

JOURNAL
OF
THE SENATE
OF THE
TWENTY-SECOND GENERAL ASSEMBLY
OF THE
STATE OF IOWA,

WHICH CONVENED AT THE CAPITOL AT DES MOINES, JANUARY 9, 1888.

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DES MOINES:
GEO. E. ROBERTS, STATE PRINTER.
1888.

OFFICERS OF THE SENATE.

President,
JOHN A. T. HULL,
Des Moines.

Secretary,
CLOUD M. BROCK,
Marshalltown.

<i>First Assistant Secretary,</i>	-	W. R. COCHRANE.
<i>Second Assistant Secretary,</i>	-	E. D. CHASSELL.
<i>Engrossing Clerk,</i>	-	NANNIE J. STULL.
<i>Enrolling Clerk,</i>	-	IDA E. HUNTSMAN.
<i>Bill Clerk,</i>	-	MAY WILLIAMS.
<i>Postmistress,</i>	-	LIZZIE HUNTER.
<i>Sergeant-at Arms,</i>	-	RICHARD ROOT.
<i>Door keeper,</i>	-	A. J. P. BARNES.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, January 9, 1888. }

Pursuant to law the Senate of the Twenty-second General Assembly convened at 2 o'clock P. M., and was called to order by Lieutenant Governor Hull.

Prayer by Dr. Nash.

On motion of Senator Weber, Don D. Donnan of Johnson county, was elected temporary Secretary.

On motion of Senator Caldwell, Mr. Nichol of Guthrie county, was elected temporary Doorkeeper.

On motion of Senator Woolson, Richard Root of Lee county, was elected temporary Sergeant-at-Arms.

On motion of Senator Caldwell, a committee of five on credentials was appointed.

The Chair announced the following committee:

Senators Caldwell, Woolson, Poyneer, Dodge and Schmidt.

The roll of the Senators holding over was then called, and the following found to be present:

Seventh District—Talton E. Clark.

Ninth District—W. W. Dodge.

Tenth District—John S. Woolson.

Twelfth District—James Dooley.

Thirteenth District—J. G. Hutchison.

Twentieth District—S. T. Chesebro.

Twenty-first District—Wm. O. Schmidt.

Twenty-second District—P. B. Wolfe.

Twenty-ninth District—M. P. Doud.

Thirtieth District—C. H. Gatch.

Thirty-seventh District—N. F. Weber.

Thirty-eighth District—Matt. Parrott.

Forty-fourth District—R. G. Reiniger.

Forty-fifth District—A. N. Poyneer.

Forty-eighth District—John K. Deal.

Absent:

Eighteenth District—Lafayette Young.

Thirty-fourth District—L. K. Bolter.

Thirty-fifth District—W. J. Knight.

The roll of newly elected Senators was then called and the following responded:

First District—Wm. G. Kent.

Second District—B. R. Vale.
Third District—W. H. Taylor.
Fourth District—Warren S. Dungan.
Fifth District—J. B. Harsh.
Sixth District—Geo. L. Finn.
Eighth District—Thos. Weidman.
Eleventh District—James H. Barnett.
Fourteenth District—Ben McCoy.
Fifteenth District———
Sixteenth District—Richard Price.
Seventeenth District—T. J. Caldwell.
Nineteenth District—Wm. Groneweg.
Twenty-third District—A. G. Kegler.
Twenty-Fourth District—E. B. Bills.
Twenty-fifth District—M. J. Kelly.
Twenty-Sixth District—J. H. Smith.
Twenty-Seventh District—J. D. McVay.
Twenty-eighth District—W. D. Mills.
Thirty-first District—D. B. Davidson.
Thirty-second District—J. S. Lawrence.
Thirty-third District—Ed. P. Seeds.
Thirty-sixth District—F. D. Bayless.
Thirty-ninth District—L. S. Hanchett.
Fortieth District—L. B. Mattoon.
Forty-first District—J. H. Sweney.
Forty-second District—S. A. Converse.
Forty-third District—N. V. Brower.
Forty-sixth District—A. F. Meservey.
Forty-seventh District—A. B. Funk.
Forty-ninth District—O. M. Barrett.
Fiftieth District—A. O. Garlock.

On motion of Senator Poyneer, Jeff. Logan and Wm. Coalson were elected temporary janitors of the cloak room.

On motion of Senator Sweney, Clyde Bell was elected temporary messenger.

On motion of Senator McVay, Thaddeus Beaumont was elected temporary messenger.

On motion of Senator Reiniger, Capt. Lyon of Bremer county was elected temporary assistant door keeper.

On motion of Senator Weber, John McCoy was elected temporary messenger.

