SPEAKER AND MEMBERS OF THE HOUSE: During these closing hours of this Forty-fourth General Assembly of Iowa, the members of the House

desire to take reverent note of the passing of two of the most distinguished citizens of the State, Hon. Scott M. Ladd of Des Moines and Hon. Martin J. Wade of Iowa City. Both of these men were great lawyers and jurists; both were public servants of the highest type; both were citizens of lofty character. Both lived to enjoy for years the laurels of an honored career. Both of them brought distinction to themselves, the state and nation. Over the mouldering form of all that is mortal let it be written over each of them:

"Well Done," and "He sleeps well."

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly:* That to the lives and services of these two great men the State of Iowa will always be deeply indebted; that in their passing we take note of our loss.

That a copy of this Resolution be printed in the Journal of the House, and that an engrossed copy be sent to Mrs. Scott M. Ladd and to Mrs. Martin J. Wade.

April 15, 1931.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. TePaske moved its adoption.

Motion prevailed and the resolution was adopted.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 519, a bill for an act relative to primary roads.

Also, that the Senate has passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 7, relative to farm financing.

WALTER H. BEAM, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate Joint Resolution No. 7, Joint Resolution petitioning the federal government relative to farm financing.

Read first and second times and passed on file.



## SENATE JOINT RESOLUTION NO. 7

Joint Resolution petitioning the federal government relative to farm financing.

*Whereas*, an acute situation has developed in the field of Iowa Farm financing due to the fact that a large number of farms are now held by banks, insurance companies and other such agencies, which have come into their possession by reason of the inability of the owners and operators thereof to meet their obligations under the existing system of farm financing, the term periods of which are too short for the farmer to meet the principal and the interest rates are higher than the industry can afford to pay; and

*Whereas*, owing to the state of mind of the investing public, farm loans are continually becoming more difficult to obtain even at an increased rate of interest while other businesses and industries, because of larger accumulations of money, are now able to finance themselves at a declining rate; and

*Whereas*, there is a positive and urgent need for an adequate and efficient credit system affording agriculture an opportunity to finance itself at interest rates commensurate with the profits of the industry, the principal to be amortised over a long time period, and secured by mortgage based upon a fair and reasonable valuation of the property, making it among the most sound and high grade types of security; and

*Whereas*, on account of the large accumulations of money above referred to now seeking investments and willing to accept low interest rates when properly secured, the present time is the most opportune to re-finance farm loans and give to agriculture the same, and greatly needed, advantage of the prevailing lower interest rates on investments now enjoyed by other businesses and industries; and

*Whereas*, unless such adequate and efficient system of credit is provided so as to restore the incentive and encourage the desire on the part of the farm operator to own his own farm and home, there is grave danger that this great industry, and the great group of American citizens engaged therein may drift into a state bordering dangerously close to peasantry; therefore

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the Federal Government be, and hereby is respectfully petitioned and asked to immediately take such steps as are necessary to effect such credit system for farm financing, based upon farm mortgages at reasonable values amortised over long time periods and at low rates of interest, that this great, basic industry which now is unable to finance itself in a way comparable with that of other industries of equal importance may be placed on an equal footing with such other industries.

Sec. 2. That each of the adjoining states be and they are hereby urged to cooperate with the State of Iowa to obtain from Congress the advantage of its borrowing ability for the purpose of making farm loans on a

favorable basis, and to that end provide for the appointment and attendance of delegates at a conference to be held in the City of Washington and to appropriate sufficient funds to defray the expense of such delegates and the expense of carrying on, under such plan as the conference may formulate, an active, energetic publicity campaign at Washington and elsewhere throughout the United States to inform the public of the facts as to the need for and the desirability of loans made on bona fide farm land at present values and at interest rates at least as favorable as those now obtained by other industries.

Sec. 3. That the Governor be requested to transmit to the Governor of each of the adjoining states a copy of this resolution with a request that he, as soon as possible, communicate this resolution to his legislature and recommend its immediate favorable action thereon; also that the Governor be requested to fix a date for the holding of a conference with the Governors of neighboring states, to formulate the necessary plan to make this resolution effective and to appoint a committee of eight whose duty it shall be to immediately take the necessary steps to establish an office in Iowa and create an organization to do everything necessary to accomplish the purpose of this resolution.

Sec. 4. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of Ten Thousand (\$10,000) Dollars or so much thereof as may be necessary to pay for the expense of carrying out the provisions of this resolution.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 519

Amend House File No. 519 as same passed the House by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The following primary roads shall be improved by grading, draining, bridging and paving:

Primary road number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on primary road number 3 south of Keosauqua.

Primary road number 2, from a point on primary road number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on primary road number 71, south of Atlantic, and from a point on primary road number 71, westerly to a point on primary road number 32 near Lewis.

Primary road number 3, from a point on primary road number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to a point on the Missouri River opposite Nebraska City.

Primary road number 4, from a point on the Missouri line southeast of Hamburg, by way of Hamburg and Sibley, to a point on primary road

number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on primary road number 20 west of Early.

Primary road number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to Le Mars.

Primary road number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary road number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary road number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota line north of Larchwood.

Primary road number 10, from Strawberry Point, by way of Oelwein, Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on primary road number 75 west of Orange City.

Primary road number 11, from Cedar Rapids, by way of Independence and Oelwein, by West Union, to Calmar.

Primary road number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on primary road number 18 west of McGregor.

Primary road number 14, between Corydon and Chariton. Also from its intersection with primary road number 58 through Grundy Center to its intersection with primary road number 57.

Primary road number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary road number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with primary road number 9.

Primary road number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with primary road number 16.

Primary road number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer and Sheldon, to a point on primary road number 75 near Perkins.

Primary road number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary road number 21, from Primghar to a point on primary road

number 18 east of Sanborn. Also, from Ida Grove to a point on primary road number 20 east of Holstein.

Primary road number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary road number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary road number 32, from Davenport, by way of Iowa City, Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary road number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary road number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary road number 48, from Red Oak, through Essex, to Shenandoah.

Primary road number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota line north of Burr Oak.

Primary road number 57, from its intersection on primary road number 14, by way of Dike to Cedar Falls.

Primary road number 58, from Eldora to a point on primary road number 134 west of Eldora. Also east of Eldora to a point on primary road number 14.

Primary road number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on primary road number 10 east of Waverly.

Primary road number 60, from a point on primary road number 30 east of Boone, by way of Madrid, to Des Moines.

Primary road number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, DeWitt, and Maquoketa, to Dubuque.

Primary road number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri line southwest of Bloomfield.

Primary road number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota line north of Northwood.

Primary road number 69, from Leon, by way of Lamoni, to the Missouri line south of Lamoni.

Primary road number 71, from the Missouri line near Braddyville, by way of Clarinda, Viilisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota line northeast of Spirit Lake.

Primary road number 74, from Tipton, by way of New Liberty, to Davenport.

Primary road number 75, from Missouri Valley, by way of Onawa, Sioux City, Le Mars, Sioux Center, and Rock Rapids, to a point on the Minnesota line north of Rock Rapids.

Primary road number 90, from Grundy Center, by way of Reinbeck, to a point on primary road number 59 south of Hudson.

Primary road number 99, from Davenport, by way of Princeton, and Camanche, to a point on primary road number 30 west of Clinton.

Primary road number 134, from a point on primary road number 58, west of Eldora, to a point on primary road number 65 north of Hubbard.

Primary road number 117, from Aanamosa to Maquoketa.

Primary road number 136, from Clinton, by way of Charlotte and Delmar, to a point on primary road number 61 west of Delmar.

Primary road number 141, from Denison, by way of Mapleton, to Sioux City.

Primary road number 149, from a point on primary road number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to primary road number 32 west of Homestead.

Primary road number 150, from a point on primary road number 32 near Homestead, by way of Amana and Fairfax, to a point on primary road number 30 west of Cedar Rapids.

Primary road number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson to a point on primary road number 61 southwest of Montrose.

Primary road number 218, from a point on primary road number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota line north of St. Ansgar.

Primary interstate roads shortening the direct line of travel on United States highways and primary roads now connecting county seats of adjoining counties.

All other primary roads shall be improved by grading, draining, bridging and surfacing with gravel or other low cost type of surfacing.

Nothing herein shall prohibit the changing by the state highway commission of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

Sec. 2. Until such time as all of the primary roads designated for paving by Section 1 of this act shall have been so improved at least eighty-five per cent (85%) of the mileage of the pavement constructed on the primary road system in any year shall be located upon those roads designated for paving by said Section 1 of this act.

Sec. 3. In addition to the primary roads designated for paving in Section 1 of this act, when at least ninety per cent (90%) of such roads shall have been so improved, those primary roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by said Section 1 of this act, or as the same may have been relocated, may be surfaced with paving.

Sec. 4. The amount of primary road funds expended for maintenance and construction work in any county in any year shall not exceed the amount which said county would have received from the primary road fund had said fund been allotted among the counties of the state on the area basis, plus an amount equal to twenty-five per cent (25%) of the total amount of county primary road bonds issued by such county.

Sec. 5. If in any county the primary road funds available in any year under the provisions of Section forty-seven hundred fifty-five b thirty-two (4755-b32), Code, 1927, for the payment of interest and principal of county primary road bonds and bonds issued to refund county primary road bonds, outstanding on April 15, 1931, are not sufficient to pay all of the interest accruing and principal maturing on such bonds in said year, then the deficiency shall be paid from the primary road fund.

Sec. 6. The state highway commission shall on or before January 1, 1932, add to the primary road system such roads as will provide the most practicable connections from a primary road to each town or village in the state having a population of one hundred fifty (150) or more as shown by the latest available state census, which additional roads shall be graded, bridged, drained and surfaced with gravel or other low cost type of surfacing. Except as provided in this section, additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system has been graded, bridged and surfaced.

Sec. 7. Section forty-seven hundred fifty-five b eight (4755-b8) of the Code, 1927, is amended by striking all of said section after the word "projects" in line eighteen (18) thereof.

Sec. 8. Should the proposed amendment to the Constitution of the State of Iowa, to be known as Article XIII, as set forth in House Joint Resolution number 6 of the Forty-third General Assembly and Senate Joint Resolution number 1 of the Forty-fourth General Assembly become effective, Section 4 and section 5 of this act shall be of no effect from and after the time said amendment becomes effective.

Sec. 9. This act is deemed to be separable and if any section thereof

is held to be void or becomes void, it shall not void the other sections of this act.

Amend the title by striking it and substituting in lieu thereof the following:

"A Bill for An Act to provide for the improvement of the primary road system of the state, for additions thereto, for the use of the primary road fund, and for the payment of the principal and interest of the county primary road bonds, and to amend section forty-seven hundred fifty-five b 8 (4755-b8) of the Code, 1927."

### CALL OF THE HOUSE

MR. SPEAKER: We hereby request a call of the House for the consideration of the Senate amendments to House File No. 519.

J. H. JOHNSON  
FRED B. WITT  
E. M. LICHTY  
MARION R. MCCAULLEY  
E. O. ELLSWORTH

The roll was called to ascertain the absentees.

The roll call disclosed that all members were present except Long of Cerro Gordo, Morton of Wright and Sours of Floyd who, on motion, were excused.

### CONSIDERATION OF SENATE AMENDMENTS

On request of Johnson of Marion, unanimous consent having been given House File No. 519, a bill for an act to repeal sections forty-seven hundred fifty-three-a ten (4753-a10), forty-seven hundred fifty-five-b thirty-two (4755-b32), forty-seven hundred fifty-five-b thirty-three (4755-b33), forty-seven hundred fifty-five-b thirty-four (4755-b34), forty-seven hundred fifty-eight (4758), and forty-seven hundred sixty-two (4762), code, 1927; to repeal sections forty-seven hundred fifty-three-a eleven (4753-a11), forty-seven hundred sixty-four (4764), and forty-seven hundred sixty-six (4766), code, 1927, and to enact substitutes therefor; and to amend sections forty-seven hundred fifty-three-a twelve (4753-a12), forty-seven hundred fifty-six (4756), forty-seven hundred fifty-seven (4757), forty-seven hundred sixty (4760), forty-seven hundred sixty-one (4761), forty-seven hundred sixty-five (4765), and forty-seven hundred seventy (4770), code, 1927, all

relating to county primary road bonds and bonds issued to refund county primary road bonds; and to enact certain measures relative to the improvement of primary roads and to the issuance and payment of county primary road bonds and bonds issued to refund county primary road bonds, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 519

Amend House File No. 519 as same passed the House by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The following primary roads shall be improved by grading, draining, bridging and paving:

Primary road number 1, from a point nine miles north of Fairfield, by way of Birmingham and Keosauqua, to a point on primary road number 3 south of Keosauqua.

Primary road number 2, from a point on primary road number 61 west of Grandview, by way of Columbus Junction, Washington, Sigourney, Oskaloosa, Knoxville, Indianola, Winterset, and Greenfield, to a point on primary road number 71, south of Atlantic, and from a point on primary road number 71, westerly to a point on primary road number 32 near Lewis.

Primary road number 3, from a point on primary road number 61 west of Fort Madison, by way of Farmington, Bloomfield, Centerville, Corydon, Leon, Mount Ayr, Bedford, Clarinda, Shenandoah, and Sidney, to a point on the Missouri River opposite Nebraska City.

Primary road number 4, from a point on the Missouri line southeast of Hamburg, by way of Hamburg and Sibley, to a point on primary road number 34 north of Hillsdale. Also from Avoca, by way of Harlan, Denison, and Odebolt, to a point on primary road number 20 west of Early.

Primary road number 5, from Fort Dodge, by way of Manson, Storm Lake, and Cherokee, to Le Mars.

Primary road number 6, from Centerville, by way of Albia, Knoxville, and Carlisle, to Des Moines.

Primary road number 7, from Des Moines, by way of Dallas Center, Guthrie Center, Hamlin, Harlan, and Avoca, to Council Bluffs.

Primary road number 9, from Lansing, by way of Waukon, Decorah, Cresco, Osage, Manly, Forest City, Swea City, Estherville, Spirit Lake, Sibley, and Rock Rapids, to a point on the South Dakota line north of Larchwood.

Primary road number 10, from Strawberry Point, by way of Oelwein,



Waverly, Shell Rock, Allison, Hampton, Clarion, Humboldt, Pocahontas, Havelock, Linn Grove, Paullina, and Orange City, to a point on primary road number 75 west of Orange City.

Primary road number 11, from Cedar Rapids, by way of Independence and Oelwein, by West Union, to Calmar.

Primary road number 13, from Marion, by way of Central City, to Manchester. Also from Strawberry Point, by way of Elkader, to a point on primary road number 18 west of McGregor.

Primary road number 14, between Corydon and Chariton. Also from its intersection with primary road number 58 through Grundy Center to its intersection with primary road number 57.

Primary road number 15, from Ames, by way of Blairsburg, Belmond, and Garner, to Forest City.

Primary road number 16, from Mount Ayr to Winterset. Also from Adel, by way of Ogden, Fort Dodge, Humboldt, and Algona, to its intersection with primary road number 9.

Primary road number 17, from Estherville, by way of Emmetsburg and Pocahontas, to Rockwell City. Also from Perry to junction with primary road number 16.

Primary road number 18, from McGregor, by way of Postville, West Union, New Hampton, Charles City, Mason City, Garner, Algona, Emmetsburg, Spencer and Sheldon, to a point on primary road number 75 near Perkins.

Primary road number 20, from Dubuque, by way of Manchester, Independence, Waterloo, Cedar Falls, Iowa Falls, Webster City, Fort Dodge, Rockwell City, Sac City, and Correctionville, to Sioux City.

Primary road number 21, from Primghar to a point on primary road number 18 east of Sanborn. Also, from Ida Grove to a point on primary road number 20 east of Holstein.

Primary road number 28, from Martensdale, by way of Fort Des Moines, to Des Moines.

Primary road number 30, from Clinton, by way of Lowden, Cedar Rapids, Belle Plaine, Tama, Marshalltown, Nevada, Boone, Jefferson, Carroll, Denison, and Missouri Valley, to Council Bluffs.

Primary road number 32, from Davenport, by way of Iowa City, Marengo, Grinnell, Newton, Des Moines, Adel, Redfield, Dexter, Adair, Atlantic, and Oakland, to Council Bluffs.

Primary road number 34, from Burlington, by way of Mount Pleasant, Fairfield, Ottumwa, Albia, Chariton, Osceola, Creston, Corning, Red Oak, and Glenwood, to Council Bluffs.

Primary road number 38, from Muscatine to Wilton, also from Tipton to Stanwood.

Primary road number 48, from Red Oak, through Essex, to Shenandoah.

Primary road number 55, from Dubuque, by way of Luxemburg, Guttenburg, Postville, Calmar, and Decorah, to a point on the Minnesota line north of Burr Oak.

Primary road number 57, from its intersection on primary road number 14, by way of Dike to Cedar Falls.

Primary road number 58, from Eldora to a point on primary road number 134 west of Eldora. Also east of Eldora to a point on primary road number 14.

Primary road number 59, from Oskaloosa, by way of Montezuma, Tama, Traer, Hudson, and Waterloo, to a point on primary road number 10 east of Waverly.

Primary road number 60, from a point on primary road number 30 east of Boone, by way of Madrid, to Des Moines.

Primary road number 61, from Keokuk, by way of Fort Madison, Burlington, Wapello, Muscatine, Davenport, DeWitt, and Maquoketa, to Dubuque.

Primary road number 63, from Des Moines, by way of Prairie City, Pella, Oskaloosa, Ottumwa, and Bloomfield, to a point on the Missouri line southwest of Bloomfield.

Primary road number 65, from Leon, by way of Osceola, Indianola, Des Moines, Ames, Colo, Iowa Falls, Hampton, Mason City, and Northwood, to a point on the Minnesota line north of Northwood.

Primary road number 69, from Leon, by way of Lamoni, to the Missouri line south of Lamoni.

Primary road number 71, from the Missouri line near Braddyville, by way of Clarinda, Villisca, Atlantic, Audubon, Carroll, Sac City, Storm Lake, Spencer, and Spirit Lake, to a point on the Minnesota line northeast of Spirit Lake.

Primary road number 74, from Tipton, by way of New Liberty, to Davenport.

Primary road number 75, from Missouri Valley, by way of Onawa, Sioux City, Le Mars, Sioux Center, and Rock Rapids, to a point on the Minnesota line north of Rock Rapids.

Primary road number 90, from Grundy Center, by way of Reinbeck, to a point on primary road number 59 south of Hudson.

Primary road number 99, from Davenport, by way of Princeton, and Camanche, to a point on primary road number 30 west of Clinton.

Primary road number 134, from a point on primary road number 58, west of Eldora, to a point on primary road number 65 north of Hubbard.

Primary road number 117, from Aanamosa to Maquoketa.

Primary road number 136, from Clinton, by way of Charlotte and Delmar, to a point on primary road number 61 west of Delmar.

Primary road number 141, from Denison, by way of Mapleton, to Sioux City.

Primary road number 149, from a point on primary road number 63 west of Hedrick, by way of Hedrick, Sigourney, and Williamsburg, to primary road number 32 west of Homestead.

Primary road number 150, from a point on primary road number 32 near Homestead, by way of Amana and Fairfax, to a point on primary road number 30 west of Cedar Rapids.

Primary road number 161, from Dubuque, by way of Cascade, Anamosa, Cedar Rapids, Iowa City, Mount Pleasant, and Donnellson to a point on primary road number 61 southwest of Montrose.

Primary road number 218, from a point on primary road number 30 south of Vinton, by way of Vinton, Waterloo, Cedar Falls, Waverly, Charles City, and Osage, to a point on the Minnesota line north of St. Ansgar.

Primary interstate roads shortening the direct line of travel on United States highways and primary roads now connecting county seats of adjoining counties.

All other primary roads shall be improved by grading, draining, bridging and surfacing with gravel or other low cost type of surfacing.

Nothing herein shall prohibit the changing by the state highway commission of the number of any road or part thereof, or the changing of the location of any primary road between the cities and towns named herein.

Sec. 2. Until such time as all of the primary roads designated for paving by Section 1 of this act shall have been so improved at least eighty-five per cent (85%) of the mileage of the pavement constructed on the primary road system in any year shall be located upon those roads designated for paving by said Section 1 of this act.

Sec. 3. In addition to the primary roads designated for paving in Section 1 of this act, when at least ninety per cent (90%) of such roads shall have been so improved, those primary roads which were a part of the primary road system as of April 11, 1929, and not designated for paving by said Section 1 of this act, or as the same may have been relocated, may be surfaced with paving.

Sec. 4. The amount of primary road funds expended for maintenance and construction work in any county in any year shall not exceed the amount which said county would have received from the primary road fund had said fund been allotted among the counties of the state on the area basis, plus an amount equal to twenty-five per cent (25%) of the total amount of county primary road bonds issued by such county.

Sec. 5. If in any county the primary road funds available in any year under the provisions of Section forty-seven hundred fifty-five b thirty-two (4755-b32), Code, 1927, for the payment of interest and principal of county primary road bonds and bonds issued to refund county primary road bonds, outstanding on April 15, 1931, are not sufficient to pay all of the interest accruing and principal maturing on such bonds in said year, then the deficiency shall be paid from the primary road fund.

Sec. 6. The state highway commission shall on or before January 1, 1932, add to the primary road system such roads as will provide the most practicable connections from a primary road to each town or village in the state having a population of one hundred fifty (150) or more as shown by the latest available state census, which additional roads shall be graded, bridged, drained and surfaced with gravel or other low cost type of surfacing. Except as provided in this section, additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system has been graded, bridged and surfaced.

Sec. 7. Section forty-seven hundred fifty-five b eight (4755-b8) of the Code, 1927, is amended by striking all of said section after the word "projects" in line eighteen (18) thereof.

Sec. 8. Should the proposed amendment to the Constitution of the State of Iowa, to be known as Article XIII, as set forth in House Joint Resolution number 6 of the Forty-third General Assembly and Senate Joint Resolution number 1 of the Forty-fourth General Assembly become effective, Section 4 and section 5 of this act shall be of no effect from and after the time said amendment becomes effective.

Sec. 9. This act is deemed to be separable and if any section thereof is held to be void or becomes void, it shall not void the other sections of this act.

Amend the title by striking it and substituting in lieu thereof the following:

"A Bill for An Act to provide for the improvement of the primary road system of the state, for additions thereto, for the use of the primary road fund, and for the payment of the principal and interest of the county primary road bonds, and to amend section forty-seven hundred fifty-five b 8 (4755-b8) of the Code, 1927."

Greene of Pottawattamie offered the following amendment to Senate amendments to House File No. 519 and moved its adoption:

Amend section 3, in line six, by striking the word "may" following the comma, and substituting in lieu thereof the word "shall".

Hollingsworth of Boone moved the previous question. Motion prevailed.

On the question "Shall the amendment to the Senate amendment be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 21.

Brown	Greene	McCaulley	Snyder
Dayton	Hansen of Scott	McCreery	Stanzel
Drake of Keokuk	Hayes	Mayne	Strachan
Durant	Kern	Osborn	Thiessen
Finnern	Laughlin	Rylander	Wearin
Garrett			

The nays were, 81.

Aiken	Gallagher	Lamb	Rawlings
Allen	Gilmore	Langland	Reed
Augustine	Gissel	Lepley	Reimers
Avery	Greaser	Lichty	Roe
Babcock	Hansen of	McDermott	Rutledge
Bair	Audubon	McLain	Ryder
Ballew	Hanson of	Malone	Shields
Beath	Winnebago	Mathews	Short
Berry	Helgason	Mead	Simmer
Bonnstetter	Hesse	Millhone	Stiger
Byers	Hollingsworth	Miller	Tamisiea
Craven	Hollis	Nelson of	TePaske
Davis	Hook	Cherokee	Thompson
Donlon	Hopkins	Nelson of Story	Torgeson
Drake of	Hush	O'Donnell	Van Buren
Muscatine	Husted	Orr	Van Wert
Elliott	Hutcheon	Paisley	Wamstad
Ellsworth	Johnson of	Peaco	Watts
Fabritz	Marion	Pendray	Whiting
Felter	Koch	Randall	Witt
Figgins	Kohler	Randolph	Mr. Speaker
Forsling		Ratliff	

Absent or not voting, 6.

Ditto	Long	Morton	Sours
Hunt		Pattison	

Amendment to Senate amendments lost.

Allen of Pocahontas and Byers of Linn offered the following amendment to Senate amendments and moved its adoption:

Amend the substitute amendment to House File No. 519 by striking out Section six (6) and inserting in lieu thereof the following:

"Sec. 6. Additions to the primary road system shall not exceed fifty (50) miles in any one year until the primary road system as of July 4, 1931, has all been graded, bridged, and surfaced."

Avery of Clay moved the previous question. Motion prevailed.

On the question "Shall the amendment to the Senate amend-

ments be adopted?" a roll call was demanded. Rule 18 was invoked.

The ayes were, 44.

Aiken	Finnern	McDermott	Shields
Allen	Forsling	Nelson of Story	Short
Avery	Greaser	O'Donnell	Snyder
Beath	Hanson of	Peaco	Stanzel
Bonnstetter	Winnebago	Pendray	Strachan
Brown	Helgason	Randall	TePaske
Byers	Hook	Randolph	Thompson
Craven	Hush	Rawlings	Torgeson
Davis	Hutcheon	Reimers	Van Wert
Drake of	Lamb	Roe	Wamstad
Muscatine	Langland	Rutledge	Mr. Speaker
Felter	McCreery		

The nays were, 58.

Augustine	Gissel	Kohler	Osborn
Babcock	Greene	Laughlin	Paisley
Bair	Hansen of	Lepley	Ratliff
Ballew	Audubon	Lichty	Reed
Berry	Hansen of Scott	McCauley	Ryder
Dayton	Hayes	McLain	Rylander
Donlon	Hesse	Malone	Simmer
Drake of Keokuk	Hollingsworth	Mathews	Stiger
Durant	Hollis	Mayne	Tamisiea
Elliott	Hopkins	Mead	Thiessen
Ellsworth	Husted	Millhone	Van Buren
Fabritz	Johnson of	Miller	Watts
Figgins	Marion	Nelson of	Wearin
Gallagher	Kern	Cherokee	Whiting
Garrett	Koch	Orr	Witt
Gilmore			

Absent or not voting, 6.

Ditto	Long	Pattison	Sours
Hunt	Morton		

Amendment to Senate amendments lost.

Shields of Clarke offered the following amendment to Senate amendments and moved its adoption.

Amend the Senate amendments to House File No. 519 by striking the words "town or" in line four (4) of Section 6, and insert in lieu thereof the following: "incorporated town in the state as of January 1, 1931 and to each".

Hush of Montgomery moved the previous question on all pending amendments.

On the question "Shall the previous question be ordered?" a roll call was demanded.

The ayes were, 41.

Aiken	Figgins	McLain	Simmer
Bair	Hanson of	Mathews	Snyder
Ballew	Winnebago	Mead	Stanzel
Beath	Helgason	Miller	Strachan
Bonnstetter	Hollingsworth	Nelson of	Thompson
Craven	Hook	Cherokee	Torgeson
Davis	Hush	Osborn	Van Buren
Drake of	Kohler	Pendray	Van Wert
Muscatine	Lamb	Randall	Wamstad
Durant	Langland	Ratliff	Whiting
Ellsworth	Laughlin	Reimers	Mr. Speaker

The nays were, 57.

Allen	Gallagher	Johnson of	Peaco
Augustine	Garrett	Marion	Randolph
Avery	Gilmore	Kern	Reed
Babcock	Gissel	Koch	Roe
Berry	Greaser	Lepley	Ryder
Brown	Greene	Lichty	Rylander
Byers	Hansen of	McCaulley	Shields
Dayton	Audubon	McCreery	Stiger
Donlon	Hansen of Scott	McDermott	Tamisica
Drake of Keokuk	Hayes	Malone	TePaske
Elliott	Hesse	Millhone	Thiessen
Fabritz	Hollis	Nelson of Story	Watts
Felter	Hopkins	O'Donnell	Wearin
Finnern	Husted	Orr	Witt
Forsling	Hutcheon	Paisley	

Absent or not voting, 10.

Ditto	Mayne	Pattison	Short
Hunt	Morton	Rawlings	Sours
Long		Rutledge	

Motion lost.

On the question "Shall the amendment to Senate amendments be adopted?" a roll call was demanded.

The ayes were, 13.

Elliott	Nelson of Story	Short	Van Wert
Finnern	Pendray	Strachan	Wearin
Hook	Shields	Thompson	Mr. Speaker
Hopkins			

The nays were, 84.

Aiken	Brown	Ellsworth	Greene
Allen	Byers	Fabritz	Hansen of
Augustine	Craven	Felter	Audubon
Avery	Davis	Figgins	Hansen of Scott
Babcock	Dayton	Forsling	Hayes
Bair	Donlon	Gallagher	Helgason
Ballew	Drake of Keokuk	Garrett	Hesse
Beath	Drake of	Gilmore	Hollingsworth
Berry	Muscatine	Gissel	Hollis
Bonnstetter	Durant	Greaser	Hush

Husted	McDermott	Paisley	Snyder
Hutcheon	McLain	Peaco	Stiger
Kern	Malone	Randall	Tamisiea
Koch	Mathews	Randolph	TePaske
Kohler	Mead	Rawlings	Thiessen
Lamb	Millhone	Reed	Torgeson
Langland	Miller	Reimers	Van Buren
Laughlin	Nelson of	Roe	Wamstad
Lepley	Cherokee	Rutledge	Watts
Lichty	O'Donnell	Ryder	Whiting
McCaulley	Orr	Rylander	Witt
McCreery	Osborn	Simmer	

Absent or not voting, 11.

Ditto	Johnson of	Mayne	Ratliff
Hanson of	Marion	Morton	Sours
Winnebago	Long	Pattison	Stanzel
Hunt			

Amendment to Senate amendments lost.

Allen of Pocahontas offered the following amendment to Senate amendments and moved its adoption:

Amend section six (6) of the Senate amendments to House File No. 519 by striking the words "or village" in line four (4).

On the question "Shall the amendment to the Senate amendments be adopted?" a roll call was demanded.

The ayes were, 25.

Aiken	Hanson of	Nelson of	Thompson
Allen	Winnebago	Cherokee	Torgeson
Byers	Hollingsworth	Nelson of Story	Van Buren
Davis	Hook	Pendray	Van Wert
Felter	Lamb	Short	Wamstad
Forsling	Langland	Strachan	Mr. Speaker
Gilmore	McCreery	TePaske	

The nays were, 70.

Augustine	Figgins	Koch	Randall
Avery	Gallagher	Kohler	Randolph
Babcock	Garrett	Laughlin	Rawlings
Bair	Gissel	Lepley	Reed
Ballew	Greaser	Lichty	Reimers
Beath	Greene	McCaulley	Roe
Berry	Hansen of Scott	McDermott	Rutledge
Bonnstetter	Hayes	McLain	Ryder
Craven	Helgason	Malone	Rylander
Dayton	Hesse	Mathews	Simmer
Donlon	Hollis	Mead	Snyder
Drake of Keokuk	Hopkins	Millhone	Stiger
Drake of	Hush	Miller	Tamisiea
Muscatine	Husted	O'Donnell	Thiessen
Durant	Hutcheon	Orr	Watts
Elliott	Johnson of	Osborn	Wearin
Ellsworth	Marion	Paisley	Whiting
Fabritz	Kern	Peaco	Witt



Absent or not voting, 13.

Brown	Hansen of	Mayne	Ratliff
Ditto	Audubon	Morton	Shields
Finnern	Hunt	Pattison	Sours
	Long		Stanzel

Amendment to Senate amendments lost.

TePaske of Sioux offered the following amendment to the Senate amendments and moved its adoption:

Strike from section four (4) all of said section after the word "basis" and in line five (5) thereof.

On the question "Shall the amendment to Senate amendments be adopted?" a roll call was demanded.

The ayes were, 42.

Aiken	Forsling	Langland	Snyder
Allen	Garrett	Lepley	Stanzel
Bair	Greasier	Nelson of	Strachan
Beath	Hanson of	Cherokee	TePaske
Berry	Winnebago	Nelson of Story	Thiessen
Bonnstetter	Hesse	Pendray	Thompson
Craven	Hollingsworth	Randall	Torgeson
Davis	Hook	Reimers	Van Buren
Donlon	Hush	Rylander	Van Wert
Ellsworth	Hutcheon	Shields	Wamstad
Felter	Kohler	Short	Mr. Speaker

The nays were, 57.

Augustine	Gallagher	Laughlin	Randolph
Avery	Gilmore	Lichty	Ratliff
Babcock	Gissel	McCaulley	Rawlings
Ballew	Greene	McDermott	Reed
Brown	Hansen of Scott	McLain	Roe
Byers	Hayes	Malone	Rutledge
Dayton	Helgason	Mathews	Ryder
Drake of Keokuk	Hollis	Mead	Simmer
Drake of	Hopkins	Millhone	Stiger
Muscatine	Husted	Miller	Tamisiea
Durant	Johnson of	O'Donnell	Watts
Elliott	Marion	Orr	Wearin
Fabritz	Kern	Osborn	Whiting
Figgins	Koch	Paisley	Witt
Finnern	Lamb	Peaco	

Absent or not voting, 9.

Ditto	Hunt	Mayne	Pattison
Hansen of	Long	Morton	Sours
Audubon	McCreery		

Amendment to Senate amendments lost.

TePaske of Sioux offered the following amendment to Senate amendments and moved its adoption:

Strike all of section six (6) thereof.

On the question "Shall the amendment to the Senate amendments be adopted?" a roll call was demanded.

The ayes were, 46.

Aiken	Felter	Langland	Short
Allen	Finnern	Lepley	Snyder
Avery	Forsling	McCreery	Stanzel
Beath	Greaser	Nelson of	Strachan
Berry	Hanson of	Cherokee	TePaske
Bonnstetter	Winnebago	Nelson of Story	Thiessen
Brown	Helgason	Peaco	Thompson
Byers	Hook	Pendray	Torgeson
Craven	Hush	Rawlings	Van Buren
Davis	Hutcheon	Reimers	Van Wert
Donlon	Kohler	Rutledge	Wamstad
Ellsworth	Lamb	Shields	Mr. Speaker

The nays were, 56.

Augustine	Gissel	Laughlin	Randall
Babcock	Greene	Lichty	Randolph
Bair	Hansen of	McCaulley	Ratliff
Ballew	Audubon	McDermott	Reed
Dayton	Hansen of Scott	McLain	Roe
Drake of Keokuk	Hayes	Malone	Ryder
Drake of	Hesse	Mathews	Rylander
Muscatine	Hollingsworth	Mayne	Simmer
Durant	Hollis	Mead	Stiger
Elliott	Hopkins	Millhone	Tamisiea
Fabritz	Husted	Miller	Watts
Figgins	Johnson of	O'Donnell	Wearin
Gallagher	Marion	Orr	Whiting
Garrett	Kern	Osborn	Witt
Gilmore	Koch	Paisley	

Absent or not voting, 6.

Ditto	Long	Morton	Sours
Hunt		Pattison	

Amendment to the Senate amendments lost.

Strachan of Humboldt moved the previous question.

Motion prevailed.

Johnson of Marion moved that the House concur in the Senate amendments.

On the question "Shall the House concur?" Rule 18 was invoked.

The ayes were, 44.

Avery	Greene	McLain	Peaco
Babcock	Hansen of Scott	Malone	Randolph
Ballew	Hayes	Mathews	Ratliff
Drake of Keokuk	Hesse	Mayne	Reed
Drake of	Hollis	Mead	Roe
Muscatine	Husted	Millhone	Ryder
Durant	Johnson of	Miller	Stiger
Elliott	Marion	Nelson of	Tamisiea
Fabritz	Kern	Cherokee	Wearin
Gallagher	Koch	Orr	Whiting
Garrett	Laughlin	Osborn	Witt
Gilmore	Lichty	Paisley	

The nays were, 58.

Aiken	Figgins	Kohler	Shields
Allen	Finnern	Lamb	Short
Augustine	Forsling	Langland	Simmer
Bair	Gissel	Lepley	Snyder
Beath	Greaser	McCaulley	Stanzel
Berry	Hansen of	McCreery	Strachan
Bonnstetter	Audubon	McDermott	TePaske
Brown	Hanson of	Nelson of Story	Thiessen
Byers	Winnebago	O'Donnell	Thompson
Craven	Helgason	Pendray	Torgeson
Davis	Hollingsworth	Randall	Van Buren
Dayton	Hook	Rawlings	Van Wert
Donlon	Hopkins	Reimers	Wamstad
Ellsworth	Hush	Rutledge	Watts
Felter	Hutcheon	Rylander	Mr. Speaker

Absent or not voting, 6.

Ditto	Long	Morton	Sours
Hunt		Pattison	

House refuses to concur in Senate amendments to House File No. 519.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Hesse of O'Brien, 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. 429.

G. H. HESSE,  
*Acting Chairman House Committee.*

E. R. HICKLIN,  
*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:

Senate File No. 429.