On motion of Senator Hutchison, the Senate adjourned until 10 o'clock A. M. the following day.

SENATE CHAMBER,
DES MOINES, IOWA, January 10, 1888. }

The Senate met pursuant to adjournment, at 10 o'clock A. M., and was called to order by President Hull.

Prayer by Rev. Dr. Collins.

The journal of previous day was read and approved.

On motion of Senator Caldwell a recess of ten minutes was taken.

The Senate re-convened after the recess.

Senator Caldwell from the Committee on Credentials, presented the following majority report:

SENATE CHAMBER, January 10, 1888.

MR. PRESIDENT—Your Committee on Credentials beg leave to report that the following named persons have presented to this committee certificates of elections, showing them to have been duly elected to the office of Senator from their respective senatorial districts:

First District—Wm. G. Kent.

Second District—B. R. Vale.

Third District—W. H. Taylor.

Fourth District—Warren S. Dungan.

Fifth District—J. B. Harsh.

Sixth District—George L. Finn.

Eighth District—Thomas Weidman.

Eleventh District—James H. Barnett.

Fourteenth District—Ben. McCoy.

Fifteenth District— ———.

Sixteenth District—Richard Price.

Seventeenth District—T. J. Caldwell.

Nineteenth District—William Groneweg.

Twenty-third District—A. G. Kegler.

Twenty-fourth District—E. B. Bills.

Twenty-fifth District—M. J. Kelly.

Twenty-sixth District—J. H. Smith.

Twenty-seventh District—J. D. McVay.

Twenty eighth District—W. D. Mills.

Thirty-first District—D. B. Davidson.

Thirty-second District—J. S. Lawrence.

Thirty-third District—Ed. P. Seeds.

Thirty-sixth District—F. D. Bayless.

Thirty-ninth District—L. S. Hanchett.

Fortieth District—L. B. Mattoon.

Forty-first District—J. H. Sweney

Forty-second District—S. A. Converse.

Forty-third District—N. V. Brower.

Forty-sixth District—A. F. Meservey.

Forty-seventh District—A. B. Funk.

Forty-ninth District—O. M. Barrett.

Fiftieth District—A. O. Garlock.

Your committee further report that certain papers have been presented to the committee with reference to the election of Senator from the Fifteenth senatorial district, which have been fully examined, but that the committee find no person has presented to this committee a certificate of election showing him to have been elected to the office of Senator and entitled to a seat from the Fifteenth senatorial district. The committee herewith return all papers which have been furnished to them for their consideration.

Signed by the committee.

T. J. CALDWELL.

J. S. WOOLSON.

A. N. POYNBER.

Senator Dodge from the Committee on Credentials presented the following minority report:

MINORITY REPORT OF THE COMMITTEE ON CREDENTIALS.

We, the minority of your committee, concur in the report of the majority as to all the districts named except as to the 15th. As to this district we further find and report that E. R. Cassatt presented to your committee his credentials as Senator-elect from the 15th district. Said credentials consisting of copies, duly certified by the Secretary of State, of the abstract of votes as canvassed by the board of supervisors and *ex officio* board of canvassers of the county of Marion, and also the county of Monroe, which counties compose said 15th district, as certified to the Executive Council and *ex officio* canvassers of said district, and now on file in the office of the Secretary of State, which said certificates show that said E. R. Cassatt received the highest number of votes cast for the office of Senator in said district, at the last general election. Also the statement of E. R. Cassatt that the Executive Council and *ex officio* board of canvassers have suspended the canvass of votes of said district and wrongfully withheld and refuse to deliver to him a proper certificate of election; and that such a showing of facts was made to this committee as to convince us that said E. R. Cassatt is duly elected Senator from the 15th district, and we recommend that the Senate, as soon as the newly elected Senators having certificates of election have taken the oath of office, proceed forthwith to pass upon the credentials and other papers presented as aforesaid to your committee pertaining to the right of E. R. Cassatt to be admitted and sworn in as Senator from the 15th district.

We further report that the evidence of the election in said district shows that E. R. Cassatt received a plurality over J. T. Young of nine votes.

That through an error of the judges of election in the fourth ward of Albia, Young was credited with ten more votes than he re-

ceived, and that it was an error is shown by the certificate of the three judges of election who certified that the mistake occurred by setting down on the tally sheet the straight Republican vote at fifty nine, when in fact it was only forty-nine.

They also certify that there was no excess of ballots in the ballot box, thence deducting the ten votes given to J. T. Young more than he received, E. R. Cassatt's plurality in said district was in fact nineteen.