## CONSIDERATION OF BILLS

Senate Joint Resolution No. 7, Joint Resolution petitioning the federal government relative to farm financing, was taken up for consideration.

Stanzel of Sac moved the previous question.

Motion prevailed.

Torgeson of Worth 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, 33.

Aiken	Helgason	Langland	Rylander
Avery	Hesse	McCaulley	Simmer
Ballew	Hollingsworth	Millhone	Snyder
Davis	Hollis	Nelson of	Stiger
Drake of Keokuk	Hush	Cherokee	TePaske
Gallagher	Husted	Nelson of Story	Torgeson
Hansen of	Johnson of	Paisley	Van Buren
Audubon	Marion	Reimers	Van Wert
Hanson of	Kern	Rutledge	Wamstad
Winnebago			

The nays were, 57.

Allen	Figgins	Lichty	Randolph
Augustine	Finnern	McCreery	Ratliff
Babcock	Forsling	McDermott	Rawlings
Bair	Garrett	McLain	Reed
Beath	Gilmore	Malone	Roe
Berry	Greaser	Mathews	Short
Brown	Hansen of Scott	Mayne	Stanzel
Byers	Hayes	Mead	Thiessen
Craven	Hook	Miller	Thompson
Dayton	Hopkins	O'Donnell	Watts
Durant	Hutcheon	Osborn	Wearin
Elliott	Kohler	Peaco	Whiting
Ellsworth	Lamb	Pendray	Witt
Fabritz	Lepley	Randall	Mr. Speaker
Felter			

Absent or not voting, 18.

Bonnstetter	Gissel	Long	Shields
Ditto	Greene	Morton	Sours
Donlon	Hunt	Orr	Strachan
Drake of	Koch	Pattison	Tamisia
Muscatine	Laughlin	Ryder	

So the joint resolution having failed to receive a constitutional majority was declared to have failed to pass the House.

#### EXPLANATION OF VOTE ON SENATE FILE NO. 432

We, the undersigned, offer the following explanation of our vote on the amendments relating to Senate File No. 432.

Since the beginning of the Forty-fourth General Assembly, there has been before the assembly House File No. 2, Senate File No. 2, and other tax revision measures.

The undersigned, represented the House on the interim Legislative tax committee, and have voted consistently, and presented to the House the

recommendations of the Joint Legislative Tax Committee and the State Board of Assessment and Review.

We are within a few minutes of adjournment of the Forty-fourth General Assembly, and an attempt has been made to amend the millage bill by an amendment purporting to be an income tax bill. We have not read the amendment, nor were we even consulted in regard to it before it was filed.

It was admitted by some who spoke for the amendment that it was only a political gesture and it had no chance of being enacted into a law. The amendment retains the high exemptions which were opposed by every member of the legislative tax committee and by every member of the State Board. It would tax less than 1% of the entire population of the state. It was also admitted in debate, if the amendment were adopted the Senate would further amend by adopting the Assessor bill, the same as it amended House File No. 2. This bill would then be in exactly the same situation as House File No. 2 is at the present time.

This being an amendment to the Millage bill, it would necessitate setting up expensive machinery to enforce a law that could only be in operation for a period of two years.

On House File No. 2, there have been four conference committees of the House and Senate and the matter is still pending. They have been unable to agree, and at this late date, we are confident that the amendment or amendments proposed to Senate File No. 432 will only be prolonging the Forty-fourth General Assembly with great expense to the state, and without any hope of the same being enacted into a law.  
Dated April 15, 1931.

H. M. GREEN,  
J. H. JOHNSON,  
MARION R. MCCAULLEY,

*Members House Joint Interim Legislative Tax Committee.*

#### THE END

We're waiting now for the gavel to fall.  
The final gavel that will end it all.  
No doubt 'twill relieve the folks at home  
When we all have deserted the Capitol dome.

We started out with the best of intention  
To revise our obsolete forms of taxation  
But public hearings soon aroused apprehension  
As we heard from this and that delegation.

The road bond amendment received early attention  
No chance to amend or suggest substitution  
But after it passed there is still the contention,  
Will it ever fit into our state constitution?

Then came T. B. Eradication  
Some farmers questioned the justification  
Of subjecting their cows to humiliation  
In doubting their healthful qualification.

The income tax with modification  
Was passed in the House with determination  
But soon was awakened the realization  
The Senate was planning extermination.

The Assessor bill fixing valuation  
With the end in view of equalization  
Was placed in a difficult situation  
Was lost in a storm of agitation.

But O! what a horrible combination  
In the upper house of legislation  
While some observed with admiration  
Others looked on with indignation.

But what is the use of this cogitation  
It may all end up in investigation  
And without again speaking of transportation  
Lets adjourn and return to our own vocation.

FRED W. NELSON.

### THE TIE THAT BLINDS

*Presented by H. S. Berry*

O, some may long for the soothing touch  
Of lavender, cream, or mauve,  
But the ties I wear must possess the glare  
Of a red-hot kitchen stove.  
The book I read and the life I lead  
Are sensible, sane, and mild.  
I like calm hats and I don't wear spats,  
But I want my neckties wild!

Give me a wild tie, brother,  
One with a cosmic urge!  
A tie that will swear and rip and tear  
When it sees my old blue serge.

O, some will say that a gent's cravat  
Should only be seen, not heard,  
But I want a tie that will make men cry  
And render their vision blurred.

I yearn, I long, for a tie so strong  
It will take two men to tie it.  
If such there be, just show it to me—  
Whatever the price, I'll buy it!

Give me a wild tie, brother,  
One with a lot of sins.  
A tie that will blaze, in a hectic haze  
Down where the vest begins.

Kern of Polk moved that a committee of three be appointed to notify the Senate that the House was ready to adjourn sine die.

Motion prevailed, and the Speaker appointed as such committee: Kern of Polk, Allen of Pocahontas and Reed of Mahaska.

Brown of Polk moved that a committee of three be appointed to notify the Governor that the House was ready to adjourn sine die.

Motion prevailed, and the Speaker appointed as such committee: Brown of Polk, Nelson of Story and Malone of Cass.

The committees retired and subsequently returned and reported that they had performed their respective duties. Committees discharged.

A committee from the Senate appeared and notified the House that the Senate was ready to adjourn.

The hour of twelve o'clock noon, April 15th, having arrived, Speaker Johnson declared the House of Representatives of the Forty-fourth General Assembly adjourned sine die.





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## IN MEMORIAM

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### *House of Representatives*

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Memorials adopted by the House of Representatives of the Forty-fourth General Assembly regarding departed members:

CHARLES WESLEY BLACK.....	Sept. 27, 1843-Oct. 12, 1930
JOHN BRADLEY.....	Apr. 2, 1864-Nov. 5, 1929
F. N. BUCKINGHAM.....	Mar. 26, 1857-Jan. 27, 1931
LUTHER V. CARTER.....	Jan. 30, 1879-Dec. 31, 1929
EDWARD H. CUNNINGHAM.....	Dec. 19, 1869-Nov. 28, 1930
W. A. DAVIE.....	Oct. 13, 1855-Apr. 17, 1929
C. E. DEWITT.....	Sept. 25, 1862-Feb. 20, 1930
JAMES W. ELLIS.....	Nov. 25, 1848-Apr. 9, 1929
D. M. GIBSON.....	Sept. 11, 1868-June 1, 1930
SAMUEL L. GRAHAM.....	Dec. 26, 1852-Oct. 13, 1930
C. B. HUTCHINS.....	Jan. 11, 1849-Mar. 28, 1931
JOHN F. KLINE.....	Mar. 15, 1873-Oct. 8, 1929
WILLIAM LINCOLN LONG.....	Dec. 27, 1860-Dec. 11, 1929
J. B. McHOSE.....	Aug. 25, 1849-June 17, 1927
CHRISTIAN MILLER.....	Dec. 21, 1847-Aug. 25, 1927
ARTHUR HARRISON MOUNCE.....	Oct. 4, 1872-Dec. 3, 1930
HENRY LINN PIERCE.....	Mar. 19, 1867-May 1, 1930
WILLIAM F. SCHIRMER.....	June 16, 1873-Aug. 26, 1930
LEVI B. SHANNON.....	Mar. 28, 1877-Nov. 6, 1930
ASA B. SMITH.....	Jan. 27, 1841-July 25, 1930
JOHN B. TRUAX.....	Feb. 14, 1859-Nov. 19, 1930
G. H. VAN HOUTEN.....	Feb. 24, 1847-Oct. 17, 1930
WILLIAM MANSFIELD WALKER.....	Aug. 22, 1852-Mar. 19, 1930
DAVID D. WEBSTER.....	May 2, 1858-Mar. 10, 1930
WINFIELD SCOTT WITHROW.....	Sept. 28, 1855-Feb. 7, 1930

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# JOURNAL OF THE HOUSE

## MEMORIALS

HON. CHARLES W. BLACK

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of the late Hon. Charles W. Black of Mills County, beg leave to submit the following report:

Charles Wesley Black was born near the village of Brownsville, Ohio, September 27, 1843, and died October 12, 1930.

His boyhood, youth and early manhood were spent on a farm where he learned the profession of agriculture so thoroughly and liked it so well that he continued it as a life work at such times as he was not participating in the stirring events incident to the history of Iowa and the nation.

At the outbreak of the Civil War, being then seventeen years of age, he volunteered at the first call for troops to serve three months. He was not mustered into service as the company was full and the government would not accept any more three months enlistments.

On the 1st of August, 1861, he re-enlisted for three years' service as a member of Co. G of the 32nd Ohio Volunteer infantry. His first military service was in West Virginia and Maryland.

Later his company was transferred to the Western army under General John A. Logan's division at Memphis, Tenn. The company and regiment to which he belonged took a prominent part in the events incident to the Vicksburg campaign. After the capture of that city his regiment was employed in several expeditions, one into Louisiana and another known as the Meridian campaign.

In 1863 Mr. Black re-enlisted for three years more. His regiment was permitted to go home on a veteran's furlough for thirty days.

On the 8th of June, 1864, his command became a part of Sherman's army and was under almost constant fire until the surrender of the city of Atlanta. It was during the battle of Atlanta that they suffered their greatest losses. Sherman's march to the sea was participated in as was also the march up through the Carolinas. After the surrender of the Confederate army under General Johnson his command started to Washington, D. C., passing through Richmond and Fredericksburg en route. He and his comrades took part in the grand review of Sherman's army. They were then transferred to Louisville, Ky., with the army of Tennessee.

Mr. Black received his final discharge from the army July 28, 1865. He was highly favored during his military life in that he only reported once for sickness and was only slightly wounded.

In the spring of 1867, Mr. Black left Ohio and came to Tonica, Ill.,

where in September he was married to Miss Martha J. Landes. Two children were born to them, Miss Marian Landes and Margaret Aletta.

In 1872 the family moved to Malvern and located on a farm two and a half miles north of town. In November the wife and mother passed to her reward. For several years he made his home with his parents in Malvern.

On the 14th of January, 1875, he was united in marriage to Miss Hannah E. Evans. This most estimable woman is well remembered by a host of friends.

In his early youth Mr. Black united with the Presbyterian Church of Brownsville, Ohio. When he moved to Tonica, Ill., he transferred his membership to the Methodist Episcopal Church and from there to the Presbyterian Church in Malvern.

In 1874 he was elected as a ruling elder and served in that capacity until his death.

Throughout his entire life Mr. Black was vitally interested in the work of the church and any Christian undertaking. His interests were so wide that they extended beyond the confines of his own country, reaching into many foreign regions. It was in such things that he invested a large portion of his estate during his lifetime.

Some of his principal charities were made to Near East Relief work. At the time of his death his files were filled with delightful letters from that region always thanking him for some generous gift.

One large service he rendered was the establishment of a tannery in Siam. It resulted in a great service to the country not only in the development of the cattle industry, but also through the introduction of shoes which prevented hook-worm, then prevalent in that section.

The Chiangmai Leper Asylum in Siam was another of his beneficiaries. He built Black Cottage in that institution to shelter a large group of boys and after its erection he practically endowed it by purchasing a near-by rice field for the inmates to cultivate in order that they could produce a portion of their own food. Every year his check was forthcoming to provide additional financial support for the colony.

The Board of Foreign Missions will always feel indebted to Mr. Black for his gift of a moving picture machine that was the means of bringing back to America a vivid record of Christian work in foreign nations. The fruit of that bequest was sowed broadcast throughout the land and undoubtedly yielded a tremendous return.

During the World War, Mr. Black fed a colony of twenty-nine refugees, making it possible for them to keep body and soul together. And so one might continue through a long list of similar commendable enterprises abroad.

At home "C. W." Black was the salvation of many needs and a staff for unnumbered people. At least fifteen young men and women were always in college because of his generosity. He appreciated the fact that boys and girls are a good investment. A church and a Sunday School were often indebted to him for much of their sustenance.

Mr. Black was always interested in politics and public life. His first vote cast in a presidential election was for Abraham Lincoln. He professed the republican faith and participated in affairs to the extent that

his party awarded him with the nomination for State Representative. He was elected and served his county in that capacity during the twenty-eighth and twenty-ninth sessions of the Iowa Legislature.

The state, the county and the community lost a notable citizen in the passing of Mr. Black. Many people in many lands will feel his loss in both a spiritual and a material way.

OTHA D. WEARIN,  
FRED D. AUGUSTINE,  
HARRY M. GREENE,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HON. JOHN BRADLEY

MR. SPEAKER: Your committee, appointed to prepare memorial resolutions commemorating the life, character and public services of the Honorable John Bradley, a former member of the General Assembly of Iowa, beg leave to submit the following:

John Bradley was born April 2, 1864, near Buda, Illinois. He was the fourth child of George and Ann Bradley, who came from Monmouth, England, and settled on the Illinois prairie to make a home in America.

When John was five years of age the family moved to Iowa where his father bought a farm located two miles north of Montezuma. On this farm John spent his boyhood and early manhood. He attended district school at No. 7 Scott township. Becoming desirous of further education, he attended the Academy in connection with Grinnell College and later taught for a number of years in the country schools of Poweshiek county. He took a course in the Burlington Business College and soon after formed a partnership with James Anderson of Montezuma under the firm name of Anderson & Bradley, and conducted a clothing store for twelve years.

Mr. Bradley never lost his love for farming and this desire led him to leave the clothing store and return to the farm. Here he spent a number of years before he retired to live in town.

Mr. Bradley was more than a farmer. He was a man of broad vision, foremost in every movement which he considered would better the community and of keen mind to recognize the progressive character of the times. His death has taken from Poweshiek county one of its outstanding farmers and representative citizens.

His was indeed a life of usefulness, the possessor of a great personality, strong physically, mentally, and possessed of wonderful persuasive powers and of more than average ability. There was hardly a worthy enterprise undertaken but that his name and influence were not taken into consideration.

Mr. Bradley was a republican and a worker for his party. He served six years as supervisor of Poweshiek county and was recognized as a man of rare judgment and honest to his trust.

In 1918 he was practically forced by his friends in Poweshiek county to become a candidate for representative and was nominated and elected,

representing Poweshiek county in the Thirty-eighth, Thirty-ninth, Fortieth and Fortieth-extra General Assemblies.

When fourteen years of age he joined the Methodist Church. He was much interested in Sunday School work and was superintendent of the Sunday School for a number of years and was also a valued member of the official board.

He was married to Lillian Aikin of Mahaska county and by this union three children were born, two daughters, Helen and Mrs. Grace Schafbach, and one son, Harry, all living.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the passing of Honorable John Bradley, this assembly take this occasion to express its appreciation of his character and public services and tender to his surviving widow and children, its sincere sympathy in their sorrow, and*

*Be It Further Resolved, That a copy of this resolution be spread upon the Journal of the House and that the Chief Clerk be instructed to send an enrolled copy to the family of the deceased.*

W. J. McLAIN,

H. S. BERRY,

L. B. FORSLING,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HONORABLE F. N. BUCKINGHAM

MR. SPEAKER: Your committee, appointed to prepare resolutions in commemoration of the life and services of the Honorable F. N. Buckingham, beg leave to submit the following:

F. N. Buckingham was born in De Kalb County, Illinois, on March 26, 1857. He grew to manhood in his native county and when starting in life for himself, worked in a store at Somonauk, Illinois, for two years, first as clerk and later as manager.

December 28, 1880, he was united in marriage with Miss Olive Philpott, also of Somonauk, and to this union were born three children, Mrs. Herbert Wall, the daughter, and the sons, J. A., and Almus W.

In 1885 he moved to Buena Vista County, Iowa, and located in Elk township, where he developed one of the finest farms in the county. He always took an active interest and part in public affairs and the life of the community, holding various township offices. In 1904-1905, he represented his county in the State Legislature, during the Thirtieth and Thirty-first General Assemblies, which position he filled with credit and distinction. He served on the committee which framed the drainage law of the state, making it possible to transform many acres of swamp land into some of the most fertile fields of the state.

Following a short illness he passed away on January 27, 1931, having attained the age of 73 years.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in appreciation of the splendid service rendered the state by the late F. N. Buckingham, this House of*

Representatives extends its sincere sympathy to the surviving relatives.

*Be It Further Resolved*, That this resolution be spread on the records of this House and an enrolled copy thereof be sent to the surviving members of the family.

J. PARK BAIR,  
A. H. AVERY,  
N. M. NELSON,

*Committee.*

Unanimously adopted April 13, 1931.

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HON. LUTHER V. CARTER

MR. SPEAKER: Your committee, appointed to prepare resolutions in commemoration of the life, character and services of the Hon. Luther V. Carter, beg leave to submit the following report:

Luther V. Carter died at his home in New Providence, Iowa, early Tuesday morning, December 31, 1929, after an illness of many months. He made a gallant fight to regain his health, following a stroke in May, 1927, after the close of a strenuous session of the Iowa legislature, in which he served with distinguished honor as speaker. Another attack followed in February of the next year and the decline in general health followed.

He was born on a farm near New Providence, January 30, 1879, son of James K. and Martha Ann Carter, pioneers of Providence township. His education was received in the public schools of the county and in the old Academy in New Providence, continuing his work in Penn College at Oskaloosa from which he was graduated in June of 1904. Many honors came to him while in college. He was a stalwart on the football team and won his letter in that sport. In forensics he was a leader and was honored by a high office in the Iowa Oratorical Association. Following graduation he was principal of the Grant school at Oskaloosa, taught in Penn Academy, later coming to the farm near Lawn Hill, which he occupied for so many years.

In 1905 he was married to Myra L. Hadley. They have three children: James, an officer at the Iowa Training School; John, student at Penn College; Martha, who is thirteen years old and at home. A brother, Clinton, resides at New Providence.

In community projects he has always been a prime mover and leader. He served as the first president of the Hardin County Farm Bureau; he was an early member of the Cow Testing Association work in the county; for the majority of his adult life he has served on the New Providence school board, developing one of the model and early consolidated schools of the state. He was a birthright Quaker and a member of the Friends Church and the Masonic order. He served his Alma Mater, Penn College, as a member of the board of trustees, for years.

He was a kind neighbor, a wonderful man in the home, and a true and lasting friend and Hardin county and the state will deeply mourn his passing, for had his health remained, there is not the slightest

question but that he would have been further honored by his party and the people to occupy positions of higher service.

The people of Hardin county honored him by election to the Lower House of the Iowa Legislature in 1920 and he was a member of that body during the Thirty-ninth, Fortieth, Forty-first and Forty-second General Assemblies, with membership on many important committees during that time. In 1927 he was chosen as Speaker of the House and served with rare distinction in that office. His unfailing fairness and his grasp of parliamentary procedure, struck a new high note in the conduct of the state's business. Illness prevented him from returning for the extra session in March of 1928.

The life work of Luther Carter has been written. It was one of intense action. Every good work met with his support. He loved the schools, the church, the better things of life. He sacrificed much in service to his state and county. But his record for good can scarcely be measured in its entirety, for his splendid work for the state schools as chairman of the educational committee in the House, had much to do with setting Iowa's institutions up on the plane where they can more properly function and do good.

He was honored signally and gave back devotion and service to the people and many mourn the passing of this good man, whose loss is so keenly felt by his family, to whom he was devoted so intensely.

Funeral services were held at the Friends Church in New Providence, Iowa, in charge of the pastor, the Rev. DeWitt Foster, January 3, 1930.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the passing of the Hon. Luther V. Carter, the state has lost an honored and valuable citizen, a man of high ideals in Christian living and useful citizenship.*

*Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy of it to the relatives of the deceased.*

E. O. ELLSWORTH,

C. A. HOLLIS,

ELLET LEPLEY,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HONORABLE EDWARD H. CUNNINGHAM

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and services of the Honorable Edward H. Cunningham, former member of the House of Representatives from Buena Vista County, Iowa, beg leave to submit the following memorial:

Edward H. Cunningham was born December 19, 1869, at Burlington, Wisconsin. He came to Iowa as a young man, locating in Buena Vista county. While living at Newell, Iowa, he served as mayor from 1902 until 1907. He served as Representative of Buena Vista county in the General Assembly of Iowa during the Thirty-third, Thirty-fourth and Thirty-fifth sessions and as Speaker of the House in the Thirty-fifth General Assembly.



Perhaps Mr. Cunningham's outstanding piece of public work was the active part he took in the Farm Bureau movement from the time of its origin in 1917. He first served as Secretary of the Iowa Farm Bureau for many years, maintaining headquarters in Des Moines, Iowa. In 1919 he conducted a membership drive for his organization which resulted in a paid up membership of one hundred and ten thousand members. He is well characterized by his famous remark, "Don't sell Iowa short," which typified his love of the farm and his great interest in everything relating to agriculture.

In 1923 he was appointed by President Coolidge as a member of the Federal Banking Reserve Board in Washington, D. C., the appointment in which both the late Senator Cummins and Senator Brookhart were very influential. This position he held with great honor, enjoying the fullest confidence and trust of the people of Iowa until the time of his death, November 28, 1930.

Mr. Cunningham is survived by his wife, one son, Glen Cunningham of Cresco, Iowa, and a brother of Des Moines, Iowa, W. R. Cunningham.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the death of the Honorable Edward H. Cunningham both the state and nation lost a distinguished citizen, endeared for his life of splendid, patriotic service and the House of Representatives take this occasion to express its appreciation of his life and work and extend to the members of his family sincere sympathy in their sorrow and bereavement.*

*Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of this House and that enrolled copies thereof be sent to the surviving members of his family.*

J. PARK BAIR,  
MARION R. MCCAULEY,  
BYRON G. ALLEN,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HON. W. A. DAVIE

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorative of the life and public service of the late Honorable W. A. Davie of Dunlap, Iowa, beg leave to submit the following report:

W. A. Davie was born near Pontiac, in Livingston County, Illinois, October 13, 1855, a son of John T. and Hannah (Hoskins) Davie, and died at Dunlap, Iowa, April 17, 1929.

He came to Crawford county in 1861 with his parents and received his early education in the district school of Boyer township and continued at home until his maturity. In 1876 he began farming on his own account in which he was highly successful, making a specialty of stock raising. After retiring from the farm, he became manager of the Farmers Co-operative Lumber Company of Dunlap. He was one of the organizers of the company and was its first president. Mr. Davie also was one of the organizers of the Kiron Mutual Insurance Company,

which was since taken over by the Farmers Mutual Fire and Tornado Insurance Association of the same place. He served as director of the latter company until his death.

On October 29, 1876, Mr. Davie was united in marriage to Miss Mary Elizabeth Fullerton, a native of Ohio, and five children were born to this union. The mother of these children was called by death on April 29, 1904, and Mr. Davie was subsequently married to Mrs. Florence (Painter) Griffith.

In political affairs Mr. Davie supported the democratic party and took an active part in its campaigns. He served in the Twenty-second, Twenty-third, Thirtieth and Thirty-first Iowa State General Assemblies, and also was elected to fill a vacancy, in the Twenty-ninth General Assembly, discharging his duties most effectively. In 1885 he was elected a member of the Board of Supervisors of Crawford County and has also held different township offices.

Fraternally he was connected with the Masonic and Odd Fellow lodges.

Mr. Davie was of a kindly and genial temperament, took an active part in public affairs and made many friends. He was a good, honest citizen, and his record stands high in the annals of his community.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly of the State of Iowa, That the foregoing memorial be adopted as its appreciation of the life and public service of the Honorable W. A. Davie.*

*Be It Further Resolved, That a copy of these resolutions be spread upon the records of this House, and an enrolled copy thereof be sent to the family of the deceased.*

H. C. FINNERN,  
GEO. E. MILLER,  
HUGH J. TAMISEA,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HON. C. E. DEWITT

MR. SPEAKER: Your committee, appointed to prepare suitable resolutions commemorating the life and service of the Honorable C. E. DeWitt, late of Montgomery County, Iowa, beg leave to submit the following memorial:

C. E. DeWitt, son of George S. and Sarah E. DeWitt, was a native of Iowa, having been born in Delaware county September 25, 1862. He died at his home in Elliott, Iowa, February 20, 1930.

He came to Montgomery county with his parents in 1868. They located on a farm one mile east of Elliott where they lived for a time in a log house in accordance with prevailing conditions at that time. It was there that he grew to manhood and took his place in the life of the community.

On September 5, 1897, he was married to Rachel Woodling who, with the adopted daughter, Geneva Broyles, survives him. Mr. DeWitt is also survived by his two brothers, J. F. DeWitt and W. L. DeWitt, both

of Elliott, Iowa, and by a sister, Mrs. Ella Moore, also of Elliott. One brother, George, and a sister, Mrs. Mary E. Mercer, preceded him in death.

After leaving the farm east of Elliott, Mr. and Mrs. DeWitt located in Elliott, where the deceased engaged in the grain and coal business. In this business as in all business relations, Mr. DeWitt was noted for his fair and honest dealing.

Mr. DeWitt was always interested in social, educational and civic affairs. He was at the time of his death a member of the Methodist church, also a member of the Masonic Fraternity and of the Modern Woodmen. For many years he was a member of the city council and at one time mayor of Elliott. In 1908 he was elected to the office of state representative from Montgomery county and served in the Thirty-third General Assembly.

No man's life can be fully appreciated apart from the time in which he lived. Mr. DeWitt found Iowa a prairie state without roads, schools, churches or other civilizing influences. He left it at a time when roads of steel and concrete and other means of rapid communication had revolutionized conditions of living; and when the individualism of the pioneer days was gradually yielding to social consciousness. In all these movements he took a leading part and consequently honored, and was honored by, his county and state.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That we extend our sympathies to the family and express our appreciation of the life and character and public services of the Honorable C. E. DeWitt.*

*Be It Further Resolved, That these resolutions be spread upon the Journal of the House and the Chief Clerk be directed to send an enrolled copy to the family.*

HOMER HUSH,  
F. H. BEATH,  
OTHA D. WEARIN,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HONORABLE JAMES W. ELLIS

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and services of the Honorable James W. Ellis, former member of the House of Representatives from Jackson county, beg leave to submit the following memorial:

James W. Ellis, representative from Jackson county in the Thirty-third and Thirty-fourth General Assemblies, was born in Indiana, November 25, 1848, of Revolutionary stock. Came to Jackson County, Iowa, in 1852, received a common school education and grew up on the farm which was his home until 1907, when he moved to Maquoketa. Served his country three years as a private in Company H, Fifth United States Infantry, on the frontiers. Member of Soldiers' Relief Commission eight years. Served as commander of A. W. Drips Post, G. A. R., commander

of R. M. Anderson Command No. 5, Union Veterans' Union; Commander of the Department of Iowa, Union Veterans' Union, and deputy commander-in-chief of the National Command of that order. Had been secretary and treasurer of the Maquoketa Pioneer and Old Settler's Society for twelve years, and in 1903 organized the Jackson County Historical Society, which was incorporated, and was secretary and curator of the same. On October 16, 1870, was married to Miss Mary M. Forbes, who was also of Revolutionary ancestry; she died in March, 1907. They had four children who lived to grow to manhood and womanhood, one son and three daughters, Frank E., Mrs. Jesse Miller, and Mrs. Fred Albright of Maquoketa and Mrs. Orville Eastman of Clinton. He was elected representative in 1908 and re-elected in 1910. A democrat in politics. Mr. Ellis was a useful member of numerous organizations, Congregational Church, Kiwanis Club, Chamber of Commerce and of several Masonic orders, Jackson Lodge I. O. O. F., and Peerless Lodge K. of P. During his term in the Legislature he succeeded in raising a fund to remove the body of Ansel Briggs, Iowa's first governor, from its resting place in Omaha to Andrew, Jackson county, the home of the executive when he became the governor of the state, after which he secured from the state an appropriation of \$1,000.00 for the erection of a suitable monument. Mr. Ellis spent many years diligently collecting historical facts and recording them for the people of his county. His books are thorough and complete, especially his standard history of Jackson county. He realized the value of the happenings of fifty years ago—it was history—and is of vital importance as connected with the history of the present time. An active useful life has closed, but not until after great good had been done and much honor attained. The state is far better for the life of James W. Ellis.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the passing of the Honorable James W. Ellis the state has lost an honored and valued citizen and a man of high ideals.*

*Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the House and that the Chief Clerk be directed to send an enrolled copy to the family of the deceased.*

CAROLYN C. PENDRAY,  
J. H. THIESSEN,  
H. C. FINNERN,

*Committee.*

Unanimously adopted April 13, 1931.

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HON. D. M. GIBSON

MR. SPEAKER: Your committee, appointed to prepare resolutions in commemoration of the life, character and services of the Hon. D. M. Gibson, begs leave to submit the following report:

D. Millard Gibson, son of E. P. and Edith Millard Gibson, was born in Osceola, Iowa, September 11, 1868, and died at his home near that city June 1, 1930. With the exception of three years during which

time he resided in Nebraska, the deceased continued his residence in Clarke County, Iowa.

January 22, 1895, he was united in marriage with Ettie M. Mohler and to them eight children were born: Edith Ellen, who died at the age of three years; Elizabeth, wife of Carleton Neal of Battle Creek, Michigan; Louise, widow of Loren Crawford deceased; Beryl, wife of Charles E. Prescott of Passaic, New Jersey; Pauline, wife of Lyle Foster of Osceola, Iowa; Frank Gibson of Los Angeles, California, and Bernice and Donovan, residing at the family home.

Mr. Gibson was reared on a farm near Osceola, receiving his education in the rural school, the Osceola High School, Simpson College and a business course at Highland Park College of Des Moines. He followed the vocation of farming until a few years before his death when he moved with his family to the city of Osceola. Here he was president of the Iowa State Bank and an active Farm Bureau worker. He took a great interest and was a tireless worker in many community enterprises.

In 1920, Mr. Gibson was honored by election to the office of state representative of Clarke county to the Thirty-ninth General Assembly, and was re-elected to the Fortieth General Assembly in 1922. Here he served with loyalty and devotion the people who elected him to this responsibility. Those who knew him best loved and respected him as is evidenced by a clipping contained in a local paper—The Osceola Sentinel—from which we quote.

"Clarke county has no better citizen than was D. M. Gibson. He was an elder in the Osceola Presbyterian Church, and a member of the Osceola K. P. lodge; was prominent and active in the Clarke County Farm Bureau and other local organizations. A Christian gentleman, congenial and courteous, he met his associates on the higher plane of right living and his presence afforded an inspiration for pure thought and helpful activities.

"In his busy life he found time to contribute his portion to the public service for the greatest advancement of community and civic welfare. Whether engaged as a township official, a bank president or a member of the state Legislature he was ever found faithful, aggressive and reliable. In other words his life exemplified the higher ideals of Christian citizenship. Just how much we owe to the influence of men and women such as was Millard Gibson we can scarcely realize nor fully understand."

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That we extend our sympathies to the family and express our appreciation of the life and character and public services of the Honorable D. M. Gibson.*

*Be It Further Resolved, That these resolutions be spread upon the Journal of the House and the Chief Clerk be directed to send an enrolled copy to the family.*

LEROY SHIELDS,  
VICTOR FELTER,  
JAS. L. RANDALL,

*Committee.*

Unanimously adopted April 13, 1931.

## HON. SAMUEL L. GRAHAM

MR. SPEAKER: Your committee, appointed to prepare resolutions in commemoration of the life, character and services of the Honorable Samuel L. Graham, beg leave to submit the following report:

Samuel L. Graham was born in Washington County, Pennsylvania, and departed this life at his home in Ottumwa, Iowa, on the 13th day of October, 1930, at the age of seventy-eight years. He is survived by one daughter, Mrs. Jesse Graham Ream of Ottumwa.

Having graduated from the high school of Washington, Pennsylvania, he enrolled as a student of Washington and Jefferson College, later entering Waynesburg College at Waynesburg, Pennsylvania, from which college he was graduated. He then took a course in the Yale law school in constitutional and commercial law.

At various times Mr. Graham was principal of a graded school, superintendent of city schools and superintendent of county schools in DeKalb County, Illinois. He then entered the retail clothing business in Ottumwa, Iowa, which business he conducted about fifteen years. In 1920 he was elected state representative from Wapello county on the republican ticket and served continually in the Iowa Legislature until 1926 when he retired. In 1927 he was elected city commissioner of the city of Ottumwa, Iowa, which office he held for two years.

Mr. Graham always took a great interest in community affairs and was a member of several lodges and clubs, among them the Masonic Lodge, the Elks and Odd Fellows. He continued his activity in community affairs until the day before his death.

Funeral services were held October 16, from the First Methodist Episcopal Church of Ottumwa, Iowa, and were in charge of Ottumwa Lodge, 347, B. P. O. E.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the passing of the Honorable Samuel L. Graham the state lost a loyal and valuable citizen, a man of public spirit and one who was always ready to do his part for his community and for his state, and this House by this resolution tenders its sympathy to his surviving daughter; and*

*Be It Further Resolved, That these resolutions be spread upon the Journal, and an enrolled copy sent to the surviving relative.*

LEONARD SIMMER,  
L. B. FORSLING,  
J. T. HANSEN,

*Committee.*

Unanimously adopted April 13, 1931.

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HON. C. B. HUTCHINS

MR. SPEAKER: Your committee, appointed to prepare resolutions in commemoration of the life, character and services of the Hon. Clayton B. Hutchins, beg leave to submit the following report:

Clayton B. Hutchins was born near Moira, in Franklin County, New York, January 11, 1849, the son of Dexter H. and Helen M. (Whitney)

Hutchins. With his parents he came to Iowa in the spring of 1855, traveling by prairie schooner and by boat on the Great Lakes from Ogdenburg, New York, to Chicago, a journey that required eighteen days to reach their destination, which was a farm near the village of National, in Clayton County, Iowa. In 1869, the family emigrated to Kossuth county, where Mr. Hutchins resided for sixty-two years. Hence this hardy pioneer became one of the outstanding men in the county's and northwestern Iowa's history.

In September, 1869, he started by stage to attend the State University of Iowa. Here he spent two years, but on account of the losses occasioned by the depredations of the grasshoppers in the early seventies, was compelled to abandon this work.

Mr. Hutchins then went to teaching school and taught in Kossuth, Palo Alto and Clayton counties. About this time he was united in marriage to Miss Eva Hamilton and to them seven sons were born, four of whom survive: Harold D., Lawrence C., Carlton B., at Algona, and Ralph W., at Gilman, Wis.

Mr. Hutchins' work for the public, and his definite ideas in regard to some of the legislation proposed at the time of the Thirty-fourth and Thirty-fifth General Assemblies, from 1910 to 1913, resulted in his election to the Iowa Legislature as representative from Kossuth county.

He sponsored the primary election law, which changed the time thereof from the first Tuesday to the first Monday in June. He took the leadership in the effort to prevent the division of Kossuth county.

In the course of his life of over sixty years in Kossuth county, Mr. Hutchins occupied many positions of public trust and responsibility, such as school director, county surveyor, county auditor, president of the Kossuth County Farmers Institute, president of the Algona Co-operative Creamery Company, president of the Kossuth County Mutual Fire Insurance Company, vice president of the County Savings Bank, and other offices of minor character.

He espoused the religious faith of the Congregational Church, and was chairman of the board of trustees of the Algona church during the pastorate of Rev. W. J. Suckow.

He passed away March 28, 1931, in his eighty-third year.

*Therefore, Be It Resolved*, That the House of Representatives take this occasion to present this tribute to the memory of a faithful public servant, and to express appreciation of his character and public services, and at the same time extend to relatives most sincere sympathy.

*Be It Further Resolved*, That a copy of these resolutions be printed in the Journal of the House and that the Chief Clerk be directed to forward to the family of the deceased an enrolled copy.

A. H. BONNSTETTER,  
E. O. HELGASON,  
P. H. DONLON,

*Committee.*

Unanimously adopted April 13, 1931.

## HON. JOHN F. KLINE

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life, character and service of Hon. John F. Kline, former member of the House of Representatives from Davis County, Iowa, beg leave to submit the following memorial:

John F. Kline was born in Wapello county, March 15, 1873, and passed away at his home in Bloomfield, on October 8, 1929.

He attended the country schools and the Southern Iowa Normal at Bloomfield, and Highland Park College at Des Moines. After completion of his college course, he taught in the country schools of Wapello and Davis counties.

On September 4, 1901, he was married to Miss Susie Darneille, of Fabius township, and soon afterward moved to Bloomfield, where he resided the remainder of his life, except for a portion of 1910, when he lived at Newton, and was owner and publisher of the Newton Herald.

During the years he resided in Bloomfield, he was actively engaged in the merchandising of fuel, flour, feed and groceries, and at the time of his death was a member of the Kline Brothers firm of grocers. He was also editor of the Bloomfield Democrat for about a year.

Mr. Kline was one of the leading citizens of Davis county and the state of Iowa, serving with distinction in the Forty-second, Forty-second Extra and Forty-third General Assemblies, as democratic representative from Davis county. In 1929, he was appointed by Governor Hammill a member of the Special Tax Commission, in recognition of his fine service in the Legislature. He was also author of the Kline Amendment to the Road Bill.

Mr. Kline was a member of the Bloomfield Christian Church, and served on its Board for many years. He was prominent in local fraternal organizations, and a real leader in all city and county progressive movements. He served as city councilman, and was chairman of the Democratic County Central Committee.

His death on October 8, 1929, came shortly after being removed to his home from the University Hospital at Iowa City, where they were unable to give him assistance. His funeral was held from the Christian Church at Bloomfield, by Rev. Charles W. Cornn and Rev. C. V. Allison; interment at I. O. O. F. Cemetery. Senator Carroll and Representatives Pattison, Ballew and Simmer were the honorary pall bearers.

Mr. Kline gave largely to his community and his state, of his time and his talents, and he sought no greater reward than the confidence of faithful friends which he gained in large measure. He studied constantly how he might be of greatest service to his home, church and friends, and those who sent him to legislative halls.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the passing of the Honorable John F. Kline, this state has lost a loyal citizen, a man of strong character and sterling worth, and this House, by these resolutions, extends its sincere sympathy to his surviving relatives.*



*Be It Further Resolved*, That these resolutions be spread on the records of this House, and an enrolled copy thereof be sent to the wife of the deceased.

S. F. RANDOLPH,  
HOWARD BALLEW,  
H. C. PATTISON,

*Committee.*

Unanimously adopted April 13, 1931.

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HON. WILLIAM LINCOLN LONG

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of the Honorable William Lincoln Long, state representative, reports as follows:

Mr. Long was born in Fairfield, Iowa, December 27, 1860, and died in a hospital in Kansas City, December 11, 1929. Burial was in Evergreen Cemetery, Fairfield.

He was educated in the public schools of his native city and worked on his father's farm near there during his youth and early manhood. On removing to Fairfield he became city clerk, serving several years. He was also superintendent of waterworks and of the electric light plant. He was clerk of the district court of Jefferson county for four years, 1895-98. He was in the clothing business for a time, being the senior member of the firm of Long & Kemp, and was later engaged as a real estate broker. In 1918 he was elected representative, and was three times re-elected, serving inclusively from the Thirty-eighth to the Forty-first General Assembly.

Mr. Long was a man of honor and stood high in the confidence and esteem of his associates. He was kind, considerate and generous and served well in every capacity in which he was engaged. In public or private life, Mr. Long was a man of pronounced convictions, candid and outspoken, and there was never room for doubt as to his stand on any public question.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly*, That in the death of Hon. William Lincoln Long, the state has lost a worthy and influential citizen.

*Be It Further Resolved*, That this resolution of respect and appreciation be printed in the Journal of the House.

H. C. PATTISON,  
Z. S. RATLIFF,  
HOWARD A. MATHEWS,

*Committee.*

Unanimously adopted April 13, 1931.

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HON. J. B. McHOSE

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of Honorable J. B. McHose, late of Boone County, Iowa, and a member of the House of Representatives

in the Thirty-sixth General Assembly, beg leave to submit the following:

J. B. McHose was born in Davenport, Iowa, August 25, 1849. His father and his grandfather were manufacturers of clay products and he spent the days of his youth working in his father's brick yard and attending the public schools. He later studied law at Washington University at St. Louis, Missouri, and was graduated in the class of 1874. Following this he went to Nevada, Iowa, and practiced law for some years but abandoned this profession in order that he might turn his attention again to the clay products industry in Nevada. In 1889 he came to Boone and established the business known as the Boone Clay Works which manufactured brick, drain tile and other clay wares and which he conducted with gratifying success for about twenty-two years. He retired from active business life in 1910.

Mr. McHose was always prominent in public life. He was a keen student of the important questions of the day and took an active part in promoting the principles of the republican party in which he believed and was in demand as a campaign speaker. He became Chairman of the Republican County Committee, for a number of years was a member of the city council of his home city and in this he took an active part in inaugurating a number of civic improvements.

In 1912, Mr. McHose was elected to become a member of the House of Representatives and during his service was a member of its most important committees and took an active part in legislative matters.

He early saw the need of improved highways and was one of the pioneers in the good roads movement in Iowa and gave considerable of his time and energy in endeavoring to obtain a state-wide system of highways upon which the public could travel safely. The Daniel Boone Trail, extending from Minneapolis to St. Louis, was located and promoted by him and he was the first president of the Daniel Boone Trail Association. His ability was recognized by his associates when he was actively engaged in business life and for several years he served as president of the State Brick and Tile Makers Association. He also was the governor of the Iowa-Nebraska District of the Lions Club.

Mr. McHose was always a lover of nature and for a number of years was a member of the Board of Park Commissioners of his home city. Realizing that adequate park facilities was a necessity and would become more necessary in the future, he acquired a tract of beautiful woodland adjoining the city of Boone and presented it to the city upon the condition that it be used forever as a public park. It was named after him and now the citizens of Boone are justly proud of the benefaction which has made McHose Park a beautiful playground. In addition to this generous gift he provided in his will that practically all of his estate would be spent in making permanent improvements in the park.

On March 16, 1876, Mr. McHose married Miss Ella Hamor who survived him but is now deceased. They had no children.

Mr. McHose passed away at his home June 17, 1927. At his death his city and state lost a public spirited benefactor.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the death of Honorable J. B.*

McHose the state has lost a useful and an honored citizen and that it take this occasion to express its appreciation of his character and public service.

F. HOLLINGSWORTH,  
W. E. S. HUTCHEON,  
FRANK G. SNYDER,  
*Committee.*

Unanimously adopted April 13, 1931.

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### HON. CHRISTIAN MILLER

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and service of the Hon. Christian Miller, late of Fayette County, Iowa, beg leave to submit the following memorial:

Honorable Christian Miller, who represented Fayette county in the Twenty-seventh and Twenty-eighth General Assemblies, was born December 21, 1847, at Berne, Switzerland, and came with his parents to America in 1856, settling in Pleasant Valley township where he lived fifty years until he moved to Clermont township.

Starting as an extensive farmer he broadened his activities in many business lines and contributed much to the county's business development. At his death he was the heaviest land owner in the county.

He was always active in public affairs and served Fayette county two terms (1899 to 1903) as a representative in the Legislature. He was also a member of the Baptist Church.

He purchased the old grist mill from former Governor Larabee in 1901 and in 1910 laid the foundation for a great electric transmission system when he converted it into a water power electric plant.

Hon. Christian Miller died August 25, 1927, and was survived by three sons and two daughters: John F. Miller of Clermont, Mrs. Mary Haas of Clermont, William B. Miller, Mrs. Chas. H. Krueger of Pleasant Valley township and Mrs. Meta Krueger also of Pleasant Valley township.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the passing of the Hon. Christian Miller, the state has lost an honored and valuable citizen, a man of high ideals in Christian living and useful citizenship.*

*Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy of it to the family of the deceased.*

THORE THOMPSON, *Chairman,*  
C. J. ORR,  
CHARLES M. LANGLAND,  
*Committee.*

Unanimously adopted April 13, 1931.

## HON. ARTHUR HARRISON MOUNCE

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of the Honorable Arthur Harrison Mounce, state representative, reports as follows:

Mr. Mounce was born in Jewell County, Kansas, October 4, 1872, and died at a hospital in Ottumwa, Iowa, December 3, 1930. Burial was at Keosauqua. He was taken by his parents, in their removal in 1874 to Van Buren County, Iowa, which continued to be his home during the remainder of his life excepting six years spent in Polk county, Missouri. His education was secured in rural schools and in the Keosauqua high school. He followed farming until he entered the office of the clerk of the district court of Van Buren county where he served as deputy from 1913 to 1917, as clerk from 1917 to 1923, and again as deputy from 1923 to 1927. In 1928 he was elected representative and served in the Forty-third General Assembly. In 1929 he formed a partnership with R. B. Rowley in editing and publishing the Keosauqua Republican in which work he was engaged at the time of his death.

Mr. Mounce had a pleasing personality and a host of friends. He was honored and appreciated by all who knew him. His life was given to the best interests of the district in which he lived.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the death of Hon. Arthur Harrison Mounce, the state has lost a worthy and influential citizen; and*

*Be It Further Resolved, That this resolution of respect and appreciation be printed in the Journal of the House.*

STANLEY WATTS,

Z. S. RATLIFF,

C. W. LAMB,

*Committee.*

Unanimously adopted April 13, 1931.

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HONORABLE HENRY LINN PIERCE

MR. SPEAKER: Your committee, appointed to prepare resolutions in commemoration of the life and services of the Honorable Henry Linn Pierce, beg leave to submit the following:

Henry Linn Pierce was born at Bellville, Illinois, March 19, 1867, and died May 1, 1930, at Freeport, Illinois. Surviving him are his wife, two daughters, Helen and Grace, and one son, Edwin V. Pierce, all of Freeport, Illinois.

Mr. Pierce came to Iowa with his father at the age of nineteen years, his mother having passed away when he was a small boy. For a time he lived in the vicinity of Gillette Grove and also attended school at Spencer. For a few terms he taught school and about the year 1891 he entered the employ of the late C. L. Ward in the Bank of Linn Grove. He continued in that position continuously until the death of Mr. Ward in 1918 and then served as executor of the estate of Mr. Ward until January, 1926, when he turned it over to the court for liquidation.

Mr. Pierce was elected to the Iowa State Legislature, serving in the House of Representatives in the Thirty-second and Thirty-second Extra sessions. He was always keenly interested in all public affairs and devoted much time and energy to matters of civic interest in his state and community. His judgment and insight won for him the highest respect and esteem of his associates both in his home community and in the Legislature.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That the foregoing memorial be adopted in appreciation of the life and public service of one of Iowa's distinguished citizens, the Honorable Henry Linn Pierce.*

*Be It Further Resolved, That these resolutions be spread upon the Journal of the House and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.*

J. PARK BAIR,  
P. H. DONLON,  
G. H. HESSE,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HON. WILLIAM F. SCHIRMER

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and services of the Honorable William F. Schirmer, former member of the House of Representatives from Jackson county, Iowa, beg leave to submit the following memorial:

William F. Schirmer, editor and publisher of the Bellevue Leader, a representative of Jackson county in the General Assembly of Iowa during the Thirty-ninth and Fortieth Regular and Fortieth Extra sessions died very suddenly in Bellevue, August 26, 1930. His death closed an active newspaper career of forty years. The only son of Frank and Bertha Schirmer, born June 16, 1873, at Bellevue. Attended the public schools and graduated from the high school in 1889. In 1890 he entered the office of the Bellevue Leader. On June 12, 1901, he was married to Antoinette Wichie and to this union one son, Allan Faber, was born, who is now connected with the musical department of an Ohio University. His life is closely connected with the social, civic and church activities of his community. He served the Presbyterian Church for thirty-two years as elder and superintendent of Sunday School, also member of the church choir. Fraternally a member of the Masonic Lodge and Eastern Star, serving as Master and Worthy Patron. In civic responsibility, director and secretary of the Chamber of Commerce, a member of the library board, former president of the Board of Education. More recently he had been associated with the Bellevue State Park Board and the Mississippi Scenic Highway. Politically he was a staunch republican. Mr. Schirmer was held in highest esteem by all who knew him in business, political and social relations. Every activity, every endeavor, was entered into with enthusiasm and zeal. These characterized the ability, service and life of

this splendid citizen. His love and devotion to his home, city and state, his kindly consideration of others, were outstanding virtues.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the passing of the Honorable William F. Schirmer the state has lost an honored and valuable citizen, a man of high ideals in Christian living and useful citizenship.*

*Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the House and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.*

CAROLYN C. PENDRAY,

MILTON PEACO,

G. J. VAN BUREN,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HON. LEVI B. SHANNON

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life, character and public service of Hon. Levi B. Shannon, beg leave to submit the following report:

Levi B. Shannon was born in Warren County, Iowa, March 28, 1877. He was the oldest son of James M. and Agnes Phillips Shannon. His father was a soldier in the Civil War, being a member of the First Iowa Cavalry, Company D.

Mr. Shannon was united in marriage to Maud A. Greenwood, November 29, 1903. Two sons were born to this union, Howard J. and Elmo L. Mrs. Shannon died January 22, 1920. Mr. Shannon was later married to Stella M. Wilson.

He entered the ministry while still in his teens. He was a member of the Des Moines conference for twenty-six years.

During his life, Mr. Shannon lived in Pleasantville, Kent, Macksburg, Villisca, Des Moines, Peru, De Soto, Wiota, and Tingley.

He was associated with the republican party and was elected to the House of Representatives from Cass County, Iowa, in 1928.

Mr. Shannon passed away November 6, 1930, after an illness of one year. He was buried at Glendale Cemetery.

He was a member of the I. O. O. F., M. W. A., and W. O. W.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That in the death of the Honorable Levi B. Shannon the state has lost an honored citizen and takes this occasion to express its appreciation of the public services of the deceased and to extend sincere sympathy to the surviving members of his family.*

C. E. MALONE,

LEWIS GREASER,

S. B. DURANT,

*Committee.*

Unanimously adopted April 13, 1931.

## HON. ASA B. SMITH

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life, character and public service of Asa B. Smith, an honored member of the Twenty-third General Assembly, beg leave to submit the following report:

Asa B. Smith was born in Morgan County, Ohio, January 27, 1841. He grew to manhood in Ohio. August 8, 1862, he enlisted in Company C, 97th Ohio Volunteer Infantry, where he served three years. He participated in many major battles, and was severely wounded at Missionary Ridge.

In 1866 he moved to Dewitt, Iowa, where he married Nancy Ellen Mummey, with whom he lived in loving companionship for nearly fifty years. He moved to Sac county in 1878, and settled on a farm east of Odebolt. In 1890 he was elected to the House of Representatives from Sac county, and faithfully discharged his duties as a public official.

In later years he made his home with his daughter at Mt. Vernon, Iowa, where he died July 25, 1930. Three children survive him, Charles H. Smith, Odebolt, Iowa; Mrs. S. L. Chandler, Mt. Vernon, Iowa; and Harlan A. Smith, Onamia, Minnesota.

He was a worthy citizen, a brave defender of his country, and a staunch Christian gentleman, whose influence was always directed towards right and justice in the community where he lived.

*Therefore, Be It Resolved that the House of Representatives of the Forty-fourth General Assembly, Take this occasion to express its appreciation of the splendid character and public services of the deceased, and extend to the surviving members of his family its sincere sympathy in their sorrow.*

*And Be It Further Resolved, That a copy of these resolutions be spread upon the Journal of the House; and that the Chief Clerk be directed to forward a copy to the family of the deceased.*

GEORGE C. STANZEL,  
JOHN H. AIKEN,  
J. PARK BAIR,

*Committee.*

Unanimously adopted April 13, 1931.

## HON. JOHN B. TRUAX

MR. SPEAKER: Your committee, appointed to prepare suitable resolutions commemorating the life and service of the Hon. John B. Truax, late of Buchanan County, Iowa, beg leave to submit the following report:

WHEREAS, The Honorable John B. Truax of Independence, Iowa, who was a member of the House in the Forty-first, Forty-second, Forty-second Special and Forty-third General Assemblies, died at his home in Independence, Iowa, on November 19, 1930, at the age of seventy-one years.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly, That this resolution be accepted commemorating his life, character and service to the state.*

John B. Truax, representative from Buchanan county, was born in Indiana in 1859. In 1864 he moved to Iowa with his parents who settled on a farm in the northern part of Buchanan county. He followed the occupation of farmer until 1884, when he met with an accident which made it impossible for him to continue. He worked in a general store for a number of years, and in 1898 was elected county recorder for Buchanan county and served twenty consecutive years. During that time he purchased a set of abstract books and followed that occupation for a number of years. He was married to Ella O. Lawrence of Hazelton, Iowa, November 7, 1880, and to them was born one daughter who is now the wife of A. J. Schuette, who is the proprietor of the book store in Independence. Mr. Truax was a member of Independence Lodge No. 87, A. F. & A. M., and was its secretary for twenty-six years. He was also a member of O. E. S. and of the Methodist Church. He was always a republican in politics. He was elected representative of the Sixty-seventh District in 1924 and re-elected in 1926 and 1928.

Mr. Truax was greatly handicapped physically for a number of years, being unable to walk without the aid of a cane, and in his latter years only with crutches. He always bore his affliction patiently, was ever cordial and pleasant, had many friends who esteemed him highly. Was a kind husband and father and as a legislator was highly regarded and well thought of, always showing a Christian spirit.

Respectfully submitted,

W. H. GISSEL,  
S. R. TORGESON,  
E. M. LICHTY,

*Committee.*

Unanimously adopted April 13, 1931.

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#### HON. G. H. VAN HOUTEN

MR. SPEAKER: Your committee, appointed to prepare suitable resolutions commemorating the life and service of the Hon. G. H. Van Houten of Taylor County, Iowa, beg leave to submit the following report:

George H. Van Houten was born near Rockport, Missouri, Atchinson county, February 24, 1847, and died at Lenox, Iowa, October 17, 1930. In the year 1848, with his parents, he came to Madison County, Iowa, about five miles east of Winterset, moving to Cass county in 1850 near Lewis, then the county seat of Cass county, again in 1855 moving to Taylor county near Conway.

In the year of 1864 he volunteered his service and was accepted in Company E, 4th Missouri Cavalry, United States Service, at Sedalia, Missouri, and was honorably discharged at St. Louis, July 5, 1865.

In 1866 he was married to Salina A. Jenks, a playmate of his childhood days. They began life together near Lenox, Iowa, where twelve children were born to them who grew to maturity, besides helping to raise eight orphan children. On account of poor school facilities and impaired eyesight caused by measles, his education was neglected until when his



children were attending school, he again entered school with such success that he later became a teacher.

He followed the occupation of farmer, stock raiser, nurseryman, publisher and lecturer. He had an enviable reputation as an orator and public speaker. One of his greatest assets was his wonderful memory of what he had observed and read. He was county treasurer 1884-1885; was once postmaster of Lenox; secretary of Southwestern Iowa Horticultural Society, secretary of Iowa State Horticultural Society, secretary of Iowa Agriculture, secretary of American Association of Fairs and Expositions. In the year 1891 he was the chosen nominee of his party for lieutenant governor. He served as a member of the House of Representatives in the Twenty-sixth, Twenty-sixth Extra, Twenty-seventh and Thirty-second General Assemblies from the Eighth District where he became known as a parliamentarian.

As a publisher, he published the Lenox Time Table, the Industrial Record and Argus of Bedford, and the Rural Northwest in Des Moines. The New Times, later consolidated with the Lenox Time Table, was the last newspaper he owned and published. He had been a contributor to many other publications. He was a charter member of Excelsior Grange near Lenox, the Sunday School, M. E. Church, Masons, I. O. O. F., K. P., Good Templars, Order of Eastern Star, Sons of Veterans, G. A. R., all of Lenox, and the Consistory of Des Moines. In politics, he was a republican, taking great interest in political affairs of his state and nation.

As a world traveler, historian and lecturer, he had few equals and no superiors. In the year 1927, he made a trip to Europe, Asia and Africa, when more than 80 years of age, visiting the Holy Land on that trip. In recent years he had been employed as a lecturer at KMA and KFNF Radio Stations at Shenandoah, Iowa.

His widow; one brother, Oscar, Yakima, Washington; four sons, M. B. and V., Bellingham, Washington; W. C., Lenox, Iowa; A. W., Davenport, Iowa; four daughters, Marge Barrens, Lenox, Iowa; Abi L. Dawson, Veradale, Washington; Bessie McEleern, Maryville, California; Clara Myrtle Boyer, Creston, Iowa; Mary D. Bell, Bellingham, Washington, survive him.

*Be It Resolved*, That in the passing of the Hon. George H. Van Houten, the state has lost a valuable and honored citizen, a man of high ideals in Christian living.

*Be It Further Resolved*, That these resolutions of respect and appreciation be printed in the Journal of the House and that the Chief Clerk be directed to forward copies to the surviving relatives.

C. S. HOOK,

F. D. AUGUSTINE,

PAUL L. MILLHONE,

*Committee.*

Unanimously adopted April 13, 1931.

## HON. WILLIAM MANSFIELD WALKER

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of the Honorable William Mansfield Walker, state representative, reports as follows:

Mr. Walker was born in Van Buren county, Iowa, August 22, 1852, and died in Keosauqua March 19, 1930. His parents, Dr. Peter Walker and Christiann (Schuyler) Walker, having died when Mr. Walker was a small boy, he made his home with relatives, and attended country school, later teaching. He took up the study of law, was admitted to the bar in 1881 and in 1884 located in Keosauqua as a member of the firm of Lea, Wherry & Walker. In 1885 he was elected representative and served in the Twenty-first General Assembly. After the death of Mr. Lea in 1885 the firm remained Wherry & Walker until the removal of Mr. Wherry to Los Angeles, California, when the firm became Walker & McBeth, and so remained until Mr. Walker was elected a judge of the Second Judicial District in 1922. He was re-elected four years later and was serving in that position at the time of his death.

Mr. Walker was greatly interested in his profession in which he gained distinction for his thorough knowledge of the law, his professional rectitude, his fairness of judgment and his courage. Nothing can demonstrate more clearly the quality of his mind and spirit than the fact that a man who had none of the advantages of law school or college could be elected as a member of the General Assembly and twice elected judge of the district court.

He was a man of broad human sympathy, charitable in his judgments, kindly and unselfish in his dealings with his fellowmen.

*Therefore, Be It Resolved*, That in the death of Honorable William Mansfield Walker, the state has lost a worthy and influential citizen; and

*Be It Further Resolved*, That this resolution of respect and appreciation be printed in the Journal of the House.

STANLEY WATTS,  
LEONARD SIMMER,  
H. C. PATTISON,

*Committee.*

Unanimously adopted April 13, 1931.

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HON. DAVID D. WEBSTER

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of the Honorable David D. Webster, late of Muscatine County, Iowa, beg leave to submit the following memorial:

David D. Webster was born in Louisa County, Iowa, May 2, 1858. He settled on a farm in Muscatine county. He was married to Anna Lone of Muscatine, September 7, 1881. To this union two children were born. Besides his wife he is survived by one daughter, Mrs. Nellie Spring of Tucson, Arizona, and one son, Harry D. Webster of Muscatine.

He was affiliated in early life with the Methodist Church. Later he

joined the Congregational Church. He was a faithful member of both organizations.

He was a member of the Board of Supervisors for six years. At the expiration of his term he was elected a member of the Thirty-second General Assembly on the republican ticket, where he served with honor and distinction to the people of his county and the state of Iowa.

He died March 10, 1930, after an illness of six years. His age was seventy-two years, ten months, and eight days.

*Therefore, Be It Resolved by the House of Representatives of the Forty-fourth General Assembly of the State of Iowa, That the foregoing memorial be adopted as its appreciation of the life and character and public service of the Honorable David D. Webster.*

*Be It Further Resolved, That these resolutions be spread on the records of this House, and an enrolled copy thereof be sent to the family of the deceased.*

THEODORE DRAKE,  
RALPH R. HUNT,  
SAMUEL D. WHITING,  
*Committee.*

Unanimously adopted April 13, 1931.   †

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#### HON. WINFIELD SCOTT WITHROW

MR. SPEAKER: Your committee, appointed to prepare resolutions commemorating the life and public service of the Honorable Winfield Scott Withrow, State Representative, reports as follows:

Mr. Withrow was born at Salem, Henry County, Iowa, September 28, 1855, and died at Mount Pleasant, February 7, 1930. Burial was in Forest Home Cemetery, Mount Pleasant.

He attended public school in Salem and was graduated from Whittier College, Salem, Iowa. In 1880 he was graduated from the Law Department of the State University of Iowa, admitted to the bar and began practice at Salem. He soon thereafter purchased the Salem News and edited it in connection with his law practice. Two years later he disposed of the News and became assistant cashier of the Salem Savings Bank. In 1883 he went to Mankato, Minnesota, as editorial assistant on the Free Press. However, in 1884 he returned to Salem and resumed his duties in the bank and looked after his law practice. In 1884 he was elected representative and served in the Twenty-first General Assembly. He served on the town council and was also mayor. In 1887 he removed to Mount Pleasant and devoted himself to the practice of law, first in partnership with William J. Jeffries, later with W. F. Kopp, and finally with W. I. Babb. June 15, 1896, Governor Drake appointed him a judge of the newly created Twentieth Judicial District. By reason of elections he continued in that position until April 19, 1913, when he resigned to accept the appointment by Governor Clarke as justice of the supreme court, in which position he served until January, 1915, when he returned to law practice at Mount Pleasant. July 8, 1916, Governor Clarke appointed him a member of the State Board of Parole. He resigned from

that position March 31, 1921, when he resumed his practice. In the meantime he had been active in and officially connected with many of the public affairs of his city and county. He had been for years a director in the Henry County Savings Bank and in 1922 became its president and so continued until his death. He was a director of the First National Bank of Mount Pleasant and chairman of its board. He was chairman of the official board of the Methodist Church and was for many years a trustee of Iowa Wesleyan College.

Mr. Withrow was a man of honor and led a very useful and illustrious life. He was kind, considerate and generous and served well in every capacity in which he was engaged; therefore, be it

*Resolved*, That in the death of Hon. Winfield Scott Withrow, the state has lost a worthy and influential citizen; and be it further

*Resolved*, That this resolution of respect and appreciation be printed in the Journal of the House.

Z. S. RATLIFF,  
HOWARD A. MATHEWS,  
RALPH R. HUNT,

*Committee.*

Unanimously adopted April 13, 1931.

# HISTORY OF HOUSE BILLS IN HOUSE

## HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

4, 7, 16, 17, 21, 22, 23, 28, 35, 37, 38, 40, 41, 46, 50, 52, 56, 57, 63, 67, 71, 80, 90, 91, 92, 94, 96, 98, 99, 102, 105, 106, 111, 113, 114, 117, 123, 124, 129, 131, 132, 133, 135, 136, 145, 147, 149, 151, 154, 155, 156, 157, 160, 164, 169, 170, 172, 175, 177, 183, 184, 189, 190, 194, 198, 200, 202, 203, 205, 207, 208, 209, 210, 211, 212, 218, 223, 225, 227, 233, 234, 235, 236, 237, 238, 242, 247, 248, 249, 257, 259, 263, 265, 267, 268, 271, 276, 279, 280, 282, 288, 290, 296, 301, 302, 304, 305, 307, 309, 316, 319, 320, 321, 323, 328, 334, 335, 337, 338, 339, 341, 345, 351, 352, 354, 355, 361, 364, 365, 368, 372, 373, 377, 380, 392, 408, 409, 410, 411, 415, 419, 421, 422, 424, 427, 436, 442, 448, 453, 454, 463, 464, 468, 478, 482, 502, 517, 518, 527, 530, 539, 540, 541, 542, 543, 544, 545, 551, 552, 553, 561, 562, 564, 566, 567, 568, 569, 570, 571, 574, 575, 580, 581, 586, 587, 588, H. J. R. 3, \*4, 6.

\* Not sent to Governor for approval—filed with Secretary of State.

## RECORD OF EACH BILL.

H. F.	Page	H. F.	Page
1 By Greene, McCaulley, and Johnson of Marion. County assessor.		Passed; ayes 87, nays 5.....	409
Introduced, referred .....	135	Received back.....	785
Recommended passage .....	314-315	Concurred .....	830-832
Amendment filed .....	331-332	Senate's request for return of bill received.....	902
Amendments filed.....	566-567	Received back.....	938
Made special order.....	830	Concurred .....	954
Reconsidered special order.....	836	Reported enrolled.....	989
Made special order.....	865	Signed by Speaker.....	990
S. F. 1 substituted.....	916	Sent to Governor.....	990
		Approved by Governor.....	1089
2 By McCaulley, Johnson of Marion, Greene. Income tax.		5 By Johnson of Marion, Greene, McCaulley. Registration fee on real estate mortgages.	
Introduced, referred.....	136-137	Introduced, referred.....	137
Amendment filed.....	239	Amendments filed.....	1201
Recommended amendments and passage .....	393	6 By McCaulley, Johnson of Marion, and Greene. Tax on moneys and credits.	
Made special order.....	408	Introduced, referred.....	137
Substitute bill filed Feb. 11.....	505	Amendment filed.....	239
Amendment filed.....	544		
Amendment filed.....	566	7 By Greene, McCaulley, and Johnson of Marion. Tax on public utilities.	
Amendments filed.....	587	Introduced, referred.....	138
Substitute bill substituted.....	606	Recommended passage.....	313
Amended, passed; ayes 82, nays 24 .....	606	Amendment filed.....	399
Title amended.....	620	Amended, passed; ayes 87, nays 6 .....	410
Received back .....	1205	Title amended.....	411
Amended by striking certain Senate amendment and refused to concur in all others.....	1353-1396	Received back.....	938
Conference committee appointed.....	1432	Reported enrolled.....	989
Reported disagreement.....	1486	Signed by Speaker.....	990
Second conference committee.....	1498	Sent to Governor.....	990
Reported disagreement.....	1601	Approved by Governor.....	1089
Third committee appointed.....	1604		
Reported disagreement.....	1823	8 By Shields, et al. To repeal expense allowance for members of General Assembly.	
Fourth conference committee.....	1859	Introduced, referred.....	138
Reported disagreement.....	1914	Returned without recommendation .....	426
3 By Johnson of Marion, Greene, McCaulley. Privilege tax on business corporations.		Action on report.....	427-431
Introduced, referred.....	137	Laid on table until March 20.....	469
4 By Greene, McCaulley, and Johnson of Marion. Powers and duties of State Board of Assessment and Review.		Committee report adopted.....	1045-1047
Introduced, referred.....	137	9 By Van Buren. To place telephone companies under Railroad Commissioners.	
Recommended amendment and passage .....	313	Introduced, referred.....	138
Amendment adopted .....	409		

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Reported out.....	1623
Passed; ayes 59, nays 30.....	1638
10 By Van Buren. State ap- propriation bill.	
Introduced, referred.....	139
Recommended amendment and passage .....	1436
S. F. 10 substituted.....	1447
11 By Torgeson and Ells- worth. State senatorial dis- tricts.	
Introduced, referred.....	139
Recommended referring to com- mittee of the whole.....	732
Referred to committee of the whole .....	732
Made special order.....	819
Recommended passage.....	967
Amendments filed.....	1131
Amendment filed.....	1403
Amended, failed to pass; ayes 43, nays 56.....	1408
12 By Elliott. Interstate bridges.	
Introduced, referred.....	139
Recommended passage.....	403
S. F. 35 substituted.....	486
13 By Kern (See also H. F. 135). Stock certificates—pro- viding for facsimile signa- tures of officers.	
Introduced, referred.....	139
Withdrawn .....	249
14 By Whiting and Stiger. County road bonds.	
Introduced, referred.....	139
Recommended passage.....	249
S. F. 15 substituted.....	358
15 By Whiting and Stiger. Surplus secondary road fund.	
Introduced, referred.....	140
S. F. 16 substituted.....	391
16 By Whiting. Fire protec- tion contracts for buildings under charge of State Board of Education and of Board of Control.	
Introduced, referred.....	140
Recommended passage.....	241
Passed; ayes 93, nays 0.....	290
Received back .....	539
Reported enrolled.....	586
Signed by Speaker.....	586
Sent to Governor.....	587
Approved by Governor.....	748
17 By Reimers. Judges—vac- ation orders on wills, admin- istration and guardianship.	
Introduced, referred.....	140
Recommended amendment and passage .....	519
Amendments adopted.....	799
Passed; ayes 80, nays 0.....	799
Title amended .....	800
Received back .....	1787
Reported enrolled.....	1847
Signed by Speaker.....	1847
Sent to Governor.....	1848
18 By Reimers. Railroads— lighting of stations.	
Introduced, referred.....	140
Recommended bill be rereferred	179
Rereferred .....	179

H. F.	Page
19 By Reimers. Claims and rights of labor in estates and in bankruptcy.	
Introduced, referred.....	140
20 By Reimers. Tax sale re- demption.	
Introduced, referred.....	140
Recommended indefinite post- ponement .....	854
21 By Helgason. Weed cut- ting.	
Introduced, referred.....	141
Recommended passage.....	315
Amendments filed.....330-331, 332-333	348
Amendment filed.....	348
Amended .....	383-386
Passed; ayes 83, nays 16.....	396
Title amended .....	991
Received back .....	991
Concurred .....	1003
Reported enrolled.....	1040
Signed by Speaker.....	1040
Sent to Governor.....	1040
Approved by Governor.....	1123
22 By Durant. Drainage im- provement.	
Introduced, referred.....	141
Recommended passage.....	393
Passed; ayes 72, nays 0.....	499
Received back .....	786
Reported enrolled.....	840
Signed by Speaker.....	840
Sent to Governor.....	841
Approved by Governor.....	901
23 By TePaske, et al. Addi- tional judge in twenty-first district.	
Introduced, referred.....	141
Recommended passage.....	249
Amended, passed; ayes 90, nays 8 .....	326
Received back .....	746
Reported enrolled.....	783
Signed by Speaker.....	783
Sent to Governor.....	783
Approved by Governor.....	801
24 By Simmer. Trot-line fish- ing.	
Introduced, referred.....	141
Withdrawn .....	403
25 By Elliott. Coroner—duties and fees.	
Introduced, referred.....	141
Recommended amendment and passage .....	335
S. F. 56 substituted.....	580
26 By Brown. Bail bonds.	
Introduced, referred.....	142
27 By Brown. Corporation stock value.	
Introduced, referred.....	142
Recommended indefinite post- ponement .....	854
28 By Van Buren and Torge- son. Auditing of Board of Control and Board of Educa- tion accounts.	
Introduced, referred.....	142
Recommended passage.....	456
Passed; ayes 92, nays 0.....	713
Received back .....	1717
Refused to concur.....	1770
Reconsideration prevailed.....	1779
Concurred .....	1779
Reported enrolled.....	1857

H. F.	Page	H. F.	Page
Signed by Speaker.....	1858	39 By Kern. Columbus Day.	152
Sent to Governor.....	1858	Introduced, referred.....	152
29 By McLain. Podiatry.		Amendment filed.....	246
Introduced, referred.....	142	Recommended amendments and	
Recommended indefinite postpone-		passage.....	350
ment.....	594	40 By Brown. Sheriff's salary.	
Withdrawn.....	603	Introduced, referred.....	152
30 By McLain. Podiatrist per-		Recommended amendments and	
mit for alcohol.		passage.....	469
Introduced, referred.....	142-143	Amendment adopted.....	738
Recommended passage.....	594	Passed; ayes 95, nays 0.....	738
Passed; ayes 72, nays 7.....	590	Received back.....	1192
31 By McLain. Podiatrist—defi-		Concurred.....	1196
nition of.		Reported enrolled.....	1278
Introduced, referred.....	143	Signed by Speaker.....	1278
Recommended amendment and		Sent to Governor.....	1278
passage.....	335	Approved by Governor.....	1287
Withdrawn.....	394	41 By Brown. County attorney's	
32 By Whiting. Embalming.		salary.	
Introduced, referred.....	150	Introduced, referred.....	152
Amendment filed.....	463	Recommended amendments and	
33 By Van Buren and Helgason.		passage.....	452
Collecting school taxes.		Amendment filed.....	630
Introduced, referred.....	150	Amendments adopted.....	687
Recommended passage.....	549	Amended, passed; ayes 92, nays 2.....	687
Passed; ayes 87, nays 2.....	835	Title amended.....	689
34 By Langland. Decorah		Received back.....	1192
school election.		Concurred.....	1198
Introduced, referred.....	151	Reported enrolled.....	1278
Proof of publication.....	160	Signed by Speaker.....	1278
35 By Langland. High school		Sent to Governor.....	1278
tuition in adjoining state.		Approved by Governor.....	1287
Introduced, referred.....	151	42 By Ditto. Poll tax.	
Recommended amendment and		Introduced, referred.....	152
passage.....	294	Recommended amendment and	
Amendment adopted.....	381	passage.....	595
Amended, passed; ayes 92, nays 1.....	381	Amendment rejected.....	923
Received back.....	503	Passed; ayes 58, nays 34.....	923
Returned to Senate.....	569	43 By Avery. Lloyd Township,	
Received back.....	651	Dickinson County.	
Concurred in.....	665	Introduced, referred.....	152
Reported enrolled.....	702	Withdrawn.....	171
Signed by Speaker.....	702	44 By Allen. Railroad commis-	
Sent to Governor.....	702	sioners.	
Approved by Governor.....	748	Introduced, referred.....	153
36 By Long. Public building—		45 By Whiting and Stiger.	
borrowing money for.		County secondary road indet-	
Introduced, referred.....	151	edness.	
Recommended passage.....	481	Introduced, referred.....	153
S. F. 31 substituted.....	501	46 By Brown and Kern. Drag-	
37 By Allen. Street improve-		ging unpaved city streets.	
ments.		Introduced, referred.....	153
Introduced, referred.....	151	Recommended amendment and	
Recommended passage.....	1141	passage.....	336
Amended, passed; ayes 77, nays 0.....	1454	Amendment adopted.....	413
Title amended.....	1455	Passed; ayes 85, nays 4.....	413
Received back.....	1844	Title amended.....	414
Reported enrolled.....	1889	Received back.....	1292
Signed by Speaker.....	1889	Reported enrolled.....	1330
Sent to Governor.....	1890	Signed by Speaker.....	1330
38 By Allen. Tax exemptions.		Sent to Governor.....	1331
Introduced, referred.....	151	Approved by Governor.....	1434
Recommended amendment and		47 By Brown and Kern. Special	
passage.....	550	assessments.	
Amendment filed.....	629	Introduced, referred.....	153
Amendments adopted.....	644	Recommended passage.....	565
Amended, deferred.....	644	Amendment filed.....	629
Amended, passed; ayes 63, nays 4.....	648	S. F. 43 substituted.....	711
Title amended.....	650	48 By Brown and Kern. Side-	
Received back.....	1717	walks—removing snow.	
Concurred.....	1768	Introduced, referred.....	153
Reported enrolled.....	1847	Withdrawn.....	266
Signed by Speaker.....	1847	49 By Brown and Kern. Clean-	
Sent to Governor.....	1848	ing sidewalks.	
		Introduced, referred.....	154
		Withdrawn.....	266

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50 By Brown and Kern. Water connections on streets that are to be improved.	
Introduced, referred	154
Recommended passage	215
Amended, passed; ayes 93, nays 0	289
Received back	1129
Reported enrolled	1175
Signed by Speaker	1175
Sent to Governor	1175
Approved by Governor	1279
51 By Sours. Refunding certain primary road taxes.	
Introduced, referred	166
Recommended indefinite postponement	355
Report rejected	666
Amendment filed	673
52 By Watts. Trot-line limits.	
Introduced, referred	166
Recommended amendment and passage	677
Amendments filed	979
Amendment adopted	1009
Amended, passed; ayes 79, nays 3	1009
Received back	1273
Concurred	1323
Reported enrolled	1352
Signed by Speaker	1353
Sent to Governor	1353
Approved by Governor	1499
53 By Mathews. Taxable property assessed at real value with millage reduced.	
Introduced, referred	166
54 By Pattison and Reed. Tax on lands and property owned by educational institutions.	
Introduced, referred	166
Recommended indefinite postponement	706
Amendments filed	980
Report rejected	986
Amended, passed; ayes 78, nays 7	987
Motion to reconsider prevailed	1005
Amended, passed; ayes 80, nays 2	1007
Title amended	1007
55 By Whiting. Admittance to the bar.	
Introduced, referred	167
Withdrawn from committee and re-referred	709
Recommended passage	856
56 By Brown. Parks and playgrounds.	
Introduced, referred	167
Recommended passage	215
Amended, passed; ayes 87, nays 6	288
Title amended	289
Received back	242
Reported enrolled	877
Signed by Speaker	878
Sent to Governor	878
Approved by Governor	901
57 By Wearin. Cemetery improvement fund.	
Introduced, referred	172
Recommended amendment and passage	251
Amendments adopted	301
Amended, referred	301
Recommended passage	729
Amendment filed	820
Amended, passed; ayes 98, nays 0	962
Title amended	963
Received back	1016

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Concurred	1026
Reported enrolled	1089
Signed by Speaker	1089
Sent to Governor	1090
Approved by Governor	1106
58 By Whiting. Integration of state psychopathic and general University hospitals.	
Introduced, referred	172
Withdrawn	865
59 By Bair and Van Buren. Convention nominations.	
Introduced, referred	172
Recalled from committee	927
Amendment filed	1022
60 By Hayes. Prohibition.	
Introduced, referred	172
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62 By Watts. Fur-bearing animals.	
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63 By Avery. Lloyd Township school, Dickinson county.	
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66 By Van Buren. Penitentiary and men's reformatory.	
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67 By Durant. Hancock County.	
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68 By Whiting. Union high schools.	