It is farther shown by said evidence that the judges of election never certified to the county canvassers that there was any excess of ballots in the ballot box in said fourth ward.

It was further shown by the sworn statement of the Hon. J. T. Young that the mistake in said fourth ward was substantially as herein set forth.

W. W. DODGE.

WM. O. SCHMIDT.

On motion of Senator Dodge, the report of the Committee on Credentials regarding the newly elected members, except the portion referring to the 15th Senatorial District, was adopted.

The newly-elected Senators appeared, took and subscribed to the following oath:

You and each of you do solemnly swear to support the Constitution of the United States, and the Constitution of the State of Iowa, and that you will faithfully discharge the duties of Senators to the best of your ability.

E. B. Bills.

A. O. Garlock.

L. S. Hanchett.

J. B. Harsh.

Warren S. Dungan.

Wm. G. Kent.

J. S. Lawrence.

W. H. Taylor.

S. A. Converse.

N. V. Brower.

A. G. Kegler.

Richard Price.

M. J. Kelly.

D. B. Davidson.

O. M. Barrett.

A. F. Meservey.

G. L. Finn.

Ed. P. Seeds.

James H. Barnett.

J. H. Smith.

L. B. Mattoon.

J. D. McVay.

R. R. Vale.

Wm. Groneweg.

T. J. Caldwell.

J. H. Sweney.

Ben. McCoy.

Thos. Weidman.

A. B. Funk.

F. D. Bayless.

Senator Sweney offered the following resolution:

Resolved, That as hereinafter modified the printed rules of the Twenty-first General Assembly be and the same are hereby adopted until otherwise ordered.

That the report of the Committee on Rules, printed on pages 26 and 27 of the Rules of the Twenty-first General Assembly, relating to committees, be and the same is hereby adopted, excepting that the Committee on Public Health shall be composed of nine members, and that the Committee on Printing consist of five instead of three.

Adopted.

Senator Poyneer offered the following resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That a joint committee consisting of three from the Senate and three from the House be appointed to select a mail carrier.

Adopted.

Senator Finn offered the following resolution:

Resolved, That hold-over and re-elected Senators be permitted to take the seats occupied by them during the last session of the General Assembly, if they desire. Also, that Senators elected to fill vacancies be accorded the privilege of their predecessors. All other Senators draw seats by lot, unless they can otherwise agree among themselves what seats they shall occupy.

Senator Weber offered the following amendment:

Add the words, "Senator Chesebro shall be permitted to select any of the front desks that may be unoccupied."

The resolution as amended was adopted.

Senator Hutchison offered the following resolution:

Resolved by the Senate, the House concurring, That the Senate shall meet the House in joint convention at 11 o'clock A. M., Wednesday, January 11, to canvass the votes for Governor and Lieutenant Governor elected at the general election of the State, held on November 8, A. D. 1887.

Adopted.

Senator Gatch offered the following resolution:

Resolved by the Senate, the House concurring, that a committee of three from the Senate and three from the House be appointed to make suitable arrangements for the inauguration of Governor and Lieutenant-Governor.

Adopted.

On motion of Senator Clark, the consideration of the minority report of the Committee on Credentials was postponed and made a special order for 10 o'clock A. M. Friday.

The Senate then proceeded to the election of permanent officers.

Senator Sweney nominated Mr. Cloud H. Brock, of Marshall county, for Secretary of the Senate.

Those voting for Mr. Brock were:

Senators Barrett, Bayless, Bolter, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dungan, Funk, Garlock, Gatch, Hanchett, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, MoVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—37.

Absent or not voting:

Senators Bills, Brower, Dooley, Doud, Finn, Groneweg, Harsh, Kegler, Knight, Price, Schmidt and Wolfe—19.

Mr. Brock having received all the votes cast was declared elected.

Senator Sweney nominated Mr. W. R. Cochrane of Taylor county, for First Assistant Secretary.

Those voting for Cochrane were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Hanchett, Hutchison, Kegler, Kelly, Lawrence, Mattoon,

McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—37.

Absent or not voting:

Senators Bolter, Chesebro, Doud, Finn, Groneweg, Harsh, Kent, Knight, Mills, Schmidt, Taylor and Wolfe—12.

Mr. Cochrane having received all votes cast, was declared elected.

Senator Sweney nominated Mr. E. D. Chassell of Mitchell county, for Second Assistant Secretary.

Those voting for Chassell were:

Senators Barnett, Barrett, Bayless, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—39.

Absent or not voting:

Senators Bills, Bolter, Doud, Groneweg, Kegler, Kent, Knight, Schmidt, Taylor and Wolfe—10.

Mr. Chassell having received all votes cast, was declared elected.