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75 By Durant. Pheasants.	
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83 By Avery. Itinerant photographers.	
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84 By Brown. Action against non-resident motor owner.	
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90 By Elliott. Interstate bridges.	
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92 By Elliott. Legalizing acts of certain corporations.	
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93 By Elliott. New certificates of incorporation.	
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94 By Elliott. Keokuk and Hamilton Bridge Co.	
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95 By Malone. Verdict by ten jurors.	
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96 By Hayes. Civil service.	
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97 By Helgason. General Assembly contest attorneys' fees.	
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98 By Van Buren. Coordinating certain departmental expense accounts under general appropriation bill.	
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99 By Rutledge. Soldiers' relief fund.	
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100 By Mayne. Service of notice on non-resident operator of automobile.	
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101 By Millhone. Joint trial under joint indictments.	
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102 By Millhone. Hunting and fishing license fees.	
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105 By Peaco. Iowa products and labor—preference.	
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113 By Greene. Bridges, culverts and overhead crossings.	
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Sent to Governor .....	1331
Approved by Governor .....	1434
178 By Forsling. Barbers' apprentices.	
Introduced, referred .....	285
Recommended passage .....	465
S. F. 49 substituted .....	699
179 By Ryder. County attorneys.	
Introduced, referred .....	285
Withdrawn .....	570
180 By Torgeson. Railroad crossing signals—under railroad commission.	
Introduced, referred .....	285
181 By Forsling. Taking of depositions.	
Introduced, referred .....	285
182 By Bair. Sanitary water board.	
Introduced, referred .....	285
Rereferred .....	293
Recommended amendments and passage .....	676
S. F. 162 substituted .....	916
183 By Hollingsworth. Nomination by petition.	
Introduced, referred .....	286
Reported out .....	1700
Passed; ayes 62, nays 39 .....	1819
Received back .....	1935
Reported enrolled .....	1956
Signed by Speaker .....	1957
Sent to Governor .....	1957
184 By Ditto and Mead. State aid for county and district fairs.	
Introduced, referred .....	286
Recommended passage .....	350
Passed; ayes 65, nays 3 .....	491
Received back .....	1313
Reported enrolled .....	1352
Signed by Speaker .....	1353
Sent to Governor .....	1353
Approved by Governor .....	1499
185 By Byers. Labor—hours and compensation of on public works.	
Introduced, referred .....	286

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186 By Witt. Busses and trucks.	
Introduced, referred .....	297
Recommended indefinite postponement .....	910
Withdrawn .....	1113
187 By Witt. Trucks—maximum load.	
Introduced, referred .....	297
Recommended indefinite postponement .....	910
Withdrawn .....	1113
188 By Short. Auditing—uniform blank for schools, county, city and town officials.	
Introduced, referred .....	297
Withdrawn .....	551
189 By Mayne. Omaha, Council Bluffs & Suburban Railway Co.	
Introduced, referred .....	298
Recommended passage .....	402
Passed; ayes 82, nays 0 .....	637
Received back .....	1291
Reported enrolled .....	1330
Signed by Speaker .....	1330
Sent to Governor .....	1331
Approved by Governor .....	1434
190 By Long. Board of Health.	
Introduced, referred .....	298
Recommended passage .....	466
Passed; ayes 58, nays 24 .....	717
Received back .....	1291
Reported enrolled .....	1330
Signed by Speaker .....	1330
Sent to Governor .....	1331
Approved by Governor .....	1499
191 By Lepley. Township parks.	
Introduced, referred .....	298
Recommended indefinite postponement .....	574
192 By Thiessen. Hunting rabbits with ferret.	
Introduced, referred .....	298
Recommended indefinite postponement .....	850
193 By Allen. Livestock dealers.	
Introduced, referred .....	299
Recommended indefinite postponement .....	392
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194 By Special Contest Committee. Expense of Fabritz-Hall election contest.	
Introduced, referred .....	299
Recommended amendments and passage .....	468
Amendment filed .....	566
Amendments adopted .....	737
Amended, passed; ayes 87, nays 0 .....	737
Received back .....	1274
Reported enrolled .....	1315
Signed by Speaker .....	1315
Sent to Governor .....	1316
Approved by Governor .....	1407
195 By Nelson of Story. Viaducts.	
Introduced, referred .....	299
Recommended indefinite postponement .....	517
Report rejected .....	670
Failed to pass; ayes 25, nays 66 .....	1616
196 By Wamstad. Poll tax.	
Introduced, referred .....	299
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197 By Fabritz. County offices.	299
Introduced, referred	1159
Recommended passage	1407
Passed; ayes 75, nays 3	1698
Received back	1698
198 By Ditto and Mead. County and district fairs.	
Introduced, referred	321-322
Recommended passage	393
Amendment offered, deferred	635
Amendment filed	703
Amended, passed; ayes 62, nays 29	711
Title amended	712
Received back	1697
Reported enrolled	1756
Signed by Speaker	1756
Sent to Governor	1756
199 By Kern and Brown. County hospitals.	
Introduced, referred	322
Recommended amendment and passage	852
Reported out	1623
Amended, passed; ayes 70, nays 0	1708
200 By Fabritz. Fish and game.	
Introduced, referred	322
Recommended amendment and passage	392
Amendment filed	505
Amendments adopted	693
Amended; passed; ayes 78, nays 1	692
Title amended	693
Recommended passage	701
Received back	1417
Concurred	1554
Reported enrolled	1634
Signed by Speaker	1635
Sent to Governor	1635
201 By Shields. Legal and tight fences defined.	
Introduced, referred	322
Recommended indefinite postponement	571
Rereferred	934
Amendment filed	941
Recommended indefinite postponement	1000
202 By Beath. Parole outside of state.	
Introduced, referred	322
Recommended passage	593
Amended, passed; ayes 85, nays 5	694
Received back	786
Reported enrolled	840
Signed by Speaker	840
Sent to Governor	841
Approved by Governor	901
203 By Whiting. Transferring certain township funds to school.	
Introduced, referred	322
Recommended amendment and passage	573
Amendment adopted	868
Passed; ayes 90, nays 0	868
Received back	1547
Concurred	1555
Reported enrolled	1634
Signed by Speaker	1635
Sent to Governor	1635
204 By Bonnsetter. Nepotism in appointment of teachers.	
Introduced, referred	323
Recommended indefinite postponement	518
Indefinitely postponed	671

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205 By Thompson. Open season on red fox.	
Introduced, referred	323
Recommended passage	391
Passed; ayes 69, nays 3	634
Received back	991
Concurred	1004
Reported enrolled	1040
Signed by Speaker	1040
Sent to Governor	1040
Approved by Governor	1106
206 By Hopkins. Municipal bond election.	
Introduced, referred	323
Recommended passage	946
S. F. 355 substituted	1275
207 By Committee on Judiciary. Bonds of budget director and appeal board members.	
Introduced	323
Passed; ayes 73, nays 0	364
Received back	720
Reported enrolled	747
Signed by Speaker	748
Sent to Governor	748
Approved by Governor	801
208 By Committee on Judiciary. Code annotations to be issued every two years.	
Introduced	323
Passed; ayes 67, nays 4	365
Received back	1103
Reported enrolled	1122
Signed by Speaker	1122
Sent to Governor	1123
Approved by Governor	1279
209 By Committee on Judiciary. Teachers' pensions.	
Introduced	323
Passed; ayes 66, nays 5	366
Received back	1291
Reported enrolled	1330
Signed by Speaker	1330
Sent to Governor	1331
Approved by Governor	1434
210 By Committee on Judiciary. Court proceedings in vacation.	
Introduced	324
Passed; ayes 78, nays 0	367
Received back	1193
Reported enrolled	1278
Signed by Speaker	1278
Sent to Governor	1278
Approved by Governor	1287
211 By Committee on Judiciary. Extras on labor and materials on public improvements.	
Introduced	324
Passed; ayes 79, nays 0	368
Received back	1104
Reported enrolled	1122
Signed by Speaker	1122
Sent to Governor	1123
Approved by Governor	1199
212 By Committee on Judiciary. False bills of lading.	
Introduced	324
Passed; ayes 75, nays 0	371
Received back	1103
Concurred	1126
Reported enrolled	1175
Signed by Speaker	1175
Sent to Governor	1175
Approved by Governor	1279



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213 By Committee on Judiciary. Sheriff's fees.	
Introduced	319
Passed; ayes 71, nays 0	369
Received back	902
214 By Torgeson. Road poll tax.	
Introduced, referred	324
Recommended indefinite post- ponement	465
Indefinitely postponed	669
215 By Randall. Closed season on skunk.	
Introduced, referred	324
Recommended indefinite post- ponement	849
Reported rejected	1253
Passed; ayes 70, nays 9	1254
216 By Randall. Marriage li- cense—five day notice.	
Introduced, referred to judiciary	325
Recommended amendment and passage	483
S. F. 148 substituted	666
217 By Torgeson and Pattison. To make optional military training in state schools.	
Introduced, referred	325
Withdrawn from committee	869
Made special order	869-870
Failed to pass; ayes 42, nays 63	1013
218 By Hansen of Scott. Super- visors—destroying certain records.	
Introduced, referred	338
Recommended amendment and passage	574
Amendment adopted	872
Passed; ayes 87, nays 0	872
Received back	1274
Reported enrolled	1315
Signed by Speaker	1315
Sent to Governor	1316
Approved by Governor	1407
219 By Hansen of Scott. Wid- ows' pensions.	
Introduced, referred	338
Recommended passage	574
S. F. 156 substituted	873
220 By Simmer. Secondary roads.	
Introduced, referred	338
Recommended indefinite post- ponement	549
221 By Rutledge. Motor ve- hicles.	
Introduced, referred	338
Withdrawn	350
222 By Torgeson and Randall. Highways indebtedness.	
Introduced, referred	339
Recommended amendment and passage	1301
Reported out	1623
Failed to pass; ayes 46, nays 53	1672
223 By Committee on Public Health. Medicine and sur- gery.	
Introduced	335
Passed; ayes 83, nays 5	415
Motion to reconsider	421

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Motion to reconsider withdrawn	508
Received back	1289
Concurred	1329
Reported enrolled	1352
Signed by Speaker	1353
Sent to Governor	1353
Approved by Governor	1499
224 By Committee on Public Health. Medicine and sur- gery.	
Introduced	339
Failed to pass; ayes 45, nays 40	416
Motion to reconsider	417
Amendment filed	423
225 By Committee on Public Health. Medicine and sur- gery.	
Introduced	340
Passed; ayes 96, nays 0	417
Received back	902
Concurred	919
Reported enrolled	989
Signed by Speaker	990
Sent to Governor	990
Approved by Governor	1044
226 By Committee on Suppres- sion of intemperance. Drugged or adulterated liq- uors.	
Introduced	337
Amended, passed; ayes 92, nays 7	474
227 By Committee on Suppres- sion of Intemperance. Liquor law violations.	
Introduced	337
Amended, passed; ayes 72, nays 6	490
Received back	1602
Reported enrolled	1634
Signed by Speaker	1635
Sent to Governor	1635
228 By Husted. Commercial feeds.	
Introduced, referred	340
Recommended passage	392
Passed; ayes 76, nays 4	776
229 By Simmer and Torgeson. Secondary road improvement.	
Introduced, referred	340
Withdrawn	684
230 By Reed. Education of children at county farms.	
Introduced, referred	341
Recommended passage	550
Action deferred	697
231 By Whiting. Paving ad- jacent to University of Iowa.	
Introduced, referred	341
Recommended indefinite post- ponement	767
232 By Brown. Pensions for municipal court clerks.	
Introduced, referred	341
Recommended indefinite post- ponement	402
Indefinitely postponed	667
233 By Johnson of Marion. Li- censing of veterinarians.	
Introduced, referred	341
Recommended amendment and passage	706
Amendment adopted	1469

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Passed; ayes 64, nays 6.....	1469
Title amended.....	1470
Received back.....	1824
Reported enrolled.....	1889
Signed by Speaker.....	1889
Sent to Governor.....	1890

#### 234 By Committee on Judiciary. Motor vehicle records.

Introduced .....	351
Passed; ayes 76, nays 0.....	495
Received back.....	1051
Reported enrolled.....	1089
Signed by Speaker.....	1089
Sent to Governor.....	1090
Approved by Governor.....	1106

#### 235 By Committee on Judiciary. Records of supreme court.

Introduced .....	354
Amended, passed; ayes 70, nays 1	496
Received back.....	1547
Reported enrolled.....	1634
Signed by Speaker.....	1635
Sent to Governor.....	1635

#### 236 By Special Contest Committee. Expenses of Gallagher-Hatter election contest.

Introduced, referred.....	357
Recommended amendments and passage .....	468
Amendments rejected.....	739
Passed; ayes 83, nays 5.....	739
Received back.....	1274
Reported enrolled.....	1315
Signed by Speaker.....	1315
Sent to Governor.....	1316
Approved by Governor.....	1407

#### 237 By Miller. Portsmouth Livestock Shipping Association.

Introduced, referred.....	357
Recommended passage.....	518
Passed; ayes 82, nays 0.....	640
Received back.....	1090
Reported enrolled.....	1122
Signed by Speaker.....	1122
Sent to Governor.....	1123
Approved by Governor.....	1199

#### 238 By Committee on Judicial and Political Districts. State representative districts.

Introduced .....	357
Passed; ayes 83, nays 0.....	603
Received back.....	1417
Reported enrolled.....	1487
Signed by Speaker.....	1487
Sent to Governor.....	1499
Approved by Governor.....	1599

#### 239 By Whiting. Squirrels.

Introduced .....	357
Recommended amendment and passage .....	946

#### 240 By Tamisiea. Weed cutting.

Introduced, referred.....	357
Recommended indefinite postponement .....	454
Indefinitely postponed.....	669

#### 241 By Short and Forsling. Municipal bands.

Introduced, referred.....	358
Recommended indefinite postponement .....	453
Indefinitely postponed.....	667

#### H. F. Page 242 By Committee on State Educational Institutions. Expenses of investigation of University.

Introduced, referred.....	358
Recommended passage.....	467
Passed; ayes 80, nays 1.....	491
Received back.....	1935
Amended and concurred.....	1942
Reported enrolled.....	1956
Signed by Speaker.....	1957
Sent to Governor.....	1957

#### 243 By Kern. Motor license fees.

Introduced, referred.....	358
Recommended indefinite postponement .....	519
Referred.....	519
Withdrawn .....	1113

#### 244 By Rutledge. Automobile driver's license.

Introduced, referred.....	358
Recommended amendment and passage .....	770
S. F. 111 substituted.....	903

#### 245 By Rutledge. Fire station at Iowa State College.

Introduced, referred.....	377
Recommended indefinite postponement .....	852

#### 246 By Whiting. High school sites.

Introduced, referred.....	377
Recommended amendment and passage .....	893

#### 247 By Strachan. Consolidated school district of Bode.

Introduced, referred.....	378
Recommended passage.....	482
Proof of publication.....	630
Passed; ayes 73, nays 2.....	647
Received back.....	786
Reported enrolled.....	840
Signed by Speaker.....	840
Sent to Governor.....	841
Approved by Governor.....	901

#### 248 By Brown. Hotel liens extended to rooming houses.

Introduced, referred.....	378
Recommended passage.....	483
Passed; ayes 72, nays 0.....	642
Received back.....	1290
Reported enrolled.....	1330
Signed by Speaker.....	1330
Sent to Governor.....	1331
Approved by Governor.....	1407

#### 249 By Hayes and Orr. Fish and game.

Introduced, referred.....	378
Recommended passage.....	677
Passed; ayes 75, nays 5.....	934
Received back.....	1636
Reported enrolled.....	1674
Signed by Speaker.....	1674
Sent to Governor.....	1675

#### 250 By Reed, Strachan and Bonnstetter. Supervisors.

Introduced, referred.....	378
Recommended passage.....	575
Amendment filed.....	801
Amendments filed.....	878
S. F. 297 substituted.....	1196

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251 By Nelson of Story. Insurance—mutual assessment associations—quo warranto procedure against.	
Introduced, referred.....	378
Recommended passage.....	730
Reported out.....	1623
Passed; ayes 73, nays 0.....	1645
252 By Rylander. Hail insurance.	
Introduced, referred.....	379
Amendment filed.....	721
Recommended amendment and passage.....	884
Reported out by sifting committee.....	1623
Amended, passed; ayes 66, nays 8.....	1646
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253 By Paisley. Police equipment.	
Introduced, referred.....	394
Recommended indefinite postponement.....	571
254 By Mayne. Motor trucks.	
Introduced, referred.....	394
Recommended indefinite postponement.....	485
Rereferred.....	508
Recommended indefinite postponement.....	770
255 By Mayne. Motor trucks.	
Introduced, referred.....	395
Recommended indefinite postponement.....	484
Rereferred.....	508
Recommended indefinite postponement.....	768
256 By Mayne. Motor trucks.	
Introduced, referred.....	395
Recommended passage.....	768
257 By Johnson of Marion. Police radio broadcasting system.	
Introduced, referred.....	395
Recommended passage.....	593
Passed; ayes 88, nays 4.....	1148
Received back.....	1193
Reported enrolled.....	1278
Signed by Speaker.....	1278
Sent to Governor.....	1278
Approved by Governor.....	1287
258 By Rutledge. Pension to municipal waterworks employees.	
Introduced, referred.....	395
Amendments filed.....	423
Recommended indefinite postponement.....	485
Rereferred.....	486
Withdrawn.....	539
259 By Johnson of Marion. Dentist's license.	
Introduced, referred.....	405
Recommended passage.....	772
Reported out.....	1623
Passed; ayes 72, nays 0.....	1627
Received back.....	1888
Reported enrolled.....	1930
Signed by Speaker.....	1930
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260 By Reed. Ventilators to carry off monoxide gases in garages.	
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Recommended amendment and passage.....	772
261 By Hopkins. Teachers' employment bureau.	
Introduced, referred.....	405
Recommended passage.....	592
Passed; ayes 60, nays 0.....	780
262 By Ditto. Title insurance.	
Introduced, referred.....	406
263 By Committee on Judiciary. Felony defined.	
Introduced.....	406
Passed; ayes 64, nays 0.....	498
Received back.....	698
Reported enrolled.....	747
Signed by Speaker.....	748
Sent to Governor.....	748
Approved by Governor.....	801
264 By Elliott. Public utility commission.	
Introduced, referred.....	406
Withdrawn.....	1336
265 By Special Contest Committee. Expenses of Berry-Maneor election contest.	
Introduced, referred.....	406
Recommended amendment and passage.....	767
Amendments adopted.....	809
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Received back.....	1504
Reported enrolled.....	1598
Signed by Speaker.....	1598
Sent to Governor.....	1598
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266 By Husted. School district by petition.	
Introduced, referred.....	407
267 By Hopkins. Teacher's examinations.	
Introduced, referred.....	407
Recommended passage.....	766
Passed; ayes 78, nays 1.....	930
Received back.....	1503
Reported enrolled.....	1598
Signed by Speaker.....	1598
Sent to Governor.....	1598
Approved by Governor.....	1606
268 By Helgason. Special assessments.	
Introduced, referred.....	407
Recalled from committee.....	916
Passed; ayes 62, nays 0.....	1074
Received back.....	1717
Reported enrolled.....	1805
Signed by Speaker.....	1805
Sent to Governor.....	1805
269 By Helgason. Tax levy for gas, electric and power plants in small cities.	
Introduced, referred.....	407
Recommended indefinite postponement.....	517
Indefinitely postponed.....	671
270 By Forsling. Public playgrounds.	
Introduced, referred.....	407
Recommended indefinite postponement.....	571

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271 By Committee on Public Libraries. Libraries.	
Introduced	426
Passed; ayes 86, nays 0.	691
Received back	1289
Concurred	1322
Reported enrolled	1352
Signed by Speaker	1353
Sent to Governor	1353
Approved by Governor	1499
272 By Short and Forsling. Levee commission.	
Introduced, referred	459
Withdrawn from committee	894
273 By Nelson of Story. Schools—subdividing districts having two centers of population.	
Introduced, referred	459
Recommended passage	1138
274 By Miller. Legalizing certain assessors' books and assessment rolls.	
Introduced, referred	459
Withdrawn	539
275 By Drake of Muscatine. Levee improvement commission.	
Introduced, referred	460
Recommended indefinite postponement	911
Withdrawn	1304
276 By Special Contest Committee. Contest expenses, Ditto-Hattendorf.	
Introduced, referred	460
Recommended amendment and passage	595
Passed; ayes 77, nays 1.	924
Received back	1503
Reported enrolled	1634
Signed by Speaker	1635
Sent to Governor	1635
277 By Aiken. Blacksmiths.	
Introduced, referred	460
Recommended indefinite postponement	518
Indefinitely postponed	671
278 By Hayes. City manager cities.	
Introduced, referred	460
Recommended indefinite postponement	517
Withdrawn	538
279 By Van Buren. Patent to certain lands to A. F. Walters.	
Introduced, referred	460
Recommended passage	482
Amendment filed	514
Amended, passed; ayes 88, nays 0	741
Received back	1299
Reported enrolled	1330
Signed by Speaker	1330
Sent to Governor	1331
Approved by Governor	1407
280 By Committee on Agriculture. Scales—inspection fees.	
Introduced	461
Passed; ayes 58, nays 12.	500
Received back	1290

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Reported enrolled	1330
Signed by Speaker	1330
Sent to Governor	1331
Approved by Governor	1407
281 By Gallagher. County Attorney's fees.	
Introduced, referred	472
Recommended amendment and passage	730
282 By Hanson. Distress warrants for collection of personal taxes.	
Introduced, referred	473
Recommended passage	565
Passed; ayes 93, nays 0.	837
Received back	1290
Reported enrolled	1330
Signed by Speaker	1330
Sent to Governor	1331
Approved by Governor	1407
283 By Hopkins. County board of education.	
Introduced, referred	473
Recommended passage	767
S. F. 189 substituted.	933
284 By Forsling. Civil service.	
Introduced, referred	473
Recommended indefinite postponement	572
285 By Hansen of Scott. Automobile license—reductions after first year.	
Introduced, referred	473
Recommended passage	770
Amendment filed	1131
Amended, passed; ayes 60, nays 27.	1615
Received back	1936
Reported enrolled	1956
Signed by Speaker	1957
Sent to Governor	1957
286 By Hayes. Permanent registration.	
Introduced, referred	473
Recommended indefinite postponement	946
287 By Witt. Primary road extensions.	
Introduced, referred	473
Recommended indefinite postponement	678
288 By Ditto. State aid to agricultural short courses.	
Introduced, referred	474
Recommended amendment and passage	571
Amendment rejected	960
Passed; ayes 89, nays 0.	960
Received back	1504
Refused to concur	1551
Received back	1717
Reported enrolled	1805
Signed by Speaker	1805
Sent to Governor	1805
289 By Kern and Brown. Motor and aircraft mechanics.	
Introduced, referred	474
Recommended indefinite postponement	854
290 By Helgason. Secondary road improvements.	

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Introduced, referred .....	487
Recommended amendment and passage .....	678
Amendment adopted .....	1082
Passed; ayes 71, nays 0 .....	1082
Received back .....	1495
Reported enrolled .....	1507
Signed by Speaker .....	1507
Sent to Governor .....	1509
Approved by Governor .....	1599

291 By Short and Aiken. Liens. Introduced, referred .....	487
Recommended indefinite postponement .....	855

292 By Mayne. Fire chiefs and police chiefs. Introduced, referred .....	487
Recommended amendment and passage .....	806
Amendments adopted .....	1252
Passed; ayes 71, nays 0 .....	1252

293 By Hansen of Scott. Fish and animal shipment. Introduced, referred .....	487
Recommended passage .....	911

290 By Helgason. Secondary road improvements. Introduced, referred .....	487
Recommended amendment and passage .....	678
Amendment adopted .....	1082
Passed; ayes, 71, nays 0 .....	1082
Received back .....	1495
Reported enrolled .....	1507
Signed by Speaker .....	1507
Sent to Governor .....	1509
Approved by Governor .....	1599

291 By Short and Aiken. Liens. Introduced, referred .....	487
Recommended indefinite postponement .....	855

292 By Mayne. Fire chiefs and police chiefs. Introduced, referred .....	487
Recommended amendment and passage .....	806
Amendments adopted .....	1252
Passed; ayes 71, nays 0 .....	1252

293 By Hansen of Scott. Fish and animal shipment. Introduced, referred .....	487
Recommended passage .....	911

294 By Laughlin and Wearin. Tabor College. Introduced, referred .....	487
Recalled from committee .....	734
Amendment filed .....	762
Referred to appropriations .....	765
Amendment filed .....	792
Recommended amendment and passage .....	892
Amendments adopted .....	1412
Amendment withdrawn .....	1412
Failed to pass; ayes 46, nays 48 .....	1412

295 By Gallagher. Bills in the general assembly. Introduced, referred .....	487
Recommended amendment and passage .....	858

296 By Rutledge. Damage action.	
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Introduced, referred .....	488
Recommended amendment and passage .....	968
Amendment adopted .....	1453
Passed; ayes 73, nays 0 .....	1453
Received back .....	1888
Reported enrolled .....	1930
Signed by Speaker .....	1930
Sent to Governor .....	1931

297 By Durant. Dog license. Introduced, referred .....	488
Recommended passage .....	765
Amendment filed .....	843
Amendments filed .....	904
Amendments filed .....	1201
Amended, passed; ayes 63, nays 20 .....	1346

298 By Malone. Marginal releases on real or personal property. Introduced, referred .....	488
Recommended indefinite postponement .....	854

299 By Hopkins. Abolishing third grade teachers' certificates. Introduced, referred .....	488
Recommended indefinite postponement .....	825
Indefinitely postponed .....	1061

300 By Durant. Text books—county uniformity. Introduced, referred .....	488
Recommended indefinite postponement .....	825

301 By Simmer. Municipal public utility bonds. Introduced, referred .....	488
Recommended amendment and passage .....	680
Amendment adopted .....	686
Passed; ayes 83, nays 0 .....	686
Received back .....	786
Reported enrolled .....	840
Signed by Speaker .....	840
Sent to Governor .....	841
Approved by Governor .....	901

302 By Committee on Cities and Towns. City park board. Introduced .....	489
Passed; ayes 62, nays 0 .....	779
Received back .....	1635
Reported enrolled .....	1674
Signed by Speaker .....	1674
Sent to Governor .....	1675

303 By Long. Laws of the road. Introduced, referred .....	508
Recommended amendment and passage .....	969
Reported out .....	1700
S. F. 230 substituted .....	1812

304 By Avery. Divorce. Introduced, referred .....	509
Recommended passage .....	855
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Reported enrolled .....	1847
Signed by Speaker .....	1847
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305 By McCaulley. Costs of disbarment proceedings.	
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# HOUSE RECORD OF HOUSE BILLS

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 306 By Allen. Indemnity to police and firemen for auto accidents in performance of duties.	
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 307 By Tamisiea. Labor and material on public improvements.	
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 308 By Helgason. Sterilization.	
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 309 By Allen and Hanson. Marketing livestock by truck.	
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Reported enrolled .....	1889
Signed by Speaker .....	1889
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 310 By Short. Official newspapers.	
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Passed; ayes 69, nays 16 .....	1561
 311 By Brown. Redemption from tax sale.	
Introduced, referred .....	522
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 312 By Brown. Tax deed.	
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 313 By Brown. Liens on real estate.	
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 314 By Brown. Wills.	
Introduced, referred .....	523
Recommended amendment and passage .....	857
Amendment adopted .....	1079
Passed; ayes 67, nays 1 .....	1079
 315 By Brown. Civil service rights.	

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 316 By Garrett. Fur dealers.	
Introduced, referred .....	523
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Signed by Speaker .....	1889
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 317 By Drake of Keokuk and Hopkins. Oath of allegiance by teachers.	
Introduced, referred .....	523
 318 By Malone and Reed. Municipal emergency fund.	
Introduced, referred .....	523
Recommended indefinite postponement .....	852
 319 By Committee on Claims. Emmet L. Morris, Albert L. Sharp, A. L. Wood.	
Introduced, referred .....	524
Recommended passage .....	596
Passed; ayes 86, nays 0 .....	1526
Received back .....	1698
Reported enrolled .....	1756
Signed by Speaker .....	1756
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 320 By Committee on Claims. Mrs. K. E. Anderson.	
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Received back .....	1697
Reported enrolled .....	1756
Signed by Speaker .....	1756
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 321 By Committee on Claims. Metz Construction Co.	
Introduced, referred .....	524
Recommended passage .....	596
Passed; ayes 87, nays 0 .....	926
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Reported enrolled .....	1634
Signed by Speaker .....	1634
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 322 By Committee on Claims. Adolph Griesinger.	
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 323 By Committee on Claims. W. F. Dollen and Sons.	
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Recommended passage .....	596
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Received back .....	1698
Reported enrolled .....	1756
Signed by Speaker .....	1756
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 324 By Brown. Aid to widow in care of child.	
Introduced, referred .....	551
 325 By Johnson of Marion. Schools—redistricting.	
Introduced, referred .....	557
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326 By Rutledge. Pensions to municipal waterworks employees.	
Introduced, referred .....	551
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327 By Finnern. Marriage license.	
Introduced, referred .....	576
328 By Committee on Schools and textbooks. School census.	
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329 By Byers. Tax deeds—record book and fees.	
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330 By Byers. Deeds in execution—recording.	
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331 By Ellsworth. Parks.	
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332 By Ellsworth. Local boards of health.	
Introduced, referred .....	577
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333 By Ellsworth. Township trustees.	
Introduced, referred .....	577
Recommended amendment and passage .....	853
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Amendment rejected .....	1075
Amended, passed; ayes 64, nays 2 .....	1075
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334 By Committee on Judiciary. Gasoline tax refunds.	
Introduced .....	572
Passed; ayes 89, nays 0 .....	870
Received back .....	1548
Reported enrolled .....	1634
Signed by Speaker .....	1635
Sent to Governor .....	1635
335 By Committee on Judiciary. City and town elections.	
Introduced .....	572
Passed; ayes 82, nays 0 .....	871
Received back .....	1597
Concurred .....	1643
Reported enrolled .....	1756
Signed by Speaker .....	1756
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336 By Davis. Bovine tuberculosis.	
Introduced, referred .....	577
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337 By McCaulley. Attorney's fees.	
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Recommended passage .....	679
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Called up, deferred .....	1152
Amended, passed; ayes 71, nays 8 .....	1170
Received back .....	1548
Reported enrolled .....	1634
Signed by Speaker .....	1635
Sent to Governor .....	1635
338 By Orr. Carl G. Schultz of Monona.	
Introduced, referred .....	600
Proof of publication .....	672
Recommended passage .....	679
Passed; ayes 78, nays 0 .....	1063
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Reported enrolled .....	1330
Signed by Speaker .....	1330
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339 By Committee on Pharmacy. Pharmacy.	
Introduced .....	592
Amendment filed .....	879
Amended, passed; ayes 64, nays 26 .....	921
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Reported enrolled .....	1089
Signed by Speaker .....	1089
Sent to Governor .....	1090
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340 By Hollingsworth, Whiting and Torgeson. Osteopathy.	
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341 By Mayne and Greene. Municipal waterworks.	
Introduced, referred .....	601
Recommended passage .....	726
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Concurred .....	1244
Reported enrolled .....	1330
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342 By Committee on Police Regulations and Suppression of Crime. Picture films.	
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343 By Hollingsworth, Wearin and Hutcheon. Public utility commission.	
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344 By Short and Forsling. Interstate bridges.	
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345 By Langland. School elections.	
Introduced, referred .....	602
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346 By Malone. Public owned automobile or machinery—private use prohibited.	
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347 By Kern and Brown. Municipal waterworks.	
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Recommended amendment and passage .....	911
348 By McCauley. Commercial colleges.	
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349 By Randolph. Fish and game.	
Introduced, referred .....	633
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350 —By Kern and Brown. Waterworks.	
Introduced, referred .....	633
Recommended indefinite postponement .....	861
351 By Committee on Claims. Thomas Logan, Dale Taylor, Mrs. James Shada, E. R. Bartz, Union Prairie Church, P. A. Clemmer, Fink Bros., Wm. Ross.	
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Recommended passage .....	768
Passed; ayes 79, nays 0 .....	1528
Received back .....	1698
Reported enrolled .....	1756
Signed by Speaker .....	1756
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352 By Hush. Pipe lines.	
Introduced, referred .....	633
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Recommended amendment and passage .....	998
Amendments adopted .....	1401
Amended, passed; ayes 76, nays 5 .....	1401
Received back .....	1787
Concurred .....	1836
Reported enrolled .....	1889
Signed by Speaker .....	1889
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353 By Hush. Natural gas.	
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354 By Orr. Issuing patent to certain lands to J. P. Eckhart.	
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Recommended amendment and passage .....	726
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Passed; ayes 79, nays 0 .....	1065
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Reported enrolled .....	1487
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355 By Craven. Budget plan for all counties.	
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356 By Bonnstetter. State senatorial districts.	
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357 By Forsling. Insurance agents' licenses.	
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358 By Ellsworth. County surveying.	
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359 By Rylander. Congressional districts.	
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360 By Forsling. Amendment to Blue Sky Laws.	
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361 By Berry. Workmen's compensation.	
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362 By Lichty. Plumbing—board of examiners.	
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363 By Committee on Judiciary. Fiduciary powers.	
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364 By Committee on Judiciary. Municipal waterworks.	
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365 By Committee on Judiciary. Serial number—destroying same on machinery or musical instruments.	
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366 By Committee on Cities and Towns. Civil Service.	
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367 By Berry. Mines—check- weighmen—interference in duties.	
Introduced, referred.....	683
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368 By Elliott. Reducing rate of all taxing bodies for 1932 and 1933.	
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369 By Rutledge. Officers' bonds.	
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370 By Rutledge. Weeds on secondary roads.	
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371 By Forsling. Workmen's compensation.	
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372 By Mayne and Brown. Au- tomobile accidents.	
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373 By Mayne. Legalizing an election at Council Bluffs.	
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374 By Short. Landlord's lien.	
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375 By Gallagher. Stop sig- nals on primary routes through cities.	
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376 By Brown. Declaratory judgments and decrees.	
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377 By Wamstad. Motor ve- hicle fuel.	
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378 By Hutcheon. Cost of spe- cial election on state road bonds.	
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379 By TePaske. Vacancies in city or town offices.	
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380 By Forsling. Code and ses- sion laws—free distribution.	
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381 By Witt. County officers— school of instruction.	
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382 By Ballew. Aid to widow in care of child.	
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383 By Short. Schools—state audit of accounts.	

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384 By TePaske. Bonds in attachment proceedings.	
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385 By Committee on Departmental Affairs. Giving attorney general the duties of commerce counsel.	
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386 By Augustine. County attorney's salary.	
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387 By Elliott. Special charter cities.	
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388 By Gissell and TePaske. County and district fairs.	
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389 By Millhone. Teachers' certificates.	
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390 By Committee on Claims. Slifer and Abrahamson.	
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393 By Pendray. Lobbyists.	
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394 By Torgeson. Schools—division of building and general funds.	
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395 By Committee on Schools and Textbooks. Normal training courses in high schools.	
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396 By Committee on Banks and Banking. Banks—stop orders on checks.	
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397 By Committee on Banks and Banking. Closed banks—making drafts and cashier's checks preferred claims.	
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398 By Watts. Dentist's permit for intoxicating liquors.	
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399 By Finnern. Municipal public utilities.	
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400 By Kern. Insurance—policies written by resident agent.	
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401 By Finnern. Personal property tax.	
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402 By Ellsworth and Mayne. Registration board for engineers and surveyors.	
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403 By Morton et al. Congressional districts.	
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404 By Torgeson. Salary of chief engineer of highway commission.	
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405 By Morton. Township trustees.	
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406 By Whiting. Township road indebtedness (old)—levy to meet same.	
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407 By Ditto. Anti-freeze compounds.	
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408 By Committee on Claims. C. A. Knutson.	
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409 By Committee on Claims. Brown and Cook, and Harry Yoss.	
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Received back.....	1697
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410 By Committee on Claims. Winnebago, Emmet, Louisa, Muscatine and Hancock Counties.	
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411 By Committee on Claims. William Hirsch, Fred Hel- denmier.	
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Passed; ayes 74, nays 0.....	1535
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412 By Wamstad. Unfair dis- crimination.	
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413 By Gallagher. Swimming pools.	
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414 By Hopkins. School elec- tions.	
Introduced, referred.....	797
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Amended, passed; ayes 73, nays 0.....	1259
415 By Kern. Civil service.	
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Recommended passage.....	861
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416 By Bair. Congressional dis- tricts.	
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417 By Brown. Dog license.	
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418 By Brown. Assessors.	
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419 By Greene. Appropria- tion for the publication of Legislative acts.	
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420 By Greene. Appropriation for the publication of federal census.	
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421 By Tamisiea. City of Mis- souri Valley.	
Introduced, referred.....	798
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Recommended passage.....	856
Passed; ayes 83, nays 0.....	932
Received back.....	1290
Reported enrolled.....	1330
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422 By Snyder. Standard bush- el by weight for grapefruit, oranges and lemons.	
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Passed; ayes 66, nays 0.....	1080
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Reported enrolled.....	1330
Signed by Speaker.....	1330
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423 By Morton. School town- ships.	
Introduced, referred.....	807
Recommended indefinite post- ponement.....	998
424 By Mayne. School districts.	
Introduced, referred.....	807
Recommended passage.....	893
Passed; ayes 59, nays 0.....	1078
Received back.....	1787
Reported enrolled.....	1847
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425 By Lichty. City managers.	
Introduced, referred.....	807
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426 By Lichty. Riverfront im- provement commission.	
Introduced, referred.....	808
Recommended passage.....	910
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427 By Tamisiea. Drainage.	
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Received back .....	1290
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428 By Peaco. Railroad com- missioners.	
Introduced, referred .....	808
429 By Stiger. Partitions.	
Introduced, referred .....	808
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430 By Simmer. Electricians— examination and license.	
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431 By Strachan. Drainage re- pair assessments.	
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432 By Babcock. Legalizing an election at New Hampton.	
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Amended, failed to receive two-thirds majority; ayes 70, nays 12 .....	1688
Reconsideration prevailed.....	1693-1694
Failed to pass; ayes 60, nays 26 .....	1694

580 By Committee on Claims. Laura E. Sellers.	
Introduced, referred.....	1606
Returned without recommendation .....	1654
Passed; ayes 83, nays 11.....	1689
Received back.....	1746
Reported enrolled.....	1805
Signed by Speaker.....	1805
Sent to Governor.....	1805

581 By Committee on Claims. J. O. Gilchrist.	
Introduced, referred.....	1606
Recommended passage.....	1654
Passed; ayes 89, nays 1.....	1690
Received back.....	1747
Reported enrolled.....	1805
Signed by Speaker.....	1805
Sent to Governor.....	1805

582 By Sifting Committee. Motor vehicles.	
Introduced .....	1653
Passed; ayes 56, nays 29.....	1830

583 By Committee on Aeronautics. Aeronautics.	
Introduced, referred.....	1712

584 By Sifting Committee. Liability of stockholders in closed banks.	
Introduced .....	1712

585 By Sifting Committee. Legalizing the corporate acts of Rucker's Incorporation of Otumwa.	
Introduced .....	1712
Passed; ayes 73, nays 0.....	1810

586 By Sifting Committee. Amendment to House File 527, 44th G. A.	
Introduced .....	1712
Passed; ayes 72, nays 0.....	1771
Received back.....	1853
Reported enrolled.....	1889
Signed by Speaker.....	1889
Sent to Governor.....	1890

H. F.	Page	H. F.	Page
587 By Committee on Appropriations. Appropriation to carry out provisions of House File 377.		588 By Sifting Committee. Howard Downing, Gilbert Downing, Oliver Downing, Gifford Handke, A. L. Wise.	
Introduced .....	1750	Introduced .....	1795
Passed; ayes 70, nays 7.....	1780	Passed; ayes 77, nays 9.....	1795
Received back.....	1950	Received back .....	1888
Reported enrolled.....	1956	Reported enrolled.....	1930
Signed by Speaker.....	1957	Signed by Speaker.....	1930
Sent to Governor.....	1957	Sent to Governor.....	1931

# HISTORY OF SENATE BILLS IN HOUSE

## SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

10, 15, 16, 20, 21, 22, 25, 28, 30, 31, 35, 37, 38, 41, 43, 44, 49, 53, 55, 56, 65, 67, 68, 69, 70, 72, 73, 74, 75, 77, 82, 99, 105, 106, 107, 108, 111, 116, 125, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 148, 151, 152, 155, 156, 163, 177, 179, 189, 193, 199, 200, 202, 209, 211, 214, 215, 217, 218, 219, 220, 224, 230, 235, 236, 239, 242, 245, 250, 251, 252, 256, 264, 266, 279, 280, 284, 285, 288, 289, 290, 293, 297, 299, 300, 309, 310, 312, 325, 327, 330, 332, 333, 344, 345, 348, 353, 355, 356, 358, 361, 365, 366, 367, 369, 374, 376, 377, 382, 387, 388, 389, 391, 396, 398, 404, 405, 408, 409, 410, 411, 412, 414, 416, 418, 420, 425, 426, 427, 428, 429, 430, 431, 432, S. J. R. 1, 2, 4, 10, 12.

## RECORD OF EACH BILL

S. F.	Page	S. F.	Page
1 By Patterson, Clark of Linn, and Rigby. County assessor.		Received, referred	326
Received, referred	698, 699	Recommended passage	391
Recommended passage	909	Substituted for H. F. 15	391
Substituted for H. F. 1	916	Passed; ayes 85, nays 3	603
Amendment filed	941	Reported enrolled	657
Amendments filed	980	Signed by Speaker	658
Amendments filed	1021	Requested return of bill from Senate	719
Amended	1033-1039	Received in House	720
Amended, failed to pass; ayes 41, nays 65	1048-1050, 1052-1057	Passage reconsidered	734
Motion to reconsider	1057	Amended, passed; ayes 88, nays 0	735
Motion lost to table reconsideration	1098	Concurrence received	782
Motion to reconsider laid on table	1165-1170	Reported enrolled	783
		Signed by Speaker	783
10 By Stoddard. State appropriation bill.		20 By Baird. Levy for park purposes.	
Received, referred	1416, 1420	Received, referred	502
Substituted for H. F. 10	1447	Recommended passage	681
Made special order	1465	Passed; ayes 63, nays 7	1088
Taken up by committee of the whole	1485	Reported enrolled	1155
Amendment filed	1508	Signed by Speaker	1155
Report of the committee of the whole	1510-1523	21 By Baird. Tax levy for park improvement.	
Amendment filed	1567	Received, referred	787, 789
Amendments adopted	1575-1591	Recommended passage	913
Amended, passed; ayes 85, nays 13	1575-1592	Passed; ayes 69, nays 4	1251
Refusal to concur received	1642	Reported enrolled	1315
House insists	1642	Signed by Speaker	1315
Conference committee appointed	1648	22 By Clark of Cerro Gordo. Pleasant Hill Telephone Company	
Conference report	1890	Received, referred	236
Received in House	1896	Recommended passage	316
Conference report adopted	1895	Passed; ayes 76, nays 0	359
Reported enrolled	1956	Reported enrolled	421
Signed by Speaker	1957	Signed by Speaker	421
15 By Clearman and White. County road bonds.		25 By Anderson. School—closing on account of small attendance.	
Received, referred	326	Received, referred	841
Substituted for H. F. 14	358	Recommended passage	997
Made special order	359, 376	Passed; ayes 79, nays 2	1400
Passed; ayes 95, nays 0	397	Reported enrolled	1476
Reported enrolled	478	Signed by the Speaker	1476
Signed by Speaker	478	28 By Stoddard. State apiarist.	
16 By Clearman and White. Use of surplus secondary road fund.		Received, referred	237

S. F.	Page
Recommended passage .....	315
Passed; ayes 90, nays 0.....	383
Reported enrolled .....	478
Signed by Speaker .....	478
29 By Klemme. Decorah school election.	
Received, referred .....	212
30 By Topping. Lutheran Mutual Fire Insurance Association.	
Received, referred .....	212
Recommended amendment and passage .....	318
Amendment adopted .....	363
Passed; ayes 77, nays 0.....	363
Concurrence received .....	418
Reported enrolled .....	478
Signed by Speaker .....	478
31 By Clark of Cerro Gordo. Public buildings—borrowing money for.	
Received, referred .....	309
Substituted for H. F. 36.....	501
Passed; ayes 61, nays 4.....	501
Reported enrolled .....	539
Signed by Speaker .....	539
35 By Kimberly. Interstate bridges.	
Received, referred .....	374
Recommended passage .....	485
Substituted for H. F. 12.....	486
Passed; ayes 70, nays 0.....	497
Reported enrolled .....	539
Signed by Speaker .....	539
37 By Ickis. Fur dealers' licenses.	
Received, referred .....	309
Recommended passage .....	677
Passed; ayes 74, nays 0.....	1250
Reported enrolled .....	1315
Signed by Speaker .....	1315
38 By Cooney. Civil service rights.	
Received, referred .....	381
Recommended passage .....	453
Substituted for H. F. 104 and 167 .....	453
Passed; ayes 58, nays 41.....	957
Reported enrolled .....	990
Signed by Speaker .....	990
39 By Blackford. Teachers' minimum wages.	
Received, referred .....	542
Recommended indefinite postponement .....	826
41 By Stoddard. Municipal bands.	
Received, referred .....	1016
Recommended passage .....	1121
Passed; ayes 57, nays 23.....	1475
Motion to reconsider .....	1492
Motion to reconsider laid on table .....	1660
Reported enrolled .....	1756
Signed by Speaker .....	1756
43 By Wilson. Special assessments.	
Received, referred .....	698, 699
Substituted for H. F. 47.....	711
Passed; ayes 95, nays 0.....	838
Reported enrolled .....	877
Signed by Speaker .....	878

S. F.	Page
44 By Clearman. Integration of state psychopathic and University general hospitals.	
Received, referred .....	541
Recommended passage .....	851
Passed; ayes 71, nays 0.....	1011
Reported enrolled .....	1052
Signed by Speaker .....	1052
45 By Rigby. Court of claims.	
Received, referred .....	746
Recommended amendment and passage .....	968
47 By Anderson. Domestic animals.	
Received, referred .....	503
Recommended indefinite postponement .....	564
Indefinitely postponed .....	671
49 By Stoddard. Barber apprentices.	
Received; substituted for H. F. 178 .....	698
Amendments filed .....	761, 762
Amendment filed .....	792
Amended, passed; ayes 67, nays 29 .....	814
Concurrence received .....	902
Reported enrolled .....	901
Signed by Speaker .....	901
51 By Doran and Ickis. Boards of supervisors.	
Received, referred .....	1129
53 By Leonard. Expense of inaugural ceremonies.	
Received, referred .....	237
Recommended passage .....	337
Passed; ayes 95, nays 0.....	345
Reported enrolled .....	380
Signed by Speaker .....	380
54 By Hicklin. Moscow Dam.	
Received, substituted for H. F. 76 .....	542
Made special order .....	808
Amendment filed .....	821
Amended, failed to pass; ayes 28, nays 74.....	894
55 By White. State aid for education of the blind.	
Received, referred .....	325
Substituted for H. F. 61.....	344
Passed; ayes 101, nays 0.....	344
Reported enrolled .....	380
Signed by Speaker .....	380
56 By Wenner. Coroner.	
Received, referred .....	461
Substituted for H. F. 25.....	580
Amended, passed; ayes 59, nays 27 .....	580
Title amended .....	581
Concurrence received .....	698
Reported enrolled .....	747
Signed by Speaker .....	748
65 By MacDonald, Patterson, and Clark of Linn. Inheritance tax rates.	
Received, referred .....	585
Recommended amendment and passage .....	849
Reported out .....	1623
Passed; ayes 74, nays 23.....	1668
Reported enrolled .....	1805
Signed by Speaker .....	1805

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67 By Gunderson. Doctor's report of suspicious accident cases.  
Received, referred ..... 652, 656  
Recommended passage ..... 890  
Passed; ayes 75, nays 0 ..... 1452  
Reported enrolled ..... 1499  
Signed by Speaker ..... 1499

68 By Kimberly. Children—dependent—discharge by board of control.  
Received, referred ..... 502  
Recommended passage ..... 883  
Reported out ..... 1651  
Passed; ayes 73, nays 0 ..... 1725  
Reported enrolled ..... 1805  
Signed by Speaker ..... 1805

69 By Kimberly. Feeble-minded.  
Received, referred ..... 652  
Recommended amendment and passage ..... 883  
Reported out ..... 1651  
Passed; ayes 74, nays 0 ..... 1726  
Reported enrolled ..... 1805  
Signed by Speaker ..... 1805

70 By Doran. Surplus fines—to county school fund where collected.  
Received, referred ..... 787  
Recommended passage ..... 853  
Reported out ..... 1651  
Passed; ayes 71, nays 0 ..... 1727  
Reported enrolled ..... 1805  
Signed by Speaker ..... 1805

72 By Tabor. Distribution of early codes and session laws.  
Received, referred ..... 347  
Recommended passage ..... 481  
Passed; ayes 81, nays 0 ..... 740  
Reported enrolled ..... 783  
Signed by Speaker ..... 783

73 By Frailey. Odd Fellows Building Association, Keokuk.  
Received, referred ..... 653, 656  
Recommended passage ..... 726  
Passed; ayes 82, nays 0 ..... 1008  
Reported enrolled ..... 1052  
Signed by Speaker ..... 1052

74 By Hager. Fish and game—Mississippi River selmes.  
Received, referred ..... 502, 504  
Recommended passage ..... 849  
Passed; ayes 67, nays 0 ..... 1262  
Reported enrolled ..... 1315  
Signed by Speaker ..... 1315

75 By Doran. Reconvening jury commission.  
Received, referred ..... 347, 348  
Substituted for H. F. 110 ..... 412  
Passed; ayes 99, nays 0 ..... 412  
Reported enrolled ..... 539  
Signed by Speaker ..... 539

77 By Booth. Stop signs on secondary road.  
Received, referred ..... 309  
Recommended passage ..... 391  
Amendment filed ..... 463  
Amended, passed; ayes 66, nays 11 ..... 636  
Concurrence received ..... 732  
House receded ..... 799  
Reported enrolled ..... 877  
Signed by Speaker ..... 878

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80 By Gunderson. Elections—canvass of votes.  
Received, referred ..... 653, 656

81 By Hicklin. Club houses in public parks.  
Received, referred ..... 374  
Recommended amendment and passage ..... 1120

82 By Benson. Vacating primary roads.  
Received, referred ..... 938, 940  
Substituted for H. F. 125 ..... 958  
Passed; ayes 82, nays 3 ..... 958  
Reported enrolled ..... 990  
Signed by Speaker ..... 990

85 By Benson. Primary roads.  
Received, referred ..... 542  
Recommended passage ..... 853

86 By Benson. Primary road construction funds.  
Received, referred ..... 782  
Recommended passage ..... 1301

87 By Benson. Secondary roads.  
Received, referred ..... 1503, 1505

90 By Benson. Road relocation—dwellings at corners.  
Received, referred ..... 842  
Recommended passage ..... 1159

92 By Stevens. Automobile accidents—service of notice on non-resident operators.  
Received, referred ..... 1289, 1295

93 By Benson. State traffic police.  
Received, substituted for H. F. 119 ..... 1016, 1018  
Amendments filed ..... 1110, 1111

99 By Bennett. New certificates of incorporation.  
Received, referred ..... 991, 992  
Rereferred ..... 1012  
Recommended passage ..... 1161  
Passed; ayes 68, nays 0 ..... 1267  
Reported enrolled ..... 1315  
Signed by Speaker ..... 1315

105 By Blackford. Corporations.  
Received, referred ..... 653, 656  
Recommended passage ..... 859  
Passed; ayes 68, nays 0 ..... 1260  
Reported enrolled ..... 1315  
Signed by Speaker ..... 1315

106 By Lowe. Banks and trust companies.  
Received, referred ..... 503, 504  
Rereferred ..... 684  
Recommended passage ..... 765  
Passed; ayes 57, nays 1 ..... 1087  
Reported enrolled ..... 1155  
Signed by Speaker ..... 1155

107 By Benson. Motor vehicle fuel defined.  
Received, referred ..... 541, 543  
Recommended passage ..... 769  
Amendment filed ..... 792  
Amendment filed ..... 801  
Amended, passed; ayes 77, nays 0 ..... 1256  
Title amended ..... 1258  
Received back ..... 1432  
Reported enrolled ..... 1756  
Signed by Speaker ..... 1756

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108 By Clark of Cerro Gordo. Freight shipments by cheapest route. Received, referred .....1313, 1314 Passed; ayes 73, nays 0.....1457 Reported enrolled .....1499 Signed by Speaker.....1499	
111 By Doran. Automobile driv- er's license. Received, substituted for H. F. 244 .....902, 903 Amendment filed .....977 Amendments filed .....1316 Amended, failed to pass; ayes 49, nays 46 .....1428 Motion to reconsider.....1476 Motion to reconsider prevailed.....1660 Made special order.....1662 Amended, passed; ayes 81, nays 16 .....1705 Concurrence received .....1824 Reported enrolled .....1930 Signed by Speaker.....1930	
116 By Knudson. Amendment to blue sky laws. Received, referred .....746, 747 Recommended amendment and passage .....913 Amendments adopted .....1086 Passed; ayes 61, nays 0.....1086 Title amended .....1087 Concurrence received .....1193 Reported enrolled .....1278 Signed by Speaker.....1278	
122 By Booth. Automobiles passing other cars, addition- al restrictions. Received, referred .....1016 Recommended passage .....1117	
125 By White. Fire trucks. Received, referred .....381 Recommended passage .....769 Reported out .....1651 Passed; ayes 71, nays 0.....1728 Reported enrolled .....1805 Signed by Speaker.....1805	
128 By Coykendall. Fur bear- ing animals. Received, referred .....1313	
130 By Carden. Marriage li- cense fee. Received, referred .....653, 657 Recommended indefinite post- ponement .....890	
131 By Benson. State owned lands—sale of. Received, referred .....653, 657 Rereferred .....734	
133 By Booth, et al. Trucks, trailers and combinations. Received, substituted for H. F. 162 .....781 Amendment filed .....819 Amendments filed .....878 Amendment filed .....1021 Amendment filed .....1092 Amended, deferred .....1173-1175 Amendment filed .....1176 Amendment withdrawn .....1185 Amended, passed; ayes 93, nays 4 .....1185 Title amended .....1192 Refusal to concur received.....1417	

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House insisted .....1431 Conference committee appoint- ed .....1432 Conference report .....1675-1678 Conference report .....1678-1679 Reported enrolled .....1806 Signed by Speaker.....1806	
134 By Clark of Linn, Rigby, and Patterson. Building and loan associations—tax on. Received, referred .....1417, 1420 Passed; ayes 59, nays 13.....1886 Reported enrolled .....1956 Signed by Speaker.....1957	
135 By Wenner. Notice of ap- peal, filed with Clerk of Court. Received, referred .....1193, 1195 Recommended passage .....1276 Reported out .....1651 Passed; ayes 87, nays 0.....1732 Reported enrolled .....1805 Signed by Speaker.....1805	
136 By Wenner. Bills sug- gested by code editor—where referred. Received, referred .....1104, 1105 Recommended passage .....1163 Reported out .....1651 Passed; ayes 82, nays 0.....1733 Reported enrolled .....1805 Signed by Speaker.....1805	
138 By Wenner. Amendment to eugenics law. Received, referred .....1104, 1105 Recommended passage .....1162 Reported out .....1651 Passed; ayes 81, nays 0.....1734 Reported enrolled .....1805 Signed by Speaker .....1805	
139 By Wenner. Highways. Received, referred .....1104, 1105 Recommended passage .....1162 Reported out .....1651 Passed; ayes 74, nays 0.....1735 Reported enrolled .....1806 Signed by Speaker.....1806	
140 By Wenner. Jurors' oath. Received, referred .....1104, 1105 Recommended passage .....1161 Reported out .....1651 Passed; ayes 84, nays 0.....1736 Reported enrolled .....1805 Signed by Speaker .....1805	
141 By Wenner. Notary pub- lic's acknowledgment. Received, referred .....1104, 1105 Recommended passage .....1162 Reported out .....1651 Passed; ayes 83, nays 0.....1737 Reported enrolled .....1805 Signed by Speaker .....1805	
142 By Wenner. Correcting section number in acts of Forty-third General Assem- bly. Received, referred .....1104, 1105 Recommended passage .....1162 Passed; ayes 66, nays 1.....1460 Reported enrolled .....1499 Signed by Speaker .....1499	

S. F.	Page
143 By Wenner. Original notice.	
Received, referred	1129, 1130
Recommended passage	1277
Reported out	1651
Passed; ayes 86, nays 0	1738
Reported enrolled	1805
Signed by Speaker	1805
144 By Wenner. Judges of Supreme Court.	
Received, referred	1104, 1105
Recommended passage	1162
Reported out	1651
Passed; ayes 87, nays 0	1739
Reported enrolled	1805
Signed by Speaker	1805
145 By Wenner. Amendment to road laws.	
Received, referred	1091
Recommended passage	1277
Reported out	1760
Passed; ayes 62, nays 7	1863
Reported enrolled	1930
Signed by Speaker	1930
146 By Wenner. Deposits of public funds.	
Received, referred	1091, 1092
Recommended indefinite postponement	1277
Made special order	1465
Committee report rejected	1532
Amended, passed; ayes 86, nays 3	1532
Concurrence received	1691
Reported enrolled	1756
Signed by Speaker	1756
148 By Clearman. Marriage license—five-day notice.	
Received, referred to judiciary	
	653, 657
Substituted for H. F. 216	666
Amendment filed	721
Amended, deferred	742
Amendments filed	761, 762
Amended, failed to pass; ayes 50, nays 37	777
Motion to reconsider	784
Motion to reconsider prevailed	1101
Passed; ayes 61, nays 38	1123
Concurrence received	1193
Reported enrolled	1199
Signed by Speaker	1199
149 By Myers. Adult wards.	
Received, referred	1498
151 By Hill. Firearms in autos.	
Received, referred	787, 790
Recommended passage	851
Amendment filed	1109
Amended, passed; ayes 81, nays 0	1248
Title amended	1249
Concurrence received	1417
Reported enrolled	1432
Signed by Speaker	1433
152 By Hill. Bureau of Investigation.	
Received, referred	787, 789
Recommended passage	850
Amendment filed	1109
Amended, passed; ayes 74, nays 0	1249
Concurrence received	1417
Reported enrolled	1433
Signed by the Speaker	1433

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155 By Hill. Machine guns.	
Received, referred	787, 789
Recommended passage	850
Amendment filed	1156
Amended, passed; ayes 82, nays 0	1247
Concurrence received	1418
Reported enrolled	1433
Signed by Speaker	1433
156 By Kimberly. Widows' pensions.	
Received, referred	542
Recommended indefinite postponement	680
Substituted for H. F. 219	873
Passed; ayes 69, nays 19	873
Reported enrolled	937
Signed by Speaker	937
157 By Clark of Linn, Rigby, and Patterson. Taxation statement—deducting debts to affiliated corporations.	
Received, referred	1274
158 By Gunderson and Clark of Linn. Lard substitutes.	
Received, referred	991, 993
162 By Hill. Sanitary water board.	
Received, referred	902, 903
Substituted for H. F. 182	916
Amendment filed	993
163 By McLeland. Admittance to Soldiers' Home.	
Received, referred	841, 842
Recommended amendment and passage	1060
Passed; ayes 91, nays 0	1934
Reported enrolled	1956
Signed by Speaker	1957
169 By Lowe. Exemption from taxation.	
Received, referred	651, 657
Recommended passage	853
177 By Hill. Intoxicating liquors.	
Received, referred	650, 653
Recommended passage	850
Amendment filed	1109
Amended, passed; ayes 68, nays 1	1397
Concurrence received	1504
Reported enrolled	1507
Signed by Speaker	1507
179 By Doran, Bennett and Quirk. Motor trucks redefined.	
Received, substituted for H. F. 440	1743
Passed; ayes 67, nays 28	1744
Reported enrolled	1913
Signed by Speaker	1914
189 By Anderson. County Board of Education.	
Received, referred	842
Substituted for H. F. 283	933
Passed; ayes 77, nays 0	933
Reported enrolled	990
Signed by Speaker	990
192 By Ickis. Fish and game.	
Received, referred	1051
Amendment filed	1599
Amendment filed	1622



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193 By Booth. Legalizing certain assessors' books and assessment rolls.	
Received, referred.....	502, 504
Withdrawn from committee.....	535
Amended, passed; ayes 88, nays 1.....	535
Concurrence received.....	651
Reported enrolled.....	657
Signed by Speaker.....	658
194 By Doran. Deeds in execution.	
Received, referred.....	787, 789
195 By Kimberly. Primary elections in cities followed by political party conventions.	
Received, referred.....	1274, 1276
196 By Cooney. City manager.	
Received, referred.....	1313, 1314
199 By Bissell. Stop signs at schools.	
Received, referred.....	650, 654
Recommended passage.....	826
Passed; ayes 56, nays 8.....	1831
Reported enrolled.....	1939
Signed by Speaker.....	1930
200 By Bissell. Teachers' employment bureau.	
Received, referred.....	698, 699
Recommended passage.....	766
Passed; ayes 79, nays 0.....	929
Reported enrolled.....	990
Signed by Speaker.....	990
202 By Benson. Dams.	
Received, referred.....	841, 843
Recommended passage.....	1117
Passed; ayes 71, nays 3.....	1885
Reported enrolled.....	1956
Signed by Speaker.....	1957
207 By Benson and Beatty. Highways — maintenance of entire right-of-way.	
Received, referred.....	992
209 By Committee on Cities and Towns. Plats.	
Received, referred.....	719, 720
Recalled from committee and substituted for H. F. 70.....	745
Amended, passed; ayes 72, nays 7.....	745
Concurrence received.....	782
Reported enrolled.....	783
Signed by Speaker.....	733
211 By Committee on Judiciary No. 2. Chief Justice of Supreme Court—office rotating every six months.	
Received, referred.....	651
Recommended passage.....	727
Passed; ayes 71 nays 0.....	1084
Reported enrolled.....	1155
Signed by Speaker.....	1155
214 By Committee on Conservation. Obstructions, state parks and waters.	
Received, referred.....	651, 654
Recommended passage.....	887
Reported out.....	1700
Passed; ayes 63, nays 6.....	1821
Reported enrolled.....	1913
Signed by Speaker.....	1914

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215 By Committee on Conservation. Flanders-Bixby Park.	
Received, referred.....	651, 654
Recommended passage.....	887
Reported out.....	1700
Passed; ayes 80, nays 0.....	1822
Reported enrolled.....	1913
Signed by Speaker.....	1914
216 By Committee on Conservation. State parks and waters.	
Received, referred.....	651, 654
Recommended indefinite postponement.....	887
217 By Committee on Conservation. State owned lands and waters.	
Received, referred.....	652, 655
Recommended passage.....	888
Reported out.....	1700
Passed; ayes 79, nays 4.....	1824
Reported enrolled.....	1913
Signed by Speaker.....	1914
218 By Committee on Conservation. State lands—leases.	
Received, referred.....	652, 655
Recommended passage.....	888
Reported out.....	1709
Passed; ayes 76, nays 0.....	1825
Reported enrolled.....	1913
Signed by Speaker.....	1914
219 By Committee on Conservation. Landscape architect for state board of conservation.	
Received, referred.....	652, 655
Recommended passage.....	888
Reported out.....	1700
Passed; ayes 73, nays 0.....	1826
Reported enrolled.....	1913
Signed by Speaker.....	1914
220 By Committee on Conservation. Boundaries of state owned land.	
Received, referred.....	652, 655
Recommended passage.....	889
Reported out.....	1700
Passed; ayes 73, nays 5.....	1827
Reported enrolled.....	1913
Signed by Speaker.....	1914
221 By Committee on Conservation. State owned lands.	
Received, referred.....	652, 655
Recommended indefinite postponement.....	889
222 By Stoddard. Flood protection.	
Received, referred.....	1016, 1018
Recommended indefinite postponement.....	1119
224 By Benson. School lands—sale of—filing of deeds.	
Received, referred.....	699
Committee recommended passage.....	825
Reported out.....	1760
Passed; ayes 64, nays 0.....	1874
Reported enrolled.....	1956
Signed by Speaker.....	1957
230 By Clark of Cerro Gordo. Law of the road.	
Received, referred.....	991, 992
Substituted for H. F. 303.....	1812
Passed; ayes 72, nays 4.....	1812

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Reported enrolled .....	1913
Signed by Speaker.....	1914
232 By Stevens. Motor vehicle license fees.	
Received, referred.....	1129, 1130
Recommended passage.....	1329
233 By Baird. Deputy county recorders.	
Received, referred.....	1193, 1196
234 By Clark of Cerro Gordo. Widows' pensions.	
Received, referred.....	938, 940
Recommended indefinite post-	
Recommended indefinite postpone-	
ment .....	1203
235 By Clark of Cerro Gordo. Inmates of private charitable institutions.	
Received, referred.....	991, 993
Recommended passage.....	1121
Passed: ayes 70, nays 7.....	1893
Reported enrolled.....	1956
Signed by Speaker.....	1957
236 By Stanley. Teacher's first grade county certificate.	
Received, referred.....	1494, 1498
Passed: ayes 71, nays 1.....	1612
Reported enrolled.....	1674
Signed by Speaker.....	1674
239 By Wilson. Waterworks.	
Received, referred.....	1495, 1498
Reported out.....	1651
Passed: ayes 58, nays 3.....	1729
Reported enrolled.....	1805
Signed by Speaker.....	1805
242 By Clark of Cerro Gordo. Amusement license fees to county road funds.	
Received, referred.....	1416, 1420
Passed: ayes 75, nays 2.....	1900
Reported enrolled.....	1956
Signed by Speaker.....	1957
245 By Wenner. Plumbing—Board of Examiners.	
Received, referred.....	841, 843
Recommended passage.....	970
Reported out.....	1760
Passed: ayes 79, nays 2.....	1843
Reported enrolled.....	1913
Signed by Speaker.....	1914
247 By Irwin. Divorce.	
Received, referred.....	1602, 1604
248 By Irwin. Divorce.	
Received, referred.....	1691, 1692
250 By Stanley. Ice cream.	
Received, referred.....	1288, 1295
Passed: ayes 66, nays 1.....	1607
Reported enrolled.....	1634
Signed by Speaker.....	1634
251 By Committee on Claims. Harold Grimes, E. W. Cook, Ward N. Rowland, Dorothy Zein.	
Received, referred.....	1274, 1275
Recommended passage.....	1360
Passed: ayes 85, nays 0.....	1543
Reported enrolled.....	1634
Signed by Speaker.....	1634

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252 By Committee on Claims. Montgomery County Farmers' Institute, Lyon County Farmers' Institute, Atlantic Community Corn Show or Farmers' Institute, Johnson County Poultry Show.	
Received, referred.....	1546, 1548
Recommended passage.....	1571
Passed: ayes 79, nays 0.....	1773
Reported enrolled.....	1857
Signed by Speaker.....	1857
256 By Bennett. Real estate—claims to same antedating 1920.	
Received, referred.....	1602, 1604
Passed: ayes 90, nays 0.....	1902
Reported enrolled.....	1956
Signed by Speaker.....	1957
257 By Bennett. Fish and game.	
Received, referred.....	1289, 1294
260 By Wenner. Suspending sentence.	
Received, referred.....	1547, 1549
264 By Myers. Pipe lines—license and regulations.	
Received, referred.....	1502, 1506
Reported out.....	1760
Passed: ayes 89, nays 13.....	1831
Reported enrolled.....	1930
Signed by Speaker.....	1930
266 By Hill. Peace officers' school of instruction.	
Received, referred.....	1193, 1195
Reported out.....	1651
Recommended amendment and passage .....	1730
Amendment adopted .....	1730
Passed: ayes 82, nays 6.....	1730
Title amended .....	1732
Concurrence received .....	1800
Reported enrolled.....	1857
Signed by Speaker.....	1857
267 By Committee on Judiciary No. 1. Investment of funds by trustees, etc.	
Received, referred.....	1602, 1603
270 By McLeland. Volunteer fire departments in rural communities.	
Received, referred.....	1289, 1294
276 By MacDonald. Schools—redistricting.	
Received, substituted for H. F. 325 .....	1288, 1294
279 By Hill. School—dividing general and building funds.	
Received, referred.....	1420
Substituted for H. F. 394.....	1465
Passed: ayes 63, nays 19.....	1465
Reported enrolled.....	1499
Signed by Speaker.....	1499
280 By Hill. Deputy county officers.	
Received, referred.....	1547, 1549
Reported out.....	1700
Passed: ayes 62, nays 0.....	1818
Reported enrolled.....	1930
Signed by Speaker.....	1930

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281 By Christophel. Grading eggs.	
Received, referred.....	1416, 1420
282 By Rigby. Workmen's compensation.	
Received, referred.....	1824
284 By Kimberly. Special charter cities.	
Received, referred .....	817
Recommended passage .....	861
Passed; ayes 72, nays 0.....	1085
Reported enrolled .....	1155
Signed by Speaker.....	1155
285 By Kimberly. Penalty for wilful neglect by public officials to purchase prison made goods.	
Received, referred.....	1091
Recommended indefinite postponement .....	1182
Rereferred .....	1304
Reported out .....	1760
Failed to pass; ayes 41, nays 40.....	1870
Failure to pass reconsidered.....	1871
Amended, passed; ayes 66, nays 30 .....	1872
Concurrence received .....	1935
Reported enrolled .....	1956
Signed by Speaker.....	1957
288 By Rigby. Closed banks—drafts and cashiers' checks preferred claims.	
Received, substituted for H. F. 397 .....	1246
Passed; ayes 72, nays 9.....	1246
Reported enrolled .....	1315
Signed by Speaker.....	1315
289 By Rigby. Banks—taxation.	
Received; substituted for H. F. 444 .....	1288, 1294
Passed; ayes 72, nays 1.....	1473
Reported enrolled.....	1499
Signed by Speaker.....	1499
290 By Rigby. Banks—stop orders on checks.	
Received, substituted for H. F. 396 .....	1288, 1294
Reported out.....	1700
Passed; ayes 83, nays 10.....	1806
Reported enrolled .....	1913
Signed by Speaker.....	1914
291 By Rigby. Banks and blue sky laws.	
Received, substituted for H. F. 443 .....	1288, 1294
Amendments filed.....	1476
Motion lost to withdraw from committee .....	1748
Amendment filed .....	1756
293 By Cooney. Women—personal injuries and death by accident—damages same as men.	
Received, referred.....	1488, 1490
Reported out.....	1760
Passed; ayes 80, nays 0.....	1804
Reported enrolled.....	1913
Signed by Speaker.....	1914
295 By Cooney. Automobiles—rate of speed governed by clear view.	
Received, referred.....	1495, 1498

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297 By Committee on Compensation of Public Officers. Mileage of public officials.	
Received, substituted for H. F. 250 .....	1194, 1196
Amendment filed.....	1201
Amendment filed.....	1279
Amendments filed.....	1403
Amendment withdrawn.....	1563
Amended, passed; ayes 80, nays 17 .....	1563
Refusal to concur received.....	1648
House receded .....	1658
Reported enrolled .....	1756
Signed by Speaker.....	1756
299 By Committee on Claims. H. H. C. Equipment Corporation, Johnson Oil Refining Co.	
Received, referred.....	1546, 1549
Recommended passage.....	1571
Passed; ayes 77, nays 0.....	1772
Reported enrolled.....	1857
Signed by Speaker.....	1857
300 By Committee on Claims. Verna P. Marks.	
Received .....	1697
Referred .....	1714
Recommended passage .....	1750
Passed; ayes 84, nays 0.....	1752
Reported enrolled.....	1857
Signed by Speaker.....	1857
306 By Clearman. Township road indebtedness.	
Received, substituted for H. F. 406 .....	1288, 1293
Reported out.....	1767
Failed to pass; ayes 46, nays 50.....	1865
307 By Knudson. State registration board for engineers and surveyors.	
Received, referred.....	1844
308 By Clark of Linn. Jury fees.	
Received, referred.....	1691, 1692
309 By Stanley. School elections.	
Received, referred.....	1416, 1420
Passed; ayes 79, nays 0.....	1608
Reported enrolled .....	1674
Signed by Speaker.....	1674
310 By Hill. Legalizing an election at New Hampton.	
Received, referred.....	939, 941
Substituted for H. F. 432.....	955
Passed; ayes 80, nays 0.....	961
Reported enrolled .....	990
Signed by Speaker.....	990
312 By Clark of Cerro Gordo. Probation officers.	
Received, referred.....	1091
Recommended passage.....	1116
Reported out.....	1760
Passed; ayes 80, nays 0.....	1861
Reported enrolled.....	1930
Signed by Speaker.....	1930
323 By Hill. Trailers.	
Received, referred.....	1546, 1549
325 By Wenner. City manager.	
Received, referred.....	1635, 1636
Substituted for H. F. 425.....	1709
Passed; ayes 60, nays 27.....	1709
Reported enrolled.....	1805
Signed by Speaker.....	1805

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327 By Clark of Linn. Sewer rental.	
Received, referred.....	1488, 1489
Passed; ayes 83, nays 5.....	1932
Reported enrolled.....	1956
Signed by Speaker.....	1957
330 By Moen. Bonds in attachment proceedings.	
Received, referred.....	1288, 1293
Amendment filed.....	1331
Amendment withdrawn.....	1406
Passed; ayes 68, nays 0.....	1879
Reported enrolled.....	1956
Signed by Speaker.....	1957
332 By Wenner. Primary elections.	
Received, referred.....	1546, 1549
Passed; ayes 84, nays 0.....	1903
Reported enrolled.....	1956
Signed by Speaker.....	1957
333 By Wenner. River front improvement.	
Received, referred.....	1546, 1549
Substituted for H. F. 426.....	1710
Passed; ayes 80, nays 9.....	1711
Reported enrolled.....	1805
Signed by Speaker.....	1805
344 By Bennett. Insurance of buildings against damages caused by railroad equipment and motor vehicles.	
Received, referred.....	1313, 1315
Recommended passage.....	1396
Passed; ayes 62, nays 2.....	1484
Reported enrolled.....	1499
Signed by Speaker.....	1499
345 By Bennett. Insurance—common agent for several companies.	
Received, referred.....	1288, 1295
Reported out.....	1481
Passed; ayes 67, nays 0.....	1483
Reported enrolled.....	1499
Signed by Speaker.....	1499
347 By Frailey. Corporation stock without par value.	
Received, referred.....	1503, 1505
Reported out.....	1760
Passed; ayes 53, nays 13.....	1865
Reported enrolled.....	1930
Signed by Speaker.....	1930
348 By Irwin. Care of indigent.	
Received, referred.....	1888, 1889
Passed; ayes 91, nays 0.....	1931
Reported enrolled.....	1956
Signed by Speaker.....	1957
353 By Hicklin. Appropriation for exposition at Chicago in 1933.	
Received, referred.....	1717, 1720
Substituted for H. F. 531.....	1781
Amended, passed; ayes 66, nays 26.....	1781
Concurrence received.....	1824
Reported enrolled.....	1956
Signed by Speaker.....	1957
355 By Committee on Reduction of Expenditures. Municipal bond elections.	
Received, substituted for H. F. 206.....	1274, 1275
Reported out.....	1760
Passed; ayes 71, nays 7.....	1869

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Reported enrolled.....	1956
Signed by Speaker.....	1957
356 By Committee on Banks and Banking. Banks — minimum capitalization.	
Received, substituted for H. F. 446.....	939, 941
Amended, passed; ayes 92, nays 0.....	955
Concurrence received.....	991
Reported enrolled.....	990
Signed by Speaker.....	990
358 By Committee on Code Revision. Cigarette tax.	
Received, referred.....	1288, 1295
Committee amendment.....	1659
Passed; ayes 85, nays 0.....	1659
Concurrence received.....	1717
Reported enrolled.....	1805
Signed by Speaker.....	1805
359 By Committee on Tax Revision. School taxes — cutting limit \$5.00 per pupil.	
Received, referred.....	1417, 1421
Senate request for return of bill received in House.....	1602
361 By Committee on Appropriations. Adjutant general's records of military graves.	
Received, referred.....	1494, 1498
Recommended passage.....	1750
Passed; ayes 79, nays 2.....	1798
Reported enrolled.....	1913
Signed by Speaker.....	1914
365 By Committee on Motor Vehicles. Motor trucks.	
Received, referred.....	1289, 1293
Recommended passage.....	1320
Reported out.....	1760
Passed; ayes 75, nays 3.....	1875
Reported enrolled.....	1956
Signed by Speaker.....	1957
366 By Committee on Motor Vehicles. Trailers.	
Received, referred.....	1488, 1490
Reported out.....	1760
Passed; ayes 77, nays 1.....	1876
Reported enrolled.....	1956
Signed by Speaker.....	1957
367 By Committee on Motor Vehicles. Trailers and semi-trailers.	
Received, referred.....	1289, 1293
Recommended passage.....	1321
Reported out.....	1730
Passed; ayes 82, nays 0.....	1878
Reported enrolled.....	1956
Signed by Speaker.....	1957
368 By Committee on Highways. Bridges.	
Received, referred.....	1546, 1550
369 By Committee on Appropriations. Corn borer.	
Received, referred.....	1546, 1550
Recommended passage.....	1573
Passed; ayes 78, nays 12.....	1797
Reported enrolled.....	1913
Signed by Speaker.....	1914
370 By Committee on Public Health. Juvenile court.	
Received, referred.....	1289, 1295
Amendment filed.....	1567

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374 By Committee on Board of Control. Iowa Juvenile home.	
Received, referred .....	1274, 1276
Amended, passed; ayes 63, nays 0.	1619
Concurrence received .....	1691
Reported enrolled .....	1756
Signed by Speaker .....	1756
376 By Committee on Claims. C. H. Lambach.	
Received .....	1696
Referred .....	1714
Recommended passage .....	1731
Passed; ayes 80, nays 4.	1778
Reported enrolled .....	1857
Signed by Speaker .....	1857
377 By Committee on Claims. Matilda Blaise.	
Received, referred .....	1546, 1550
Recommended passage .....	1571
Passed; ayes 76, nays 0.	1749
Reported enrolled .....	1815
Signed by Speaker .....	1857
381 By Committee on Conservation. State parks.	
Received, referred .....	1488, 1489
382 By Committee on Claims. Iowa Bridge Company, Olson Construction Company.	
Received, referred .....	1503, 1505
Recommended passage .....	1572
Amended, passed; ayes 83, nays 3.	1745
Concurrence received .....	1800
Reported enrolled .....	1857
Signed by Speaker .....	1857
387 By Committee on Claims. L. J. Baschnagel.	
Received, referred .....	1546, 1550
Recommended passage .....	1572
Passed; ayes 74, nays 0.	1784
Reported enrolled .....	1857
Signed by Speaker .....	1857
388 By Committee on Claims. Hamiel and Mather, Edwin B. Wilson.	
Received, referred .....	1502, 1506
Recommended passage .....	1572
Passed; ayes 86, nays 0.	1791
Reported enrolled .....	1857
Signed by Speaker .....	1857
389 By Committee on Claims. Wm. E. Quinn.	
Received, referred .....	1546, 1550
Recommended passage .....	1654
Passed; ayes 78, nays 1.	1687
Reported enrolled .....	1805
Signed by Speaker .....	1805
391 By Committee on Reduction of Expenditures. Public junior colleges.	
Received, referred .....	1503, 1505
Reported out .....	1760
Passed; ayes 56, nays 34.	1864
Reported enrolled .....	1930
Signed by Speaker .....	1930
392 By Committee on Public Health. Podiatry.	
Received, referred .....	1503, 1505
394 By Committee on Fish and Game. Fish and Game.	
Received, referred .....	1545, 1550

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396 By Committee on Land Titles. Patent to certain lands to N. A. Gaarde.	
Received, referred .....	1313, 1314
Passed; ayes 80, nays 0.	1882
Reported enrolled .....	1956
Signed by Speaker .....	1957
398 By Committee on Judiciary No. 1. Attorneys—revocation of licenses.	
Received, referred .....	1859
Passed; ayes 75, nays 6.	1873
Reported enrolled .....	1956
Signed by Speaker .....	1957
404 By Judiciary No. 1. Workmen's compensation.	
Received, referred .....	1545, 1550
Passed; ayes 78, nays 0.	1884
Reported enrolled .....	1956
Signed by Speaker .....	1957
405 By Committee on Claims. Ruth Harper, Martha Nichols, Robert Honegger, A. E. McGlothlen.	
Received, referred .....	1545, 1550
Recommended passage .....	1572
Passed; ayes 81, nays 0.	1774
Reported enrolled .....	1857
Signed by Speaker .....	1857
406 By Committee on Appropriations. State Employment Bureau.	
Received, referred .....	1545, 1551
Returned without recommendation .....	1573
Failed to pass; ayes 14, nays 69.	1802
407 By Committee on Fish and Game. Fish and game.	
Received, referred .....	1495, 1498
Passed; ayes 74, nays 18.	1933
Reported enrolled .....	1956
Signed by Speaker .....	1957
408 By Committee on Claims. George F. Van Note.	
Received, referred .....	1545, 1551
Recommended passage .....	1572
Amended, passed; ayes 78, nays 2.	1644
Concurrence received .....	1691
Reported enrolled .....	1756
Signed by Speaker .....	1756
409 By Committee on Claims. J. G. Minert, Etta S. Minert and Phyllis S. Davenport.	
Received .....	1696
Referred .....	1714
Recommended passage .....	1751
Passed; ayes 77, nays 0.	1792
Reported enrolled .....	1857
Signed by Speaker .....	1857
410 By Committee on Claims. G. C. Bell, A. L. McClintock, Harley Cowman, D. F. Brownlee.	
Received, referred .....	1545, 1551
Recommended passage .....	1573
Passed; ayes 85, nays 2.	1777
Reported enrolled .....	1857
Signed by Speaker .....	1857
411 By Committee on Appropriations. Motor truck funds.	
Received, referred .....	1502, 1506
Recommended passage .....	1573
Passed; ayes 76, nays 0.	1803

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Reported enrolled .....	1913
Signed by Speaker .....	1914

412 By Committee on Code Revision. Gas tax.  
 Received, referred .....1494, 1497  
 Reported out .....1760  
 Passed; ayes 76, nays 0 .....1862  
 Reported enrolled .....1930  
 Signed by Speaker .....1930

414 By Committee on Claims.  
 Claims of certain veterinarians.  
 Received .....1696  
 Referred .....1713  
 Recommended passage .....1751  
 Passed; ayes 76, nays 7 .....1794  
 Reported enrolled .....1857  
 Signed by Speaker .....1857

415 By Committee on Claims.  
 Ethel F. Katz.  
 Received .....1696  
 Referred .....1714  
 Recommended indefinite postponement .....1751  
 Indefinitely postponed .....1940

416 By Committee on Claims.  
 A. D. Willard.  
 Received, referred .....1888, 1889  
 Passed; ayes 76, nays 22 .....1901  
 Reported enrolled .....1956  
 Signed by Speaker .....1957

418 By Sifting Committee. Secondary road improvements.  
 Received, referred .....1547, 1551  
 Amended, passed; ayes 76, nays 2 .....1808  
 Concurrence received .....1888  
 Reported enrolled .....1930  
 Signed by Speaker .....1930

420 By Sifting Committee. Annotation supplements price.  
 Received, referred .....1494, 1497  
 Reported out .....1760  
 Amended, passed; ayes 64, nays 1 .....1880  
 Concurrence received .....1954  
 Reported enrolled .....1956  
 Signed by Speaker .....1957

422 By Committee on Aeronautics. Aeronautics.  
 Received, referred .....1786, 1791

425 By Sifting Committee. Sherills Mound Mutual Fire Insurance Co.  
 Received, referred .....1635, 1636  
 Reported out .....1760  
 Passed; ayes 89, nays 0 .....1841  
 Reported enrolled .....1930  
 Signed by Speaker .....1930

426 By Sifting Committee. Fraternal beneficiary associations.

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Received, referred .....	1602, 1604
Reported out .....	1651
Passed; ayes 80, nays 1 .....	1740
Reported enrolled .....	1805
Signed by Speaker .....	1805

427 By Committee on Claims.  
 Elmer Ruisch.  
 Received .....1697  
 Referred .....1714  
 Recommended passage .....1750  
 Passed; ayes 80, nays 1 .....1793  
 Reported enrolled .....1857  
 Signed by Speaker .....1857

428 By Committee on Appropriations. Appropriation to purchase property adjacent to the capitol grounds.  
 Received, referred .....1786, 1791  
 Passed; ayes 88, nays 7 .....1833  
 Reported enrolled .....1930  
 Signed by Speaker .....1930

429 By Committee on Appropriations. Omnibus appropriation bill.  
 Received, referred .....1473, 1474  
 Amendment filed .....1858  
 Amended, passed; ayes 82, nays 8 .....1903  
 Reconsideration tabled .....1914  
 Received back .....1950  
 House refused to concur .....1951  
 Conference committee .....1953  
 Received back .....1953  
 Conference report rejected .....1955  
 Second conference committee .....1957  
 Received back .....1989  
 Conference report adopted .....1991  
 Reported enrolled .....2013  
 Signed by Speaker .....2013

430 Committee on Appropriations. Appropriation for alterations and repairs of state capitol.  
 Received, referred .....1853  
 Passed; ayes 66, nays 2 .....1860-1861  
 Reported enrolled .....1930  
 Signed by Speaker .....1930

431 By Committee on Appropriations. Appropriation to carry out provisions of House File No. 288.  
 Received, referred .....1953, 1954  
 Passed; ayes 80, nays 1 .....1960  
 Reported enrolled .....1990  
 Signed by Speaker .....1991

432 By Committee on Ways and Means. Tax levy.  
 Received .....1953  
 Recommended amendment and passage .....1960  
 Amendment rejected .....1961  
 Passed; ayes 95, nays 5 .....1987  
 Reported enrolled .....1990  
 Signed by Speaker .....1991

## HOUSE RECORD ON HOUSE JOINT RESOLUTIONS

H. J. R.	Page	H. J. R.	Page
2 By Elliott. Constitutional amendment—making Secretary of State, Auditor of State, Treasurer of State, Secretary of Agriculture and Attorney General appointive officers.		Introduced, referred	379
Introduced, referred	154	Recommended passage	575
Recommended indefinite postponement	575	Failed to pass; ayes 17, nays 68	874
3 By Hanson. Compensation of officers of the Forty-fourth General Assembly.		6 By Tamisiea and Garrett. Commission to study corporate laws and report to Forty-fifth General Assembly.	
Introduced	167	Introduced, referred	525
Passed; ayes 100, nays 0	168-169	Rereferred	548
Received back	177	Recommended rereferring	729
Amendment filed	178	Rereferred	729
Senate amendment amended and concurred	180	Recommended passage	891
Concurrence	189	Passed; ayes 57, nays 23	1470
Reported enrolled	191	Received back	1495
Signed by Speaker	191	Reported enrolled	1507
Sent to Governor	195	Signed by Speaker	1507
Approved by Governor	217	Sent to Governor	1509
4 By Elliott and Johnson of Marion. Submission to electorate of constitutional amendment on road bonding.		Approved by Governor	1599
Introduced	341	7 By Committee on Conservation of Resources. State's natural resources.	
Referred	347	Introduced	597
Recommended amendment and passage	402	Amendment filed	720
Made special order	421	Amendment filed	980
Amendments filed	423	Amendments filed	993
Change in special order	451	8 By Ryder. Committee to investigate grain terminal facilities at Dubuque.	
Amendment adopted	471	Introduced, referred	919
Amended, passed; ayes 91, nays 5	471	9 By Allen. Constitutional amendment—state senatorial redistricting by supreme court	
Received back	585	Introduced, referred	977
Concurred	598	Recommended indefinite postponement	1183
Reported enrolled	624	10 By Committee on Reduction of Expenditures. Committee on reduction of expenditures to study all taxing subdivisions.	
Signed by Speaker	624	Introduced	1574
Sent to Secretary of State	624	Referred	1575
5 By Brown. Constitutional amendment—authorizing cities to acquire or establish civic center.		Recommended amendment and passage	1814
		S. J. R. 12 substituted	1854

## HOUSE RECORD ON SENATE JOINT RESOLUTIONS

S. J. R.	Page	H. J. R.	Page
1 By Benson. Constitutional amendment—improvement of highways.		Made special order	1465
Received, substituted for H. J. R. 1	214, 215	Amended, failed to pass; ayes 48, nays 45	1592
Made special order	226	Motion to reconsider	1599
Amended, passed; ayes 67, nays 41	269	7 By Benson, et al. Petitioning federal government for farm credit system.	
Concurrence received	418	Received	1993
Reported enrolled	421	Failed to pass; ayes 33, nays 57	2013
Signed by Speaker	421	10 By Committee on Conservation. Natural resources.	
2 By Moen. Constitutional amendment—filling vacancies in either house of the general assembly.		Received, substituted for H. J. R. 7	1051
Received, referred	502	Amendment filed	1057
Recommended passage	731	Amendment filed	1130
Passed; ayes 74, nays 3	1828	Amended, passed; ayes 62, nays 36	1149
Reported enrolled	1930	Concurrence received	1193
Signed by Speaker	1930	Reported enrolled	1278
4 By Bennett. Compensation of extra help of the Forty-fourth General Assembly.		Signed by Speaker	1278
Received	212	12 By Committee on Reduction of expenditures. Interim committee on reduction of expenditures to study all taxing subdivisions.	
Passed; ayes 78, nays 1	213	Received, substituted for H. J. R. 10	1850
Reported enrolled	226	Amended, passed; ayes 57, nays 49	1854
Signed by Speaker	229	Concurrence received	1935
5 By Beatty. Constitutional amendment—debt of state and payment.		Reported enrolled	1956
Received, referred	541, 543	Signed by Speaker	1957
Recommended passage	731		

## **RESOLUTIONS**

### **ACTION ON HOUSE CONCURRENT RESOLUTIONS**

- No. 1—Legislative office rooms, 14.
  - No. 2—For joint convention to hear message and canvass vote, 15.
  - No. 3—For additional employees, 19.
  - No. 4—Uniforms for pages, 134.
  - No. 5—Codes for press, officers and committee rooms, 150, 177.
  - No. 6—For joint committees to investigate needs of state institutions, 171.
  - No. 7—St. Olaf choir, 193.
  - No. 8—State University, 203, 231, 419.
  - No. 9—Oleomargarine, 255.
  - No. 10—Federal aid in law enforcement, 267, 279.
  - No. 11—Tariff on petroleum products, 376.
  - No. 12—Sparks-Capper Act, 519, 563.
  - No. 13—Adjournment, 1146, 1164.
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**AUGUSTINE, FRED D.—Representative Seventh District.**

Bills introduced—H. F. 386.

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Petitions presented.....1133

Amendments offered.....880

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**AVERY, A. H.—Representative Eighty-third District.**

Bills introduced—H. F. 43, 63, 83, 304.

Committee assignments.....18, 122, 308

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**BABCOCK, J. F.—Representative Eighty-ninth District.**

Bills introduced—H. F. 168, 432.

Committee assignments.....122

Amendments offered.....720

Resolutions offered.....1655

Motions made.....742, 961

Leave of absence granted.....480

**BAIR, J. PARK—Representative Seventy-eighth District.**

Bills introduced—H. F. 59, 109, 182, 416, 513, 514.

Committee assignments.....29, 122, 216, 308, 521, 585, 698, 1432

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1656, 1744, 1745, 1852, 1875, 1876, 1878, 1883, 1884, 1909, 1914, 1986

Leave of absence granted.....1479

**BALLEW, HOWARD—Representative Fourth District.**

Bills introduced—H. F. 139, 382, 501.

Committee assignments.....18, 122, 719, 1312

Petitions presented.....426, 569, 676, 822

Amendments offered.....544

Resolutions offered.....150

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**BEATH, F. H.—Representative Thirteenth District.**

Bills introduced—H. F. 202.

Committee assignments.....29, 92, 122, 1184

Petitions presented.....1281

Amendments offered.....694

Resolutions offered.....1655

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Committee assignments.....122, 241, 709, 1505, 1601



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Petitions presented.. 591, 631, 722, 883, 995, 1024, 1299, 1464, 1509, 1569	
Amendments offered .....	384, 544, 819, 1092
Resolutions offered .....	1655
Motions made .....	247, 384, 559, 560, 868, 1172, 1174, 1553, 1728
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GREENE, HARRY M.—Representative Thirty-first District.	
Bills introduced—H. F. 1, 2, 3, 4, 5, 6, 7, 341, 419, 420.	
Committee assignments .....	125, 216, 280
Petitions presented .....	334, 516, 547, 591, 661, 982
Amendments offered .....	833, 1582, 1680, 1683
Resolutions offered .....	171, 376, 795
Motions made .....	
.....172, 182, 374, 662, 690, 743, 779, 793, 833, 836,	
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HANSEN, JOHN T.—Representative Forty-third District.	
Bills introduced—H. F. 80, 173, 218, 219, 285, 293, 492.	
Committee assignments .....	125, 241, 1508
Petitions presented .....	390, 983, 995, 1178, 1701
Amendments offered .....	1297, 1616, 1745
Motions made .....	19,
343, 872, 873, 926, 929, 1025, 1085, 1100, 1306, 1449, 1530,	
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HANSEN, PETER—Representative Thirty-fourth District.	
Committee assignments .....	19, 125
Petitions presented .....	591, 823, 1042, 1333
Resolutions offered .....	1655
Motions made .....	1540, 1792, 1794, 1901
HANSON, H. N.—Representative Ninety-fifth District.	
Bills introduced—H. J. R. 3, 166, 282, 309.	
Committee assignments .....	19, 29, 126, 1312
Petitions presented .....	516, 569, 846, 1333, 1479
Amendments offered .....	614, 843, 1468, 1620, 1621, 1858
Resolutions offered .....	19, 1655, 1867
Motions made .....	
19, 85, 168, 213, 398, 400, 500, 614, 837, 955, 956,	
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**HATTER-GALLAGHER—Contest.**

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Committee appointed .....	29
Report of committee .....	87

**HAYES, JAS. N.—Representative Sixty-ninth District.**

Bills introduced—H. F. 60, 96, 104, 249, 278, 286, 455, 491.	
Committee assignments .....	2, 126, 1717
Petitions presented .....	190, 548
Amendments offered .....	1200
Resolutions offered .....	1655, 1716
Motions made ....479, 537, 810, 812, 957, 958, 1125, 1400, 1716, 1841	
Leave of absence granted.....81, 230, 313, 375, 631, 660, 704	

**HELGASON, E. O.—Representative Ninety-sixth District.**

Bills introduced—H. F. 8, 21, 74, 97, 268, 269, 290, 308, 438.	
Committee assignments .....	89, 126, 241, 1337, 1432
Petitions presented .....	764
Amendments offered .....	348, 422, 476, 1525, 1650
Resolutions offered .....	1655
Motions made .....	26, 89,
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**HESSE, G. H.—Representative Eighty-second District.**

Bills introduced—H. F. 146.	
Committee assignments .....	18, 34, 126, 698
Petitions presented .....	426, 517, 547, 590, 591, 764, 882
Amendments offered .....	1393, 1508
Resolutions offered .....	1655
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**HOLLINGSWORTH, FRANK—Representative Fifty-third District.**

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Committee assignments .....	126, 597
Petitions presented .....	569, 632, 705, 881
Amendments offered .....	148, 579, 1285, 1610
Resolutions offered .....	540, 597, 1655
Motions made .....	82,
147, 148, 306, 579, 597, 1285, 1308, 1610, 1667, 1727, 1772, 2005	
Leave of absence granted.....179, 349	
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**HOLLIS, C. A.—Representative Sixty-sixth District.**

Bills introduced—H. F. 434, 435, 436.	
Committee assignments .....	126, 521
Petitions presented .....	945
Amendments offered .....	720, 905, 1189
Motions made .....	257, 1150, 1151, 1189, 1621, 1825
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**HOOK, CHAS. S.—Representative Eighth District.**

Committee assignments .....	126, 321
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Amendments offered .....	1858
Resolutions offered .....	134, 321, 1655
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#### HOPKINS, GEO. M.—Representative Thirty-fifth District.

Bills introduced—H. F. 136, 206, 261, 267, 283, 299, 414, 449, 527, 528.	
Committee assignments .....	19, 126, 1604
Petitions presented .....	507, 548, 591
Amendments offered .....	904, 1176, 1858
Resolutions offered .....	134, 1655
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280, 281, 384, 639, 667, 780, 866, 929, 980, 933, 1061.	
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Bills introduced—H. F. 121.	
Committee assignments .....	126, 563, 1287
Petitions presented .....	591, 720, 996, 1043, 1059, 1153, 1501
Amendments offered .....	1585
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#### HUSH, HOMER—Representative Twelfth District.

Bills introduced—H. F. 8, 352, 353.	
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Petitions presented .....	660, 705, 995, 1178
Amendments offered ....	505, 742, 761, 762, 844, 960, 994, 1508, 1600
Resolutions offered .....	134, 1184, 1655, 1867
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#### HUSTED, O. E.—Representative Twenty-eighth District.

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#### HUTCHEON, W. E. S.—Representative Fifty-fourth District.

Bills introduced—H. F. 8, 110, 378.	
Committee assignments .....	2, 127, 597, 1432
Petitions presented ....	425, 675, 805, 882, 983, 1059, 1093, 1110, 1624
Amendments offered .....	896, 956, 1285, 1466, 1508, 1610, 1706, 1796, 1909
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Committee assignments.....	127, 216, 1940
Petitions presented.....	847, 882, 983, 1509
Amendments offered....	203, 399, 410, 411, 423, 513, 514, 530, 587, 619, 695, 720, 879, 1054, 1201, 1470, 1648, 1680, 1848, 1904
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Committee assignments.....	18, 29, 127, 1506, 2017
Petitions presented....	190, 548, 823, 847, 881, 908, 983, 996, 1112
Amendments offered.....	
239, 289, 618, 619, 905, 936, 1279, 1398, 1403, 1476, 1508, 1580	
Motions made.....	202, 288, 289, 290, 303, 364, 371, 532, 618, 619, 644, 742, 779, 784, 838, 839, 935, 936, 943, 1010, 1049, 1071, 1086, 1101, 1102, 1123, 1124, 1264, 1265, 1267, 1325, 1348, 1391, 1398, 1458, 1483, 1507, 1508, 1580, 1657, 1670, 1672, 1722, 1729, 1739, 1766, 1768, 1924, 2012, 2017
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## KOCH, WM. W.—Representative Seventy-second District.

Bills introduced—H. F. 8, 143, 464.	
Committee assignments.....	127, 216
Petitions presented.....	197, 389, 390, 464, 721, 795
Amendments offered.....	1508
Motions made.....	239, 897, 1202, 1720
Leave of absence granted.....	248, 349, 1281

## KOHLER, HENRY—Representative Eightieth District.

Bills introduced—H. F. 165.	
Committee assignments.....	127
Petitions presented.....	170, 481, 516, 632, 675, 722
Amendments offered.....	1858
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## LAMB, C. W.—Representative Thirty-sixth District.

Committee assignments.....	29, 127, 338
Petitions presented.....	996
Motions made.....	1533, 1793
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## LANGLAND, CHARLES M.—Representative Ninety-first District.

Bills introduced—H. F. 34, 35, 345, 494, 499.	
Committee assignments.....	127, 1716
Petitions presented.....	1178
Amendments offered.....	382, 1721
Resolutions offered.....	1655
Motions made.....	381, 382, 665, 1427, 1721
Leave of absence granted.....	631

## LAUGHLIN, E. P.—Representative Tenth District.

Bills introduced—H. F. 294.	
Committee assignments.....	128, 216
Petitions presented.....	389, 507, 983, 1024, 1043, 1134
Amendments offered.....	587, 617
Motions made.....	617, 1827
Leave of absence granted.....	349, 846
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## LEPLEY, ELLET—Representative Sixty-fifth District.

Bills introduced—H. F. 8, 191.	
Committee assignments.....	128, 521
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Amendments offered.....	1508
Resolutions offered.....	1655
Motions made.....	348

## LIGHTY, E. M.—Representative Sixty-sixth District.

Bills introduced—H. F. 362, 425, 426.	
Committee assignments.....	92, 128, 241, 1716
Petitions presented.....	704, 721, 847, 883, 945, 1299
Motions made.....	1639, 1709, 1710, 1711, 1843
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## LONG, WM. E.—Representative Eighty-seventh District.

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Petitions presented.....	146, 278, 945
Amendments offered.....	879
Motions made.....	178, 329, 359, 431, 501, 716, 717, 736, 921, 922, 1256, 1452, 1453, 1812, 1813, 1861, 1899
Leave of absence granted.....	763

## MCAULLEY, MARION R.—Representative Sixty-first District.

Bills introduced—H. F. 1, 2, 4, 5, 6, 7, 87, 155, 305, 337, 348, 459, 489, 507.	
Committee assignments.....	29, 32, 128, 431, 585, 1432
Petitions presented.....	292, 312, 390, 401, 464, 631, 661, 1179
Amendments offered.....	203, 673, 980, 1021, 1403, 1668

Resolutions offered.....	83, 134, 171, 508
Motions made.....	11, 32, 84, 178, 409, 410, 463, 476, 508, 546, 830, 832, 836, 870, 954, 1039, 1049, 1152, 1154, 1171, 1395, 1478, 1664, 1668, 1669, 1670, 1738, 1898
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<b>McCREERY, D. R.—Representative Forty-eighth District.</b>	
Bills introduced—H. F. 89, 106, 107, 108, 448, 475, 486.	
Committee assignments.....	29, 128, 241, 1312
Petitions presented.....	230, 661, 847, 1024, 1502
Amendments offered.....	203, 566, 792, 941, 1159, 1340, 1680
Motions made 384, 672, 737, 833, 834, 839, 934, 1030, 1036, 1045, 1052, 1177, 1159, 1340, 1345, 1474, 1610, 1611, 1632, 1680, 1828, 1864	
Leave of absence granted.....	349, 480, 631, 806
<b>McDERMOTT, JOHN—Representative Twenty-ninth District.</b>	
Committee assignments.....	128
Petitions presented.....	705
Resolutions offered.....	1655
Motions made.....	291
<b>McLAIN, WM. J.—Representative Thirty-ninth District.</b>	
Bills introduced—H. F. 29, 30, 31.	
Committee assignments.....	128, 709
Petitions presented.....	240, 847, 882, 908, 945, 1493
Amendments offered.....	1508
Resolutions offered.....	709, 1655
Motions made.....	691, 709
Leave of absence granted.....	1464
<b>MALONE, C. E.—Representative Thirtieth District.</b>	
Bills introduced—H. F. 77, 79, 86, 95, 161, 298, 318, 346, 487.	
Committee assignments.....	129, 1304, 2017
Amendments offered.....	942, 1579
Resolutions offered.....	1304
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Amendments offered.....	490, 1610
Motions made.....	280, 363, 490, 1327, 1448, 1564, 1610, 1651
Leave of absence granted.....	81
<b>MAYNE, GEORGE H.—Representative Thirty-first District.</b>	
Bills introduced—H. F. 73, 100, 189, 254, 255, 256, 292, 341, 372, 373, 424.	
Committee assignments.....	29, 129
Petitions presented.....	847, 908, 996, 1157
Amendments offered.....	718
Resolutions offered.....	376, 795
Motions made.....	377, 638, 718, 931, 935, 964, 1067, 1079, 1088, 1186, 1449, 1625, 1736, 1822
Leave of absence granted.....	248, 480, 1202
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Amendments offered .....	1508
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Petitions presented.....	704
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Motions made.....	489,
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Leave of absence granted.....	81, 1202

## MILLER, GEO. E.—Representative Thirty-third District.

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## MORTON, O. P.—Representative Seventy-fifth District.

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Committee assignments.....	129, 563
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Motions made .....	144, 559, 1152
Leave of absence granted.....	480, 907, 1479, 1493

## NELSON, FRED W.—Representative Fifty-second District.

Bills introduced—H. F. 171, 195, 251, 273.

Committee assignments.....	1, 19, 129, 1432, 2017
Petitions presented.....	425, 426, 481, 704, 763, 805, 847, 881, 1134, 1493, 1501
Amendments offered.....	505, 588, 1185, 1429
Resolutions offered.....	1655, 1714
Motions made.....	1, 474, 604, 608, 609, 614, 1123, 1143, 1174, 1185, 1429, 1476, 1582, 1617, 1645, 1646, 1715, 1916, 1986
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Committee assignments .....	11, 130, 1716, 1717
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## OSBORN, WALTER—Representative Sixth District.

Bills introduced—H. F. 71, 490.

Committee assignments .....	130
Petitions presented .....	722, 764, 823, 996, 1502
Amendments offered .....	587
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**PATTISON, H. C.—Representative Nineteenth District.**

Bills introduced—H. F. 54.	
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Bills introduced—H. F. 105, 428, 463, 465.	
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Amendments offered .....	526, 530, 1185
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**PENDRAY, CAROLYN C.—Representative Forty-sixth District.**

Bills introduced—H. F. 393.	
Committee assignments .....	18, 29, 130
Petitions presented .....	248, 394, 426, 472, 591, 823, 881
Amendments offered .....	703, 1235, 1508
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**State of Iowa**

1931

Report of

# **State University of Iowa Investigation Committee**

Together with

## **MINORITY REPORT**

Authorized by House Concurrent Resolution No. 8  
44th General Assembly

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Des Moines



# **Report of University Investigation Committee**

*To the Governor of Iowa and the Senate and House of Representatives of the Forty-fourth General Assembly of Iowa:*

The mandate of the Legislature in House Concurrent Resolution number eight providing for the appointment of the Committee was to thoroughly investigate the conditions of the management and administration of the affairs of the State University of Iowa, "both by the officials and employees thereof and the State Board of Education." It was made the duty of the Committee to investigate charges and claims of mal-administration of the affairs of the University which had been made "and also all other matters in connection therewith as they may arise, and in connection with the administration of the State Board of Education and the institutions under its control, and make written report of its findings and a recommendation to the Governor and the General Assembly of the State of Iowa."

The Committee believes that its task has been a most difficult one inasmuch as they have been called upon to conduct an investigation of the affairs of the State University of Iowa covering a long period of years. This has made necessary the inquiry into scores of activities, ranging from building enterprises and financial affairs to inter-collegiate athletics. Approximately seventy-five (75) witnesses have been examined, over four hundred (400) documentary and photographic exhibits have been introduced, books and records over many years of time have been studied and the Committee has been busily engaged in hearing testimony and receiving evidence in daily sessions for a period of six (6) weeks. The transcript of testimony covering the sessions of this Committee contain more than six thousand (6000) typewritten pages and a copy of same is filed herewith in the offices of the Chief Clerk of the House of Representatives and the Secretary of the Senate of the Forty-Fourth General Assembly, and by this reference all of the testimony contained in said transcript is hereby made a part of this report.

Some of the people who have been interested in this investi-

gation have been under the erroneous impression that the Committee was sitting as a sort of legislative grand jury to make a presentment charging the stealing of specific items of money or property and are disposed to measure the success of the investigation in accordance with the report of this Committee as to whether or not it has discovered evidence of such specific larceny. Contrary to this impression, it is the view of the Committee that their chief duty was to investigate matters generally pertaining to the administration and management of the affairs of the University; to ascertain and determine whether it was in accordance with good business practice or was lax in any respects, and to justly weigh and criticise what they found amiss and make recommendations for betterment. This investigation has not been intended to be and should not be considered as inimical to the best interests of the University, in which the members of this Committee have the same interest as other citizens of this State.

Though finding laxity in many things, we begin by disclaiming the purpose to charge any specific crime or offense against the Board or other executive officers. We make herein no finding or presentment of larceny of any specific items of money or property. We report no basis for criminal prosecution of any person. The criticisms hereinafter contained are confined to the methods followed in the administration and management of the business and affairs of the University. Obviously where that is lax, there is more opportunity for misappropriation, particularly by subordinates, than where the highest standard of business practice has been applied.

In response to the mandate from the General Assembly, the Committee begs leave to submit the following report of its findings, based upon the investigation made:

## FINDINGS

### I

The Committee deems it necessary to refer to certain statutes, not for the purpose of presenting findings of law or of presenting the Committee's view of their interpretation (which it does not consider is within its province), but as a basis for its findings as to the performance of duty upon the part of those whose acts are under investigation. The duties of officials and employees and

of the Board of Education, in respect to management and administration of the affairs of the University cannot be intelligently reported without some reference to laws prescribing the duties of officials and employees entrusted with such management and administration.

a. The principal powers and duties of the Board of Education are now defined in Section 3921 of the 1927 Code, and prior to 1924 were defined by Section 2682-f of the 1913 Code Supplement.

The Finance Committee is selected by the Board from outside the board membership, and certain duties are conferred upon it by law, principally with respect to loaning funds of the institution and (as a Committee) attending each institution monthly for the transaction of its business and the performance of its duties. (1927 Code, Sections 3926 and 3932; 1913 Code Supplement, Sections 2682-s and 2682-k.) In addition to the prescribed statutory duties, the Finance Committee "shall make such investigations and reports and perform such *ministerial* duties as the board by resolution may direct." The statutes also provide that the Finance Committee may make any recommendations to the Board it may deem proper. 1927 Code, Section 3924; 1913 Supplement, Section 2682-h.

The present statutes, in existence since the 1924 Code has been in effect, forbids the purchase of real estate "save upon the order of the Board made at a regular meeting or one called for that purpose." 1927 Code, Section 3922. The following section (3923) requires that the acts of the Board "relating to the management, purchase, disposition or use of lands and other property" shall be entered of record, which shall show the members present and how each voted upon each proposition.

The corresponding provision of Section 2682-h of the 1913 Supplement (in effect prior to the 1924 Code), did not require the recorded vote of each member of the Board on such matters unless a roll call was demanded, but indicates the necessity for Board action on all such matters, and that such action must be "entered of record." Complete records are required to be kept by the Secretary (1927 Code, Section 3925; 1913 Supplement, Section 2682-h). "All acts of the Board relating to the management, purchase, disposition or use of lands or other property of said educational institutions, shall be entered of record, and shall show who are present and how each member voted upon each proposition when a roll call is demanded."

b. The Committee reports that real estate has been purchased

and paid for with State funds without any other action entered of record by the Board of Education than is indicated herein. Board Minute Book 4, page 360, contains the following, adopted in April, 1923:

“Purchase of Land. The balance on hand June 30, 1923, of income from tuitions and fees is to be expended for additional land under the directions of the Finance Committee.”

In 1918 (Volume 3, page 187, of the Board minutes), is found the following:

“Condemnation of Land. Upon the recommendations of President Jessup, the Finance Committee was instructed to purchase certain lands which will be needed by the University, but if the properties cannot be bought at reasonable prices, condemnation proceedings are to be commenced.”

There is a similar minute to that last quoted, under date of November 22, 1923 (Board Minutes 4, page 543), viz:

“Purchase of Additional Land. It was moved and seconded that the Finance Committee be instructed to purchase certain properties for the use and benefit of the State University provided satisfactory prices can be secured and if the prices are considered too high, the said committee was authorized to commence condemnation proceedings.”

No further designation or description of the “certain properties” appears anywhere in the records of the Board.

From time to time the Secretary of the University (W. H. Bates) at the direction of the Finance Committee, at meetings attended often only by W. R. Boyd, negotiated for the purchase of many parcels of real estate, for which in the aggregate several hundreds of thousands of dollars were paid. One such transaction is referred to, the Finance Committee minutes bearing date March 7, 1924 (all members of the Finance Committee present at this meeting). The Record is as follows:

“President Jessup and Secretary Bates submitted a list of the property which the University wishes to acquire by purchase together with appraisals made by the appraisal committee of the Iowa City Association of Realtors.”

The list contains a description of parcels, for which the following prices were to be paid, viz: \$7,950, \$4,600, \$3,850, \$5,480, \$3,600, \$4,950, \$7,600, \$5,600, \$2,450, \$4,000, \$4,500, \$11,500, \$10,350, \$2,800, \$17,221, \$16,500, \$1,200, \$24,000, \$26,000, \$9,000, \$6,600, \$19,780, \$3,500, \$2,800, \$7,250. At another Finance Com-

mittee meeting (6 Finance Committee minutes, 576-7), Mr. Bates was authorized to negotiate for the purchase of other parcels at prices as follows: \$5,600, \$3,250, \$1,100, \$20,000, \$14,300, \$14,000, \$10,000, \$3,600, \$5,000, \$3,750, \$2,500, \$14,750, \$10,000, \$300, \$11,500.

And at the meeting last mentioned the purchase by Secretary Bates of parcels at prices indicated below, was approved by the Finance Committee, viz: \$5,600, \$9,000, \$20,780, \$3,500, \$2,800, \$16,500, \$17,221, \$2,800, \$7,960, \$4,600, \$8,500 (Tr. 1863).

The 1926 Biennial Report of the Board of Education, page 17, refers to "the expensive methods we have been compelled to work under when buying additional land for the State University," and appears to recognize the fact that the prices thus paid were more than moderate. Many of the parcels purchased have not been utilized as sites of buildings erected for the use of the University. Some thirty-five are rented to tenants, and after deducting the cost of repairs and maintenance, afford a very inadequate return upon the capital invested. Many of the parcels so purchased, because they consist of small tracts, are unsuitable as sites for University buildings without the purchase of contiguous tracts. Legislative authority for an expansion of the University campus to embrace all the lands so purchased, has not been granted, and it is the finding of the Committee that the funds expended for the purchase of scattered parcels of real estate not required as sites for any buildings or improvements authorized by legislative act or appropriation, was at least in excess of the powers conferred upon the Finance Committee, and was not done in the manner required by the statutes referred to for authorized purchases.

c. In connection with the foregoing paragraph, the Committee further reports: More than \$500,000 paid for real estate was paid, not out of legislative appropriations for the purchase of real estate but out of student tuitions and fees.

"The secretarial officer" of each institution is required by statute to make a report in such detail and form as the Board of Education prescribes, which must set forth "the funds available each fiscal year" from all sources, for (1) erection, equipment, improvement and repair of buildings; and (2) the interest on endowment and other funds, tuition, state appropriations, laboratory and janitor fees, donations, rents and income from all sources affecting the annual income of the support funds. This report shall also show under separate headings how the funds were expended. (Doubtless



this requirement refers to the funds available for the preceding biennial period.) Code, Section 3937.

With these reports before it, the Board of Education is by statute required to report to the Governor and the Legislature all facts, observations and conclusions which the Legislature should consider. And this report must itemize receipts and expenditures, and must submit the report of the executive officer or summaries thereof: *“and shall submit budgets for biennial appropriations deemed necessary and proper to be made for, (1) the support of the several institutions, and (2) for the extraordinary and special expenditures for buildings, betterments and other improvements.”* Code, Section 3938.

These reports are similar to the reports which are required of other State agencies having the management of other funds or property of the State. Code, Section 246. An essential feature of the State policy is this system of required budgets in order that the Legislature may decide as to the needs of each institution or agency, and appropriate accordingly. The budgets to be submitted by the institutions under the control of the Board of Education must distinguish between what is budgeted as required *“for the extraordinary and special expenditures for buildings, betterments and other improvements,”* and what is required *“for the support”* of the several institutions.

When tuitions and other fees are paid to one of the institutions under the management of the Board of Education, the funds so augmented belongs to the State and is *“available”* only for a purpose authorized by the State through its Legislature. The Legislature has indicated that such income is classed with *“the support funds.”*

A tuition fee is recognized in Code, Section 4273 as a payment *“to cover the costs of instruction”* received by the student who pays the tuition charge.

The Committee finds that the investment of funds paid for tuition in real estate was not contemplated by the statutes, and that tuitions being in their nature *“support funds”* should not be diverted to capital investment purposes without express legislative authority.

The Committee also recommends that the practice of taking notes for tuition from students be permanently discontinued.

d. In addition to the purchase of real estate without proper record in the Minutes of the Board, the Committee finds that the Finance Committee at a meeting at which only W. R. Boyd, the

President, was present, a residence property was purchased from W. J. McChesney, Treasurer of the University. The record of this purchase is made in the Minutes of the Finance Committee of December 19, 1924, and states that the purchase was made upon the recommendation of President Jessup. The minutes of said meeting of December 19, 1924, state that the purchase is made in accordance with the resolution of the Committee adopted June 19, 1924, but no record of such meeting of June 19, 1924, appears in the Minute Book of the Finance Committee. The deed to the McChesney property is dated June 19, 1924, and is recorded on July 24, 1924.

The statute in effect on December 19, 1924, prohibited the purchase of real estate from any member of the Board, or Finance Committee, or any officer of any institution. Section 3922, Code of Iowa, 1924, effective October 28, 1924.

In addition to this prohibited purchase of real estate from the Treasurer of the University, the title to the property is defective. The deed is signed by W. J. McChesney for himself and by W. J. McChesney as trustee for Cornelia McChesney. While it does not appear that they are husband and wife, such is the fact. The property purchased was occupied as the home and homestead of W. J. McChesney and his wife and although W. J. McChesney had been appointed as Trustee for his wife by the District Court, no order of court was obtained authorizing W. J. McChesney to execute the deed in behalf of his wife and to release her dower and homestead rights, and, therefore, the same did not convey valid title to the real estate. The Committee recommends that steps be taken immediately to perfect the title to this real estate.

The consideration paid by the University of Iowa for this property was \$20,000.00. The deed was executed on July 19, 1924. On or about the month of November, 1922, Mr. McChesney filed in the office of the Treasurer of State a verified statement in the settlement of his father's estate that the value of the property was not in excess of \$10,000.00. It was appraised at about the same time for inheritance tax purposes but the inheritance tax appraisers appraised it at \$14,000.00. Mr. McChesney testified that he had received an offer of \$25,000.00 from a sorority shortly before he sold the property to the University. Mr. Bates or Mr. Cobb testified that the McChesney house was not suitable for a fraternity or sorority occupation and gave this as a reason for the differential in rental between the McChesney house which is rented and has been rented

to Mr. McChesney since its purchase at \$100.00 a month, and an adjoining house which is rented to a fraternity at \$200.00 per month.

In addition to this, abstracts of title to many of the properties purchased have not been filed with the Auditor of State who, under the statute, is the custodian thereof, and although a diligent search was made at the business office of the University, complete abstracts have not been found.

## II

(a) For about twenty (20) years J. M. Fisk has been the head of the Building and Grounds Department of the University of Iowa. His previous experience was as an electrical engineer and manager of an electric light plant where some construction work was done under his management. A considerable percentage of the new construction of buildings at the University and all, or practically all, of the remodeling of buildings, large and small, has for many years been done under his supervision. He furnished to the Committee a list of buildings "built or added to" at the University between 1910 and 1930, containing fifty-three separate structures, constructed at a total cost of \$8,670,637.96. Of these it was stated, "The University Grounds and Building Department has done work in the amount of \$2,796,535.70," exclusive of the Memorial Union building.

He also furnished the Committee another list showing that what was called "the job cost system" was begun November 27, 1923, since which date 9,843 jobs at a total cost of \$1,666,934.76 were executed, and that there are now 110 jobs in process, the total cost of which is \$51,616.56. It was indicated there might be some overlapping of some of these jobs with the list of fifty-three buildings first above referred to. No information was furnished of the number or cost of similar jobs between 1910 and November 27, 1923. The Committee finds that State funds have been expended for construction carried on by Mr. Fisk's department to the extent of not far from \$5,000,000.00, the bulk of which was expended during the past seven or eight years.

(b) At the business office of the University, where the principal books of account are kept, an accurate statement of the cost of construction carried on under Mr. Fisk's department is obtainable only by a detailed examination of the vouchers and perhaps the underlying warrants or checks paid for labor and material, a task which could not be completed without more time than was at the

disposal of the Committee. The accounts are kept on vouchers and are not posted into ledger accounts, grouping the expenditures upon a particular work of construction in the manner in which similar expenditures would be shown upon a complete set of books kept by a private contractor, builder or capitalist who desired to accurately show on his ledger his capital investment in lands and buildings. No complete statement in any ledger was therefore, accessible, in which all costs of acquiring sites and erecting buildings appear for ready inspection. More complete information was obtainable as to the cost of the construction work carried on in Mr. Fisk's department and differentiating that cost from costs of that done under contract from such records as were kept by Mr. Fisk than from those at the business office.

(c) Much the largest and costliest building constructed at the University is the new general hospital, for which plans were drawn by architects employed by the Board. Originally a contract was let to construct this building in all details to contractors who signed contracts and furnished bonds for completion in accordance with the plans. The extent to which the Building and Grounds department has figured in carrying on the actual work of construction is illustrated by the fact that, even as to this building, Mr. Fisk furnished the Committee a list of numerous items, large and small, built under his direction, in completing this structure, at an aggregate expenditure of \$190,228.14. This includes certain large items, among them the following: "All work in new hospital main kitchen, \$35,934.68;" "Painting door frames, window frames and general painting at new hospital, \$12,240.25;" "Any wall painting in new hospital ordered by Neff, \$15,797.64." Even as to buildings let to the low bidder, parts of the structure—sometimes the footings or basement, sometimes the painting or other portion of the construction work planned—has in fact been built under Mr. Fisk's supervision, without any systematic check by the architect upon that portion of the undertaking.

(d) The painting of the New Hospital was included in the general contract let to a building firm—Elliott and Company. The general contractor sublet the painting to one Roy Anderson, who was induced to surrender his sub-contract for painting after performing a small part thereof, for a consideration of \$4,000 (\$500 for work done and \$3,500 by way of bonus). The arrangement included abandonment by Anderson of a nearly finished contract on another building (the Nurse's Home), nearing completion. Mr. Fisk thereafter proceeded to complete both contracts. The architect

at the direction of a committee of the Board of Education eliminated the painting work from the contract and the net result was that the State paid \$3,500 to cover the estimated profit and expense of Anderson. No new advertisement for bids was had and as the painting cost far exceeded \$10,000, the committee reports that the acts done were in contravention of Section 3945.

(e) At the request of the committee, the firm of Proudfoot, Rawson, Souers and Thomas, of Des Moines, Iowa, who were the architects for the Board, furnished (Exhibit 160) a list of twenty-one buildings for which said firm prepared the plans under their last five years' contract, expiring in 1928. They list seven buildings as erected under the superintendency of Mr. Fisk and fourteen built by contract (which includes the Field House and Stadium, paid for largely from funds borrowed by the athletic council). As reported heretofore, the committee finds that portions of the work upon the buildings listed by the architects as built by contract were in certain instances taken over and done by Mr. Fisk. A representative of the firm of architects testified that in such cases the architects treated the further work of construction as done by the "owners" and hence as not requiring further supervision from the architects unless called for. The committee finds that this resulted in at least the case of constructing the building known as the Addition to the Men's Dormitory in material changes in the plans in process of construction. The list furnished by Mr. Fisk includes many more buildings than were designed by the architects and as to such structures constructed under Mr. Fisk's management and not designed by the firm of architects referred to, any plans for their construction were prepared by someone in Mr. Fisk's department and no letting was had or bids taken preliminary to the work of construction undertaken under Mr. Fisk's supervision.

(f) With respect to three of the seven buildings listed by the architects (Exhibit 160) as built by Mr. Fisk in accordance with plans drawn by the architect (Addition to Men's Dormitory, West Approach to Old Capitol, Addition to Chemistry Building) plans were prepared and bids were taken but no contract let. Subsequent to such advertising for bids the plans with respect to these three buildings were revised and material changes made in the structure or improvement. As to one, the basement floor was eliminated. Subsequent to such revision, Mr. Fisk's department proceeded to construct a building. The committee reports that the revisions so made were of a character and extent to require a re-advertisement for bids under the provisions of Section 3945, 1927 Code.

Both with respect to work done by Mr. Fisk on the New Hospital and the construction of the three buildings last referred to, the committee reports there has not been compliance with the requirements of the law. The amount of the cost of many structures and improvements built without the required advertising for bids, exceeded \$10,000 and hence should have been advertised for letting to the lowest responsible bidder upon the plans finally adopted before the Board of Education was authorized to proceed with the work of construction. While the Board could reject bids and proceed with the construction or improvement, the committee finds that after a letting is accepted, or plans are materially revised, a new advertisement for bids is required before there would be authority to proceed with the work of construction. 1927 Code, Section 3945.

(g) The officials have in certain cases taken the initial step for the construction of public improvements required by statute (Chapter 23, 1927 Code) in giving published notice of a hearing upon a proposal to construct a public improvement costing \$5,000 or more. Complete compliance was however made in no case. The statute requires that upon the completion of the improvement "the executive officer or governing board" shall file with the budget director a verified report showing among other things the location and character of the improvement; the total actual cost of the completed improvement; by whom, if any one, the construction was supervised; by whom final inspection was made; whether or not the improvement complies with its contract plans and specifications. No such reports are on file or appear ever to have been prepared.

It also appears, and the committee reports, that in the case of construction carried on by the Building and Grounds Department, in those instances where plans were drawn by the architect employed by the Board, the usual practice of issuing "blue orders" for alterations and changes in the improvement as planned was not followed where the construction was carried on by Mr. Fisk, and no record made of inspection, either during the progress of the work or when finally completed. The result is that Mr. Fisk has been able to report that he has effected savings in building operations carried on by him below the cost if let to the low bidder, and there is no record from which it may be ascertained whether the reported savings are due to cheaper construction by elimination or alteration of matters required by the plans and specifications upon which the bids

were taken. In the construction of the Addition to the Men's Dormitory, built by Mr. Fisk, The Master Builders' Association made inspections during the progress of the work and have furnished the committee with estimates purporting to show that, taking into account the cheaper construction of the building as constructed, instead of a saving as reported by Mr. Fisk, the cost to the State was more than if built by letting the contract to the low bidder.

(h) Without definite basis of comparison, except in respect to the building known as the Addition to the Men's Dormitory, it is not possible for the committee to report the extent in dollars and cents of the advantage or disadvantage to the State by reason of the large amount of construction done by the department of Buildings and Grounds of the University, instead of by public letting to the low bidder. Mr. Fisk appears to have been permitted a wide discretion in carrying on the work of construction and in altering plans and substituting methods of his own of executing the work. It was common practice for Mr. Fisk to report that he could complete the work to advantage over the contract bid, and thereupon the bids would usually, if not always, be rejected and Mr. Fisk directed to proceed to build. In fact, for a period of seven or eight years, the University or the State, through Mr. Fisk, has carried on an extensive business, such as is ordinarily carried on by a building contractor. When a building contractor chooses to engage in that business he is under the pressure of necessity in respect to organizing his business, of adopting methods and providing equipment adequate to accomplish results. A contractor could hardly hope to keep down his costs who did not keep a system of books adapted to the business in which he was engaged. He hazards losses, even though he hopes for profits. Penalties will be imposed upon him if he does not comply with the plans and specifications. The cost of the construction carried on by Mr. Fisk appears upon no system of account books in the business office such as a contractor would keep, and is entered there only on a disbursement voucher system designed to account for the disbursement of legislative appropriations, tuitions and fees. The committee reports that the books of account of the business office were not adapted to the keeping of an accurate and easily accessible record of the business of building construction such as was carried on by Mr. Fisk. That the construction of large structures undertaken by Mr.

Fisk required an organization personnel that the committee believes was not available. That a failure to comply with the requirement of the statute for reporting the total actual cost of completed improvements costing \$5,000 or more, with other information, viz: whether the improvement as completed, complied with its contract plans and specifications, and its actual cost, makes it impossible for any one to accurately estimate the net results in cost to the State of the methods adopted. The single instance of the Addition to the Men's Dormitory, with respect to which more accurate information on these points is available, including Mr. Fisk's estimate of a large saving, opposed by the calculation made by inspectors for the Master Builders' Association of a substantial sum lost over cost if let to the low bidder, leads the committee to report as its findings: That contracts for building construction should be let to the low bidder with the right of course to reject all bids and readvertise, but without authority of the officials and employees of the Board of Education to engage in the name of the State in an ambitious building business as has been done at the State University. The character of the accounting, together with the fact that the primary business of the University is teaching and not building construction, are considerations which lead the committee to report that the practice of undertaking construction is ill-advised.

(i) The practice was followed in some cases of inserting in the plans and specifications provisions requiring the successful bidder to enter into a contract agreeing to purchase specified material from "the owner." In the case of the addition to the Men's Dormitory this included a specified quantity of lumber which the successful bidder would be required to buy at a fixed price. This price, although quoted by one material dealer to Mr. Fisk of the Building and Grounds department, was in fact higher than the same lumber had been quoted to him by another material dealer from whom it was actually purchased by Mr. Fisk and later used in the construction of the building built under his supervision. An addendum to the specifications for the New Hospital required the contractor to purchase his sand "from the University" at the price of \$1.85 per cubic yard. As elsewhere reported in these findings, J. P. Langford or the City Sand Company (a corporation organized by J. P. Langford) was the tenant of a small parcel of land and sand pumping equipment which had been purchased in the name of the University from Langford, leased back to Langford with a pro-



vision in the lease that sand would be furnished to the University at not more than the prevailing market price and at the rate of ten cents a yard under the amount charged to other customers. The committee reports that provisions inserted in the specifications, such as are herein referred to, were improper, and that the general effect of such provisions was to put the University and its officials in the business of buying material.

### III

One of the matters of investigation involves the "management and administration" by the Board of Education, Finance Committee, and officials, including the University Treasurer, respecting the claim, if a valid claim exists, against the First National Bank of Iowa City (depository of University funds) for interest at the rate of two and one-half per cent upon the average daily balance of funds in the depository bank, contributed by the Rockefeller Foundation and the General Education Board, referred to in the record generally as "the Rockefeller funds."

(a) Two and one-quarter millions of dollars of Rockefeller funds were contributed to match an equal amount appropriated by the legislature to be employed to construct and equip the new general hospital and other buildings of the medical group. These moneys were payable at the rate of \$450,000 per year, beginning with July 1, 1923. The first \$450,000 was in fact remitted in two equal installments, \$225,000 about December 26, 1923, and \$225,000 in the early part of January, 1924. Subsequent payments were advanced about August of each of the years 1924, 1925, 1926 and 1927. Drafts came to the office of the President of the University, were by him sent to the business office, and from thence to W. J. McChesney, Treasurer of the University. All officials who have been witnesses before the committee agree that there was a plan to use the funds from the State appropriation, available commencing July 1, 1923, at the rate of \$450,000.00 per year, before using the Rockefeller funds, permitting the investment of the Rockefeller funds at interest until the principal was needed to complete the medical building program. The contract for the principal building (the New Hospital) was not let until May 25, 1926, hence there was no reason to anticipate when the first of the Rockefeller funds reached the Treasurer about the first of 1924, an early call upon the principal for disbursements in payment for buildings. The greater part of the Rocke-

feller funds from the time they were received, were in fact available for investment until 1928, or, roughly, for four years from the date the first \$450,000.00 was advanced.

(b) All the officials examined upon the point agree that the Rockefeller moneys constituted trust funds, the principal of which was expendible for the special purpose for which it was contributed but which was in the meantime available for investment and the committee finds such to be the character of the funds.

(c) The issue at this point has to do with the position taken by the officials in endeavoring to relieve the First National Bank of its obligation, if any, to pay interest upon an uninvested balance which, equal to an average amount of \$227,000.00, remained uninvested in the First National Bank of Iowa City, during the period that the remainder of the funds available for investment (over and above said average amount of \$227,000.00) was invested in government securities.

(d) The committee finds that the officials were not in any manner derelict in their duty because they chose government securities as the medium of investment rather than put the funds available for investment out at interest in banks of the State. Though often mentioned in the course of the investigation, this question seems to the committee beside the point. The investment should of course have been made on order of the Board and by the Finance Committee, rather than by the Treasurer. The Statute provides it shall be made "by the Finance Committee *on order of the Board.*" 1927 Code, Section 3926. Had the method of the statute been followed the Board would have ordered the whole or a part invested, and if a part, the balance would have gone into the designated depository at interest as a matter of routine. If the designated depository declined to act longer as depository, another could be selected.

(e) Had the investment been ordered under the plain letter of the statute, the Board of Education would have ordered the whole or some designated part of the investible funds in bonds of the United States and directed any balance not invested to be held awaiting its employment for building purposes and thereupon the portion not invested would automatically have borne interest at the rate fixed by law and the resolution of the Board of Education, viz: two and one-half per cent. The portion thus invested would have appeared, if the law was observed, upon a register (kept by the Secretary as required by law) as an investment made by the Finance Committee and ordered by the Board. Sub-paragraph 4, 1927 Code,

3926. It was not for the Treasurer, who was also an executive officer of the depository bank, to determine whether the funds should be kept in substantial part uninvested at all times. His position as an officer of the depository bank having an adversary interest disqualified him from exercising discretion in the matter. The law did not contemplate that the Treasurer should decide.

(f) An anomalous condition exists in that W. J. McChesney, the University Treasurer is also the president of and acts for the depository bank, and necessarily, in dealings between himself as Treasurer and the bank in which he acts for it, he acts in a dual capacity, and the interests respectively represented are adversary. Apparently there was no actual order of the Board of Education in regard to this investment. Mr. McChesney mentions a talk with the President of the University and Mr. Boyd of the Finance Committee, in which Mr. McChesney (apparently then acting for the bank) stated (Tr. 4108-9): "I want it distinctly understood that our bank will not take this money and pay two and one-half per cent because we are not large enough," and in which he refused to be responsible for its distribution among Iowa banks, and in which he recommended (Tr. 4110): "If I am to be responsible for these funds, I will insist that government securities be purchased." Apparently the point to which these remarks were addressed was not whether to invest a part or all, but whether all should be kept in the depository bank. He further says that it was understood the securities would have to be purchased in the name of the First National Bank as it was desired to obtain the securities and leave them for safekeeping with the Federal Reserve Bank of Chicago, of which the depository bank in Iowa City was a member bank. Mr. McChesney also related (Tr. 4111) a declaration on his part at the time that he wanted it distinctly understood he would at all times "carry along a substantial balance." The inference, to say the least, was not clear that he was bargaining for a change in the matter of the obligation of the depository bank to pay interest upon the balance so uninvested, even if it was competent to change the obligation as to interest by any such declaration.

(g) The committee finds that there was no contract entered into by which it was agreed in advance upon the part of the State or the Board of Education (even if the obligation to pay interest could be thus changed) that any uninvested balance with which W. J. McChesney, acting either as Treasurer or for his bank, decided to leave uninvested and of which the First National Bank of Iowa

City had the benefit, should not draw interest at the rate of two and one-half per cent upon daily balances. The committee finds that the fact that the moneys invested in United States securities produced interest upon the investment has no bearing upon the question of whether the uninvested balance of which the First National Bank of Iowa City had the benefit, should not pay interest at the rate of two and one-half per cent upon daily balance. This may not apply to funds reinvested from time to time upon the maturity of securities in which funds were previously invested, and which funds could not always be immediately reinvested to good advantage, but does, we find, apply to any balance withheld from investment pursuant to a policy or plan of retaining a substantial part of the fund uninvested, of which the depository bank had the same benefit it had from deposits generally. The argument that a loss might be sustained in the sale of securities because of some unexpected demand for the funds for disbursements for building costs, does not appear to be applicable to the facts of the situation as shown in the record. There was no apparent difficulty in anticipating for weeks or perhaps even months ahead the amounts which would probably be required for payment upon building contracts. It was known that the invested funds must be converted into money at some stage. This did not imply any imprudence in buying the securities bought. It would be just as prudent to invest the whole amount available for investment.

(h) The First National Bank of Iowa City did not follow any such policy in regard to its own investible funds but kept its surplus as the evidence shows, throughout the whole period, largely invested in government securities, upon which it apparently earned a rate of return equal to the return upon the invested Rockefeller moneys and had the benefit for that purpose of the balance which Mr. McChesney elected not to invest in those securities earmarked as the property of the University. The evidence shows that except for the cash reserve by law required to be kept the remainder of the depository bank funds were profitably invested; and that the funds so invested were augmented by the uninvested balance of the Rockefeller funds. The same proportion of the uninvested balance as of other funds in the bank was therefore invested and produced earnings for the bank.

(i) It was to the interest of the State and the University to enforce any obligation of the First National Bank of Iowa City to pay interest upon the daily balance of State funds in its hands. Unless the facts were so clear that reasonable minds could not differ, the

question should have been submitted to the Department of Justice of the State. Instead of asserting an obligation an effort has been made to foreclose the question by a record of the Board of Education which would exonerate the depository bank from liability. The first resolution to that effect, presented upon the recommendation of President Jessup and upon the basis of the letter of W. H. Cobb, dated March 21, 1929, before a Board meeting in April, 1929, proposed a waiver of interest upon the ground that the services of W. J. McChesney as Treasurer in attending to the investment of the funds without brokerage charges and safety deposit charges were of a value equal to, or in excess of, the amount of interest waived. Six months later after the matter had been called to the board's attention another resolution was adopted, declaring that no obligation to pay interest ever accrued as to that part of the Rockefeller funds which remained uninvested, because in advance of the time the funds were placed in the depository bank there was an agreement that interest would not be paid upon the uninvested balance. There is an obvious inconsistency between the positions thus taken at different dates, and agreement only as to the results sought to be accomplished. In view of the inconsistent positions taken, there is a suggestion that those who were concerned with the details of the transaction were more anxious as to the result to be accomplished than they were scrupulous as to the accuracy of the grounds recited to bring about that result.

After all evidence bearing on the Rockefeller Fund had been introduced, the Committee adopted a resolution requesting an opinion from the Attorney General as to the liability of the First National Bank of Iowa City for the payment of interest on the average daily balance of the Rockefeller money on deposit, and the following is a copy of the opinion received from the Attorney General in response to the request of the Committee:

"April 14, 1931.

Honorable H. B. Carroll,  
Chairman, Investigating Committee of the  
State Board of Education,

BUILDING

Dear Senator:

I am in receipt of your communication of the 11th instant, requesting the opinion of this Department upon the question of whether the State of Iowa is entitled to receive interest on daily balances in the bank on what is commonly known as the Rockefeller Foundation Fund.

In your Resolution requesting the opinion you do not give

to me the facts which you have discovered with reference to conditions under which this Fund was deposited in the bank. Hence, I am basing this opinion upon facts which I have gathered from the institution records on file with the Board of Education.

From the records which I have gone over in the office of the Board of Education, and from the report of the Budget Director's office as to average daily balances in the bank, I am satisfied that the State of Iowa is entitled to interest upon the daily bank balances in this Fund.

Yours very truly,

John Fletcher,  
Attorney General."

JF:HWG

Subsequent to the request of the aforesaid opinion from the Attorney General, the committee places at the disposal of the Attorney General's office a complete file of the transcript of testimony taken before the investigating committee, a part of which contains testimony concerning the deposit of funds known as the Rockefeller Foundation funds in the First National Bank of Iowa City by the Treasurer of the State University of Iowa. We urge that the Attorney General make a study of this testimony, as well as the report of this Committee, and that if then, in his opinion, the interest on said deposit in the First National Bank of Iowa City is due the State of Iowa we suggest that he take steps to recover the same in the name of the State.

#### IV

The law requires that the Secretary keep a register containing a complete abstract of each loan *and investment* and showing its actual condition. Sub-paragraph 4, Sec. 3926, Code, 1927. The Secretary of the Finance Committee failed to keep any register in his office. At the business office of the University at Iowa City is kept a register of mortgage loans only. No register containing an abstract of investments such as the Rockefeller funds, and showing the actual condition of the investment, was kept. When through the business office the Rockefeller funds were turned over to W. J. McChesney as Treasurer, no immediate entry upon even the books of account appears to have been made. It was stated by W. H. Cobb, University Auditor, that there were reports made by the Treasurer of the business office from time to time. The earliest of these reports that could be produced in writing is quite informal, bears date in April, 1926, considerably more than two years following the receipt of the first of the Rockefeller moneys. The information contained in this

report and in subsequent reports made at irregular intervals appears to be spread upon the general ledger kept at the business office of the University. This, the committee reports, was not a register containing an abstract of each investment, showing the condition of the investment and required by law to be kept by the Secretary of the Finance Committee. In fact, it appears that the usual practice of the Finance Committee is in disregard of Section 3926 of the Code, enjoining upon that committee the duty of loaning and investing funds. Its duties appear to be delegated to W. J. McChesney as Treasurer of the University. Nor does W. J. McChesney as Treasurer keep a register or record of investments. It is not the function of this committee to make comparisons between the practice which prevails and the method required by law. We report that the law is not observed in the particulars pointed out in this report. Upon a single sheet of paper kept in a drawer at the First National Bank of Iowa City was entered by the cashier of the bank the only record of the Treasurer with regard to the investment of the Rockefeller funds. More than two years after the first moneys were received (at which date \$1,350,000.00 had been advanced), an informal statement was sent to Mr. Cobb by the bank, apparently compiled from the sheet of paper kept in a drawer at the bank. In the meantime no order had been made upon the Board records in regard to the investment of the funds, and none by the Finance Committee. Except for Mr. Boyd, the other members of the Finance Committee appear to have participated in no official action in regard to the investment.

## V

The statute, Section 3933, 1927 Code, Section 2682-m, 1913 Supplement provides:

“The members of the Finance Committee shall devote their entire time to the work of said institutions.”

W. R. Boyd is a member of the Finance Committee and its chairman, which position he has held since July 1, 1909. Mr. Boyd is a director and the president of the Perpetual Savings and Loan Association of Cedar Rapids, which position he has held since 1918 or 1919. As president of said association he originally received a salary of \$600.00 per year, which five or six years ago was increased to \$1,800.00 a year and remains at that figure now. As a director he serves upon a considerable proportion of the committees designated by the Secretary of the

association for the appraisal of properties upon which the association's loans are secured. Each year he appraises several hundred separate parcels for loans, making a personal inspection, together with other committee members, of each parcel for which an application is pending with the association. He stated that the appraisals in which he participates are usually made by him and one other director starting at eleven to half past eleven, usually on Friday of each week, and completing the appraisal in an hour to an hour and a half. For his convenience the appraisal work is sometimes done on Thursday or Saturday instead of Friday, and there are usually several appraisals to be made at each week-end, and that the average number of properties so appraised is about five per week. The properties are located in different parts of Cedar Rapids, and the work of appraisal consists of an inspection of the property, including the interior of the houses. He signs all checks drawn upon the association funds, releases of mortgages and certificates for stock. He presides at weekly meetings of the Board, which are usually held at four o'clock on Friday and take about an hour. He also presides at special meetings, which are held at night and that often last for hours. That if the date for the meetings interferes with his duties on the Finance Committee, the date is often changed to Thursday or Saturday. That the special meetings are usually for the purpose of checking up on delinquents and discussion of what ought to be done, the special meetings being held perhaps six times a year. At the board meetings each loan application is passed upon. The association has aggregate assets of close to \$6,000,000, the pay-ins being around \$60,000.00 per month, with an equal sum going out in dividends or credits on the stock. That the foregoing outlines his performance of duties for the building and loan association except that he has considerable voice in the determination of the institution's policies, and that it is for that reason that he was asked to take the presidency. The association owns a central building, where its business is carried on, and Mr. Boyd occupies an office in the basement below the main floor, where the association's business is transacted. That office is his headquarters when in Cedar Rapids. At one time he sold some preferred stock in a Cedar Rapids corporation, having previously published advertisements calling the attention of the public to the stock which he had for sale, and fixing the hours he might be found at his office. That the time occupied in giving attention to this was only a few minutes in the case of each of a



few prospective purchasers. He is also a member of the Board of Directors of a Farms Company, owning twenty-three thousand acres of land (whose preferred stock was the subject of the advertisements referred to) but remembers to have attended but one of the meetings of the Board. He may also be vice-president of this company. Mr. Boyd is also a member of the Board of Directors of a Cedar Rapids bank having about \$3,000,000.00 or \$4,000,000.00 of aggregate footings. In this bank he serves on the examining committee every three months and was called upon to serve upon the loan committee once. As a member of the examining committee he checks with his fellow members all of the assets of the bank at the periods indicated and signs the official report of his action as a member of the committee. He is also upon the Board of Cornell College at Mt. Vernon, Iowa, and chairman of the Building Committee of a dormitory, but took this position upon the condition that meetings would be held only at night, and has given very little time to it.

The committee reports the facts as it finds the facts to be with regard to the employment of W. R. Boyd in work other than that of the institutions under his management. They find that he receives a salary as president of the Perpetual Building and Loan Association of Cedar Rapids as compensation for the services rendered by him as above described, to which a part of his time is given each week. The committee finds that the time so given to work other than that of the institutions is a relatively small amount of time in proportion to that devoted to the work of the institutions.

## VI

In the spring of 1924, J. M. Fisk suggested to President Jessup of the University and President Baker of the Board that he, Mr. Fisk, desired the purchase on behalf of the University of property owned by Charles Schmidt, consisting of a small parcel of land abutting upon the Iowa River and certain machinery and equipment owned by Schmidt and employed by him in pumping sand from the bed of the river and conveying in barges to the site of his sand washing plant, where it was put in condition for sale to builders. Mr. Fisk states that Mr. Baker and Mr. Jessup told him to see if he could make a deal with Mr. Schmidt, nothing being said at first about the price. Mr. Fisk obtained a price quotation of \$17,000, and was then told to take an option at that

price and submit it to President Jessup and President Baker for further action if they should decide to close the deal. Schmidt then increased his asking price to \$20,000.00.

One J. P. Langford, connected with W. J. Block Company of Davenport, retailers and wholesalers of coal and of sand, was intimately known to Mr. Fisk and Fisk informed Langford of the pending deal and suggested to Langford:

“Now we have made an offer and it has been rejected and perhaps you can buy it for us and we can in turn rent it to you.”

That he did this because he still thought that the State should acquire the property. After Langford was authorized to obtain the option, he came back to Fisk with an option at \$18,000 and this was shown to Fisk and Secretary W. H. Bates. Fisk called Mr. Bates into the negotiations because “I certainly wanted a partner to the transaction when I went to see Mr. Schmidt.” Fisk promised Langford nothing for his services in getting the option and imagined Langford spent his own \$10.00 for the option. Mr. Fisk explained that he thought that at that stage that the University should have the property and explained that he wanted his department to operate the same for the institution.

He explained that the President (Mr. Jessup) and Mr. Baker and perhaps Mr. Schoentgen did not want him to run it himself and hence it was necessary to arrange for someone else to run it. Mr. Fisk also stated that the sand pump was an eyesore to the community, was very noisy and had a great nuisance value. That while the land upon which the plant was located was shown in the deed as only one-tenth of an acre, the filling in along the river bank from the operations enlarged the area (apparently by encroachment upon the river) so that a survey now shows six-tenths of an acre. That no one, Doctor Jessup, Mr. Bates, Mr. Schoentgen or Mr. Baker raised any question of the propriety of the University's carrying the deal through.

That the plan of renting it out was an alternative to taking Mr. Fisk's own time to run the business.

The real estate and plant equipment was on the day of purchase leased to J. P. Langford, at the rate of \$200 per month.

Adjacent properties were purchased about the same time from Peter Wyjack and Milo Dimity, one for \$2,500 and the other for \$5,000. Of the entire \$18,000 paid, \$15,000 was allocated as the purchase price of the small parcel of land and \$3,000 for the equip-

ment. The former owner, Charles Schmidt, paid \$1,300 for the property; at the time of his purchase the property was improved with a dwelling house, which had been removed before the sale to Langford and the University, and it was the opinion of Charles Schmidt that the ground itself taking into consideration the filling that had been done at the time it was acquired by the University, might have been worth \$600 or \$800. Charles Schmidt considered that the \$18,000 paid was for his sand plant, equipment and the business.

The machinery and equipment was later sold to J. P. Langford for \$1,500.

The committee finds and reports that the plan of purchasing this sand plant and property was ill-advised and that the State should not have been entangled in the name of the University in a commercial enterprise of this character. That the price paid for the property was grossly out of proportion to its actual value.

J. M. Fisk was the moving spirit in the venture and the fact that his superiors with whom he consulted did not veto his plans to acquire the property should be considered as it throws light upon Fisk's building construction program. The head of the Building and Grounds Department was apparently subject to little or no restraint in his ambition to put the University into business enterprises. The want of business acumen displayed by Mr. Fisk in this transaction suggests grave doubt as to the wisdom of the action of officials in permitting him to exercise the wide discretion which he has enjoyed in carrying on building operations and in the purchase of coal for the use of the University.

## VII

Certain charges against officials and employees relating to administration of State property are next referred to.

(a) While J. M. Fisk was at the head of the department of Buildings and Grounds, commencing with the year 1920, he engaged in the construction of several small apartment buildings and remodeling of one residence into an apartment building. During the time that these structures were being erected, he was carrying on an extensive program of building construction for the University. Most of his own building was done by day's work, and many of the employees engaged by him were chosen from the force of workmen then engaged under his supervision in the services of the State. In most cases they were relieved from University work and by him

assigned to his private construction jobs. Afterwards when their tasks in his service were completed they were taken back into the State service if there was at the time State work in their respective trades. Mr. Fisk himself drew the plans for his own buildings and gave his own work some supervision during its progress. Mr. Fisk admits that while constructing the first of these apartment buildings in 1920, he had the dealer from whom he purchased lumber from which the interior trim was to be fashioned, deliver this lumber at the University carpenter shop where it was processed or milled for use as baseboards, window trim and door trim and from the University shop he conveyed the finished trim to his own building then under construction. Mr. Fisk stated that most of the work in the University shop (which was done with the University equipment) was done at night by himself with the assistance of one man, a University workman named Kemr and that on November 22, 1920, he delivered Kemr a check of \$25.00, in compensation for his services.

(b) Mr. Fisk also stated that for use in his private construction he obtained small amounts of material used in the wiring of houses and for plumbing, from the University stores and supplies at the department in charge of Roy J. McGinnis (his own subordinate), which he paid for either directly to Mr. McGinnis or upon bills rendered from the University business office. It appears that no entry was made upon any book of account of the charge but that checks were given either to McGinnis or to the University office for all merchandise referred to by Mr. Fisk in his testimony.

(c) Mr. Fisk also stated that lumber from government cantonments was purchased to the extent of eighteen carloads, some of which was immediately used in construction work then in progress and a part stored in a yard from which it was drawn from time to time for University work as occasion required. Some of this lumber was used in concrete form work incident to the construction of some of the University buildings.

(d) Mr. Fisk asserted that he thought it was his right to use machinery of the University in getting out the trim for his own private building projects under the circumstances. And that with reference to the use of some of the form lumber from the University lumber yard, a cement mixer and engine belonging to the State in the construction of a retaining wall upon the property of W. H. Bates, University Secretary, that while not remembering the incident, (testified to by anyother witness) he saw no reason why if his attention had been called to it, he would not have directed the use of the lumber and the mechanical equipment as a matter of accomo-

dation to the secretary of the University, and that in substance he saw no impropriety in doing so.

(e) Roy J. McGinnis is employed in the department of Buildings and Grounds and is a subordinate of J. M. Fisk. McGinnis is, and since 1915 has been, the chief electrician for the University. His ordinary day is from seven-thirty to four-thirty but he is subject to call at any time during the twenty-four hours. As chief electrician, he is in charge of the stores and supplies pertaining to his department. He engages upon his own account in handling electrical supplies to the extent as stated by him of handling them "in a small way." He did not contradict other testimony that he has delivered such supplies as he deals in from the University storehouse where the same class of material belonging to the State is stored. He also states that he has purchased a small amount of material through the University for his own use and has given the privilege of doing so to a few others, besides Mr. Fisk. Mr. McGinnis justifies this upon the ground that it is a standard privilege for clerks in stores to be permitted the privilege of purchasing from the store. Mr. McGinnis also testified that he had some years ago engaged in wiring houses in private contract but not very often.

(f) The practices referred to in the foregoing paragraphs are reported by the committee as improper practices in handling the material of the University. The impropriety is apparent whether any loss has been suffered or not. These stores are not carried or equipment owned, for commercial purposes or to engage in competition with commercial dealers. If Mr. Fisk or Mr. Bates is entitled to accommodation in that respect, others are entitled to the same privilege. The example of favoritism is itself a ground for condemnation of the practice. This is particularly true in the case of Mr. McGinnis and Mr. Fisk, both of whom are in the same department. Obtaining for private University stores and supplies from a subordinate, (assuming the same are always fully accounted for) except in some emergency, is obviously bad business practice. Carrying on a private business at the employer's store, in the same line of merchandise or materials carried in University stores, is also open to grave challenge and should not be permitted.

## VIII

It was impossible in view of the shortness of the time to thoroughly go into the activities of the purchasing department of the University. However, the purchasing agent was called and testified

that when he called for bids upon supplies to be purchased for the hospital and for other departments of the University that he opened those bids as they came in but that he proceeded to let the bids to the lowest responsible bidder.

This is subject to criticism because it opens the door to favoritism and gives an opportunity to convey information to privileged bidders. Mr. Humeston, purchasing agent at the University, denied that he had ever given such advantage to favored sellers of supplies, but his testimony was somewhat in conflict with one of the members of the Iowa State Medical Association's investigating committee which within the last two years conducted an investigation pertaining to the purchase of supplies and equipment for the University Hospital.

The Committee recommends that the purchase of all supplies be on sealed bids and that such bids designate the hour at which the bids will be opened and that said bids be opened at that hour, strictly in accordance with the provisions of section 1170 of the code of Iowa, 1927.

What has been said above refers only to purchases made by the Purchasing Agent of the University.

Prior to 1930 all coal was purchased by the Department of Grounds and Buildings and during the year 1930 official action was taken requiring that coal be purchased by the University Purchasing Agent, but, in fact, this official order has not been adhered to and coal is still being bought through and by the Department of Grounds and Buildings as shown by purchases made as late as March, 1931.

During the progress of the inquiry and while investigating the purchase of supplies, coal, etc., the testimony of several witnesses was introduced pertaining to the connection of Arch W. McFarlane with the sale of coal to the University. From the standpoint of the University there was no evidence presented to the Committee which would show anything wrong or improper on the part of the University or any of its officials in the many purchases of coal through the brokerage firms known as the Arch W. McFarlane Fuel Company or the O'Hagan Coal Company, in both of which organizations Lieut. Governor Arch W. McFarlane has served as an officer.

Under the mandate and authority given this Committee by the Forty-fourth General Assembly, this Committee is authorized and empowered to investigate the administration of the State University of Iowa and the institutions under the Board of Education. Therefore, to make findings pertaining to Lieut. Governor Arch W.

McFarlane's personal activities or the activities of the companies with which he has been associated would be beyond the sphere and jurisdiction of this Committee and the Committee having knowledge of the introduction of House Resolution No. ...., respectfully refers the members of the House of Representatives to the testimony pertaining to Arch W. McFarlane in the transcript of testimony, which transcript is on file with the Chief Clerk of the House of Representatives.

## IX

For a number of years the University has made a practice of employing attorneys to handle various legal matters in connection with the purchase of real estate and the management of the University. Statements submitted by Mr. Cobb, auditor of the University, show that sums aggregating several thousands of dollars have been paid from various funds of the University for this purpose. Nothing in the record shows that the employment of such attorneys was made by the executive council of the State of Iowa, upon request of the attorney general as provided by statute, Section 152 of the Code of Iowa 1927.

The Committee recommends that this practice be abolished and that all legal matters be referred to the attorney general's office, or when practical, to the staff of the University's own College of Law and that no outside counsel be employed, except when in strict accordance with the statutes cited above.

## X

On account of the shortness of time, it was impossible for the Committee to fully investigate the resignation of several outstanding members of the faculty of the College of Medicine in May of 1927, or to investigate the causes which led up to their severing connections with the institution.

The records of the statements made by these members of the medical faculty at the time an investigation was conducted by the faculty committee of the State Board of Education were destroyed, according to the testimony of Henry C. Schull, a member of the Board and of the committee. This destruction of the shorthand notes and transcript of testimony taken was done in accordance with an agreement between the witnesses and the said faculty committee.

Mr. Schull testified that the only criticism which could attach to

President Jessup in connection with the matter, might possibly be that he (the President) "stood behind Dr. Dean (the Dean of the Medical College) too long."

In the judgment of the committee, the medical college and University Hospital are both now under careful, competent and skilled management, according to testimony of representatives of the Iowa Medical Association, and according to the published report of their special investigating committee.

## XI

For many years the State University of Iowa has been a member of the Western Intercollegiate Conference commonly known as the "Big Ten." This conference was organized Feb. 8, 1896 for the purpose of producing "fair competition" in athletics.

From time to time since the organization of the conference, committees representing the member institutions have met to formulate rules and regulations governing their athletic relations. These rules have frequently been liberal enough to be termed, in many instances, "gentlemen's agreements."

In an effort to further the cause of fair competition the conference employs a commissioner of athletics, Major John L. Griffith, whose salary and office expense is borne equally by the Universities of Iowa, Minnesota, Wisconsin, Illinois, Chicago, Northwestern, Purdue, Indiana, and Michigan.

According to the testimony of Major Griffith the conference has for many years been confronted with the problem of subsidizing and proselyting and for that reason a conference of six representatives from each of the 10 institutions in the intercollegiate conference was called into session during the month of January, 1927. This meeting became known as the meeting of the "Committee of Sixty."

At this conference the University of Iowa was represented by President Walter A. Jessup, Professor Pelzer, Rush Butler, Doctor Belting and Mr. Ingwerson. At this meeting the Committee of Sixty did prepare a set of rules and regulations which, according to testimony of Director Griffith, were but slightly amended by the Faculty Conference, or governing board of the big ten organization, and were then prepared and distributed as a guide to the conduct of faculty members, students and alumni and friends of the various member institutions and become known as the "gentlemen's agreement."



According to the testimony of Director Griffith, "in the spring of 1929, it appeared clear that certain institutions in the conference were not successfully administering the rules proposed in the Committee of Sixty, and later adopted by the faculty conferences, relative to aid given athletes." For that reason the conference, through its director began an investigation into the affairs of four or five institutions which were apparent violators. In the usual course of events the offending institutions were forewarned of apparent discrepancies and in the case of University of Iowa considerable correspondence was sent from Major Griffith's office to Dr. Paul E. Belting and President Walter A. Jessup of the State University of Iowa.

The rules, or gentlemen's agreements, under which athletic relations were maintained by the member institutions of the Conference in the spring of 1929, were published and distributed and read in part as follows:

"No scholarships, loans or remissions of tuition shall be awarded on the basis of athletic skill."

Also the following:

"And no financial aid shall be given to students by individuals, organizations, alumni, or otherwise, with the purpose of subsidizing them as athletes, or promoting the athletic success of a particular university."

The Committee further understands that it was permissible, under the conference agreements, for the University to administer loan funds to students, including athletes, if the same were administered officially by institution and no preference given to students because of athletic skill. For that reason, the Committee finds that there was no violation or irregularity in the fact that athletes in attendance at the University of Iowa were permitted to sign tuition notes at the business office, since this practice was extended to the benefit of athletes and non-athletes alike.

The Committee finds that the suspension of athletic relations with the University of Iowa, which was voted by the Faculty Committee of the Western Conference at the meeting in Evanston, Illinois, on May 25, 1929, (and in this connection it should be remembered that the University was never ousted from the Conference and never lost its membership in that organization) was rather specifically due to the fact that the faculty committee believed that certain individuals in executive and business office positions at the University were aware of an illegal alumni fund being at that time administered by W. W. Mercer with the knowledge, consent and

urge of University officials. This, according to Major Griffith and Director Stagg of the University of Chicago was borne out in the documentary "Cobb to Mercer letter." The original fell into the hands of conference officials, and a copy of the same has since been filed with the Committee.

The letter above mentioned sets forth the fact that tuition notes given by many athletes were long past due at the time the letter was written, and the Auditor of the University, Mr. Cobb, therein called the attention of Mr. Mercer, alumni administrator of illegal loan funds, to the fact that the business office of the University expected the alumni organization to make good the payment of the notes.

This, the Committee finds, was a direct cause of the suspension of athletic relations with the University of Iowa under the Conference rules, which read in part, as follows:

"That if any Conference member does not observe the Conference rules in full, the other Conference members will not schedule athletic contests with that member." (Chi. Tr. 28.)

The actual suspension or severance of athletic relations was made in accordance with the following rule:

"Members of the Conference shall sever athletic relations with any member that does not conform in full to the Conference rules." (Chi. Tr. 29.)

The Committee further finds that the reporting of possible irregularities relative to proselyting and subsidizing of athletes by coaches, directors, faculty members, high school coaches, alumni, students and friends of Big Ten Conference institutions was in accordance with the procedure adopted for the administration of the affairs of the Conference in their effort to promote fair competition between rival institutions.

The Committee further finds that the source of such information as is received by the Conference Director, Major Griffith, remains a confidential matter between the Director, representatives of the Faculty Conference, and the person or persons sending such information to the "clearing house" or office of the Conference Director.

The testimony discloses that Mr. Mercer, prior to the suspension of the University of Iowa from the Conference, consulted with Dr. Belting, the Director of Athletics at the University, and President Jessup. It was disclosed that the funds administered by Mr. Mercer were loan funds intended only for the use of athletes, but that this practice has since been discontinued by

him and his associates and the notes taken by them and the cash on hand delivered to responsible University authorities who administered the regular student loan funds of the institution.

After the severance of athletic relations, the University of Iowa made application for reinstatement to the Faculty Conference on two different occasions, and that between the time of this severance of relations and the first application to reinstate, President Jessup presented to the Conference, through Major Griffith, evidence of the so-called "Belting Fund." This fund is one which was set up in the First National Bank at Iowa City by a transfer of some \$1,500 from the athletic department funds, gained through gate receipts, etc., the transfer being made through the business office of the University to an account in said bank. This fund was not known of at the time of Iowa's suspension and was not one of the causes for such suspension.

According to the testimony of Dr. Belting, who subsequently resigned his official position at the University upon the request of President Jessup, and the testimony of Mr. Simmons, who was then his assistant, this transfer of funds was made by Dr. Belting and the business office because of the inference drawn from the statement made by President Jessup to Dr. Belting that "You've got to get the money." This suggestion by the President came about while the University Director of Athletics and the President were discussing the necessity of making possible the taking up of student tuition notes made by athletes and then held in the university office.

Shortly before this disclosure by President Jessup to the Conference, Dr. Belting's resignation had been requested by the President and accepted by the Athletic Board of the University. The Committee finds there was apparent grounds for this request for the resignation of the Athletic Director, but also finds that Dr. Belting has suffered an injustice which unfairly causes him to bear the burden for violations of Conference regulations which he is but little, if any, more responsible for than those with whom he was associated in the affairs of the University. In the testimony of at least three witnesses the Committee finds that Dr. Belting inherited a bad situation at the University, relative to the proselyting and subsidizing of athletes, when he assumed his duties as Athletic Director in 1924 quoting the testimony of Major Griffith, Dr. Belting made a strenuous effort to correct evils at the University of Iowa.

The suspension of the University of Iowa was rescinded by official action taken by the Faculty Conference at their meeting in February, 1930. This followed a fall sport schedule in which several athletes at the University participated—athletes who had during the spring of 1928 and the fall of 1929 been the unwitting beneficiaries of the so-called "Belting Fund," and 14 of these athletes were later disqualified by the University.

There is conflicting testimony as to whether or not the University of Iowa might have been made an institution in good standing in the Western Conference without the disqualification of the aforesaid athletes. However, the rules of the Conference set forth that no student shall be eligible for competition in intercollegiate athletics who has been a violator of the strict rules or ethics of the Conference relative to proselyting or subsidizing.

The Committee finds that the fourteen students and athletes at the University of Iowa who were disqualified from participation in intercollegiate athletics were, in a sense, sacrificed that the University might be reinstated on the schedules of other Conference institutions. We find that though these students participated in what might be termed an illegal fund set up for the purpose of subsidizing athletes and to protect the business office of the institution from criticism for carrying large and long-time tuition loans, that they did so violate the rules unwittingly. These students, according to Mike Farroh, Irvin Nelson, and Oran Pape, when informed of the necessity for paying their tuition notes at the business office received the suggestion of university officials that they might secure loans for the payment of their tuition by applying at the First National Bank in Iowa City, and to W. J. McChesney of that institution, for loans with which to meet their obligations at the business office.

It is conceded by the officials and faculty of the University of Iowa and the officials of the Intercollegiate Conference who testified before the Committee, that the fourteen students who borrowed from the so-called "Belting Fund" at the First National Bank, and were later declared ineligible for further competition in intercollegiate athletics, were not knowingly guilty of the infraction of Conference rules governing amateur athletics.

It is the hope of this Committee that the University of Iowa and the Western Intercollegiate Conference will see fit to clear the names of these boys from the public's belief and the inference that they were wittingly the recipients of an illegitimate subsidy set up and administered by officials of the University of Iowa.

## XII

In making the findings and recommendations above set out, we have in each instance referred to testimony in support thereof. Without going into the details of the testimony, prompting and supporting same, we desire to make the following additional findings and recommendations.

(a) That the office of the Treasurer of the University of Iowa be made a part of the business office and that the Treasurer devote his entire time in performing his duties and that he have no connection in an official way with any banking institution.

(b) That all sums received from tuitions be used only for educational support.

(c) That the bookkeeping system in use at the University is properly adapted to the expenditure of appropriations, or other fixed sums, but it is not, however, adapted to the efficient recording of business details connected with the commercial enterprises of the institution, viz: building operations, handling of dormitories, cafeterias, laundries, bakeries, etc.

(d) That some other and more economical method be used in the matter of employing services of architects for the preparation of designs, plans and specifications for buildings to be erected, remodeled or repaired for the institution under the State Board of Education.

(e) That the functions of the Department of Grounds and Buildings should be limited to the upkeep and maintenance of the properties of the institution, and that the large force of employees maintained for new construction work should be eliminated and only a sufficient force be retained for the maintenance, repairs and minor alterations of the properties of the institution.

(f) That the further expansion of the campus be suspended and the building of additional structures be limited to absolute necessity until the financial condition of the state of Iowa improves and the people of Iowa receive some relief from the present tax burden.

(g) We believe that the legislative branch of our government should not be hampered by the activities of departmental or institutional lobbies, which too frequently seek to influence legislative action in the matter of appropriations, statutory regulations of administration, and in the conducting of legislative inquiry in the affairs of the various departments of state government.

(h) That as the educational institutions are administered at the

present time there is too much delegation of power and too many of the functions of the Board performed by the Finance Committee.

Changing the plan of administering the educational institutions is too large and important a matter for the Committee to pass on in the short period of time within which they have to prepare this report, the Committee suggest that the Governor of Iowa, the present Board of Education and the retiring members of the Board give the matter some study and make recommendations for changes in the matter of the administration of the educational institutions of the state.

(i) For the guidance of future General Assemblies, we recommend that Committees of Inquiry set up as fact-finding bodies should not be hampered by provisions for opposing counsel, because the very nature of such a condition inevitably forces the position of prosecution and defense. The process under such an arrangement consumes considerably more time and brings in unessential evidence and testimony of no material value to a fact-finding body, thereby making the conduct of such an inquiry more laborious, expensive and difficult than is essential or necessary.

We believe that inquiries of the sort conducted by this Committee would be more beneficial and successful in the ascertaining of reliable information if the Legislature would permit part of the hearings to be conducted in executive session, at the discretion of the Committee in the same manner as the State Board of Education conducted its investigation of the conditions leading up to and resulting in the resignation of prominent men connected with the medical faculty, in 1927.

Throughout the investigation this Committee has been embarrassed and hampered by the failure of the Forty-fourth General Assembly to finally act upon the appropriation bill which accompanied the investigation resolution, and we believe that a legislative committee entrusted with an inquiry should not be so hampered and that sufficient funds should be provided for the payment of legislative expenses.

It has been the purpose and intent of the Committee at all times throughout the investigation to conduct same in a fair and impartial manner, to do no injustices to any state institution, or employee thereof, to not unduly criticize or put in a wrongful light the usefulness of many public servants who have rendered service to the state and its educational institutions. Rather, it has been our purpose to carry out the mandate of the Forty-fourth General Assembly for a thorough and impartial investigation within the time allotted

to us, to summarize and report the facts now to be found in the Committee's transcript of testimony taken before the Committee, and to make such recommendations as we believe will be helpful to those responsible for legislation, administration, and operation of the affairs of state educational institutions.

All members of the Committee are sincerely interested in the best interests and future welfare of the University of Iowa, and it is our chief concern and desire that this investigation will have a wholesome effect on the future welfare and usefulness of the University. We believe that a proper public attitude toward this inquiry and the recommendations of this Committee will serve to improve conditions relative to the administration of the affairs of the University and other institutions under the management of the State Board of Education, will result in economies to the people of the State of Iowa, and that it will eventually be to the best interests of the institutions and people of the state.

Respectfully submitted,

H. B. CARROLL

BYRON G. ALLEN

GEO. E. MILLER

FRANK C. BYERS

I concur in the foregoing report, except as to paragraph "h" of Division XII, in regard to the reorganization of the present legal setup of the Board of Education and Finance Committee. I recommend the following:

#### THE PLAN OF MANAGEMENT

In the course of the investigation, the committee found it difficult to locate responsibility for many of the irregularities found to exist, not so much because of conflict of authority as outlined in the statutes, but because of a lack of centralization of both authority and responsibility. That which is "everybody's business is nobody's business," has, I believe, been clearly demonstrated. The present system of government of our educational institutions is complex and cumbersome, and instead of providing for a central office from which the affairs of the several institutions is directed and controlled we have a system by which it is impossible to determine from the general office of the board much about the real condition or situation with reference to the various schools. Furthermore, I find that while the state board of education is composed

of nine members and the finance committee of three members, the business of the university, in the way it is carried on, has been directed and dominated by three individuals, viz., the President of the University, the Chairman of the Finance Committee, and the President of the State Board of Education. Other than these three, and perhaps a very few others, no one seems to have anything but the most superficial knowledge of the affairs of the institution, or of what has been done, much less to know how it has been done.

The legislature has, twice within the last ten years, found it necessary to investigate the management and conduct of the affairs of the University, and practically all of the time between the investigations, complaints have been rife as to conditions alleged to exist. These complaints, while centered about the university, have to a less extent, been directed at other institutions and at the board and the finance committee. They have, in my opinion, to a considerable extent, worked to discredit the present system of management of the educational institutions of the state. I believe that whatever of success has been attained under the present system is due rather to the high standing and qualifications of the active members of the board under which the system was inaugurated and has been maintained than to the system itself, which, in my opinion, is cumbersome, involved, and fundamentally weak. Equal success with much greater economy and much less complaint and abuse has resulted from the more simple, efficient and practical form of organization of the Board of Control than that of the State Board of Education.

We therefore recommend that the law be so amended as to place the management and control of our educational institutions under a single board of three or five members who shall devote their entire time to duties of their offices and whose compensation shall be such as to enable the services of the most capable and able men to be obtained. That the handling of the finances of the various institutions be through the office of the treasurer of state on a plan similar to that now in vogue with reference to institutions under the management of the Board of Control, and that a comprehensive and uniform system of accounts be provided for the several institutions under the State Board of Education.

Respectfully submitted,

H. B. CARROLL.



## Minority Report

*To the Senate and House of Representatives of the Forty-Fourth General Assembly of the State of Iowa:*

Your Joint Committee, appointed pursuant to House Concurrent Resolution Resolution No. 8, duly organized for the purpose of taking testimony in the manner provided for by said Resolution on the 23rd day of February, 1931, and thereafter did continue its sessions and deliberations from day to day and concluded the taking of testimony on April 11, 1931.

The mandate of the Legislature in said Resolution was that the Committee thoroughly investigate the conditions and management of the affairs of the State University of Iowa, "both by the officials and employees thereof, and the State Board of Education." It was made the duty of the Committee to investigate the charges and claims of mal-administration of the affairs of the University and also other matters in connection therewith as they may arise, and in connection with the administration of the State Board of Education and the institutions under its control, and make written report of its findings and recommendations to the Governor and the Forty-fourth General Assembly of the State of Iowa.

There appeared before said Committee during the investigation approximately seventy-five witnesses, which included members of the Board of Education, President, members of the faculty and employees of the State University and others, whose testimony was taken down in shorthand by the reporters and daily transcribed. The transcript of the record, exclusive of four hundred four exhibits offered, consists of eight volumes, containing six thousand twelve pages, which transcript is submitted herewith and is hereby made a part of this report by reference. In addition to other matters and rumors which were investigated, the Committee also investigated twenty-one charges made by Verne Marshall of Cedar Rapids, Iowa, which were read into the record and are found on pages 21 to 32 of Volume I of the transcript.

The Committee in its investigation conducted hearings at the State University at Iowa City. While there it had occasion to examine the records of the business office, the buildings and grounds of that great educational institution, the progress, growth and expansion of which has been unusual.

From the testimony thus adduced, and the exhibits offered during the hearing, two members of said Committee submit the following minority report:

## FINDINGS

### 1.

We fail to find from the evidence that there was any larceny of any property of any kind or character belonging to the State University or the State of Iowa by any members of the Board of Education, members of the faculty or employees of the University.

### 2.

That it has been the policy of the Board of Education and the Finance Committee and the officials of the State University, in the development of the expansion program of the University, to purchase real estate out of the funds derived from tuition and fees paid by students.

### 3.

That it has been the policy of the Board of Education and the officials of the University of Iowa to permit the Superintendent of Buildings and Grounds of the University to build, construct and repair certain buildings on the campus, and that in the carrying out of this construction program it has been necessary to carry a large number of employees upon the payroll and that this construction program has brought about criticism from the Master Builders Association of the State of Iowa and others.

### 4.

That the Superintendent of Buildings and Grounds of the University has purchased large amounts of building material in the construction and expansion program of the University, and that as a result thereof the University has been placed in competition with those engaged in private enterprise.

### 5.

That a few employees of the University have occasionally used the workshops, machinery and tools of the University in matters pertaining solely to the private business of such employees.

6.

That a few employees have purchased through the departmental stores of the University materials and merchandise for their own private use, although the employees did pay for the same out of their own private funds.

7.

That there are some thirty-five residences purchased by the University in its expansion program now occupied by tenants. That in the extension of the heating mains, for the purpose of providing heat for the various dwellings, the facilities of the heating plant were extended to a private property belonging to the Dey Estate, and that the tenants of said properties pay to the University the cost of the heat so furnished.

8.

That in the construction program of the University, since 1924, the state has paid out in architect fees vast sums of money, in excess of \$150,000.00, but the evidence shows that the fees were lower than the established architectural rate.

9.

That in the development and expansion of the University, the Rockefeller Foundation and General Education Board contributed for the erection of the medical and hospital units at the University the sum of \$2,250,000.00, which said sum was equalled by an appropriation made by the Legislature of the State, and as a result there is now situated upon the campus a medical school and hospital second to none in the great middle west.

10.

That the Treasurer of the University, W. J. McChesney, is President of the First National Bank of Iowa City, and that, as Treasurer, he receives no salary, and his books and records are kept by the University auditor and secretary in the business office of the University.

11.

That the Finance Committee did purchase of W. J. McChesney, Treasurer of said University, a residence property, the legal title of which appears defective, but that the said W. J. McChesney has entered into a bond with the state in the sum of \$20,000.00 conditioned upon the correction of said title.

12.

That the funds donated by the Rockefeller Foundation and the General Education Board were paid in advance of the time needed for the construction of said medical and hospital units, through the requests and solicitations of W. R. Boyd of the Finance Committee and W. A. Jessup, President of the University, and that the greater portion of said funds were, pending the time of the use thereof in said construction program, through arrangements made by W. R. Boyd and W. J. McChesney, Treasurer of the University, invested by the said Treasurer through the Federal Reserve Bank of Chicago in government bonds and securities, which resulted not only in the conservation of the principal sum thus donated, but in the accumulation of interest for the benefit of the University the sum of \$161,808.30, and that in the investment of said funds the said W. J. McChesney, as Treasurer, retained in the First National Bank of Iowa City, Iowa, a portion of said funds which were uninvested, and which portion so uninvested, from the time of the receipt thereof up until the time the same were expended, would have earned, with interest at  $2\frac{1}{2}\%$ , on an average 90% daily balance, a sum amounting to approximately \$28,762.00.

It is further found, however, that at the time of the receipt of this fund the general banking conditions of the State of Iowa, due to the depression, were not the best, and that as a result of the investment by the Treasurer of that portion of the funds so invested in government bonds and securities the University has benefited to the extent of \$2,941.49 over what it would have benefited had said funds been invested in banks and interest paid thereon at the rate of  $2\frac{1}{2}\%$ . (That as to whether the University or the State of Iowa is entitled to interest upon that portion of the funds kept by the Treasurer in the First National Bank at Iowa City, Iowa, and which were not invested, at the rate of  $2\frac{1}{2}\%$ , this Committee makes no finding.)

13.

That the accounts of the business office of the University have been audited yearly since 1924 by auditors of the Budget Director's department of the State of Iowa, and by a firm of certified public accountants, namely Arthur Young and Company of Chicago, Illinois.

14.

That the University is a member of what is known as the Big Ten Conference in athletics. That during the year 1929 the University was suspended from its athletic relations with said Conference because of the claim of alleged violations of the rules of said Conference respecting the payment of tuition of athletes, and that as a result of such suspension, in order for said University to be reinstated in said Conference in its athletic relations, certain athletes, through no fault of theirs, were disqualified and suspended from further athletic participation; that action was taken upon the part of University officials with said Conference seeking to have said athletes so disqualified reinstated so as to be eligible for further athletic participation, which efforts proved to be of no avail; that the President of the University was not responsible for the suspension of the University from the Big Ten, nor for the disqualification of the athletes; that changes were brought about in the athletic department correcting what was claimed to be a violation by the University of the rules of said Conference respecting the payment of tuition of athletes. That said University has complied with the rules of said Conference, has been reinstated in its athletic relations with said Conference, and a harmonious athletic situation now prevails at said University.

15.

That the books and records of the business office of said University are kept upon what is known as the voucher system, and that in the carrying on of the instructional program of the University, together with the construction program in the development and expansion of the University, as hereinbefore referred to, the system of book-keeping thus prevailing has resulted in confusion to those not entirely familiar with the system, and misunderstandings have arisen as a result thereof, notwithstanding the audit so made by the Budget Director's department and the certified public accountants.

16.

We find that none of the charges made against the President of the University have been sustained by the evidence.

17.

That the institutions under the Board of Education have been developed to a high point of efficiency and are a credit to the state.

## SUGGESTIONS AND RECOMMENDATIONS

1.

That the policy of the Board of Education in entering upon a construction and building program with the superintendents of buildings and grounds or any other employees thereof in charge of construction and building should be discontinued, except where the cost of construction or building is less than \$10,000.00, and that all construction, painting or repair of buildings, where the cost thereof is in excess of \$10,000.00, should be let by contract under competitive bidding in the manner provided by law.

2.

That the policy of purchasing additional real estate in the expansion program of the institutions under the Board of Education, from tuition and fees, be discontinued during the present economic depression and until such time as the same has been approved by the Legislature of the State of Iowa.

3.

That the Board of Education be requested to suggest, in its next biennial report, any changes or recommendations for changes in the law, if any, to be made respecting the formation of, and the duties of the Board of Education and the Finance Committee; that the Board be requested to make its suggestions and recommendations, if any, respecting the employment by the Board of full time architects at a fixed salary, whose duty shall be to prepare plans and specifications for all buildings or improvements at the institutions; and that said Board be further requested to make a report respecting

in any way the administration of the affairs of the Board of Education and the institutions thereunder.

4.

That the use of the workshop, machinery or tools of said institution for private purposes be prohibited.

5.

That the purchasing power and facilities of the institutions should be used exclusively for the benefit of the institutions under the control of the Board of Education.

6.

That the Attorney General's department of the State of Iowa should be consulted in all matters of a legal nature pertaining to the affairs of said institutions where the same is practical. That in the case of the employment of private attorneys, the same should have the approval of the Attorney General of the State.

7.

That the primary object of the institutions under the control of the Board of Education is the teaching and instruction of students and not the construction of buildings or improvements, and that the best policy for the state to follow in carrying out its primary objective is to continue to cultivate the goodwill and cooperation of those engaged in private business.

Respectfully submitted,

W. S. BAIRD

L. H. DORAN