Senator Sweney nominated Miss Nannie J. Stull, of Van Buren county, for Engrossing Clerk.

Those voting for Miss Stull were:

Senators Barnett, Barrett, Brower, Caldwell, Clark, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Lawrence, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman and Woolson—38.

Absent or not voting:

Senators Bayless, Bills, Bolter, Chesebro, Doud, Groneweg, Kegler, Kent, Knight, Mattoon, Mills, Schmidt, Taylor, Wolfe and Young—16.

Miss Stull having received all the votes cast was declared duly elected.

On motion of Senator Clark the Senate adjourned until 2:30 P. M.

AFTERNOON SESSION.

2:30 O'CLOCK P. M.

The Senate met pursuant to adjournment, and proceeded with the election of officers.

Senator Sweney nominated Miss Ida E. Huntsman of Mahaska county, for Enrolling Clerk.

Those voting for Miss Huntsman were:

Senators Barnett, Brower, Caldwell, Davidson, Deal, Dungan, Finn, Funk, Garlock, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger,

Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Woolson—32.

Absent or not voting:

Senators Barrett, Bayless, Bills, Bolter, Chesebro, Clark, Converse, Dodge, Dooley, Doud, Gatch, Groneweg, Kegler, Knight, Mattoon, Wolfe and Young—17.

Miss Huntsman having received all votes cast was declared elected.

Senator Sweney nominated Miss May Williams of Polk county, for Bill Clerk.

Those voting for Miss Williams were:

Senators Barnett, Chesebro, Davidson, Deal, Dungan, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—31.

Absent or not voting:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Dodge, Dooley, Doud, Finn, Gatch, Knight, Mattoon, Price, Taylor and Wolfe—18.

Miss Williams having received all votes cast, was declared elected.

Senator Sweney nominated Mrs. Lizzie Hunter of Jasper county, for Postmistress.

Those voting for Mrs. Hunter were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Chesebro, Davidson, Dungan, Finn, Funk, Garlock, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—34.

Absent or not voting:

Senators Bayless, Clark, Converse, Deal, Dodge, Dooley, Doud, Gatch, Groneweg, Kegler, Knight, Mattoon, Parrott, Taylor and Wolfe—15.

Mrs. Hunter having received all votes cast, was declared elected.

Senator Sweney nominated Col. Richard Root of Lee county, for Sergeant-at-Arms.

Those voting for Col. Root were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Davidson, Dungan, Finn, Funk, Garlock, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—34.

Absent or not voting:

Senators Bolter, Clark, Converse, Deal, Dodge, Dooley, Doud, Gatch, Groneweg, Knight, Mattoon, Mills, Schmidt, Taylor and Wolfe—15.

Col. Root having received all the votes cast was declared elected.

Senator Sweney nominated Mr. A. J. P. Barnes of Marion county, for Doorkeeper.

Those voting for Mr. Barnes were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Davidson, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, McVay, Meservey Mills,

Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young--33.

Absent or not voting:

Senators Bolter, Clark, Converse, Deal, Dodge, Dooley, Doud, Gatch, Kegler, Knight, Mattoon, McCoy, Parrott, Price, Schmidt and Wolfe--16.

Mr. Barnes having received all the votes cast was declared elected.

RESOLUTION.

Senator Sweney offered the following resolution:

Resolved, That Col. S. A. Moore of Davis county, G. Hutchins of Wright county, R. P. Harris of Woodbury county, Jacob F. Weaver of Jasper county, Wm. Priestly of Mahaska county, W. F. Lyon of Bremer county, Jonathan Clark of Dallas county and J. C. McMullen of O'Brien county, be and they are hereby appointed additional doorkeepers of the Senate, and assigned to duty as assistants, under the direction of the Doorkeeper.

The roll was called with the following result:

Those voting in the affirmative were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Chesebro, Davidson, Dungan, Funk, Garlock, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weidman, Woolson and Young--33.

Absent or not voting:

Senators Bills, Clark, Converse, Deal, Dodge, Dooley, Doud, Finn, Gatch, Groneweg, Hutchison, Knight, Price, Schmidt, Weber and Wolfe--16.

So the resolution was adopted.

Senator Sweney offered the following resolution:

Resolved, That Jeff. Logan and Wm. Coalson be and they are hereby appointed janitors of the Senate and are to have charge of the cloak room.

The roll was called with the following result:

Those voting in the affirmative were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dooley, Dungan, Funk, Garlock, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young--38.

Absent or not voting:

Senators Barrett, Bolter, Clark, Dodge, Doud, Finn, Gatch, Groneweg, Knight, Mills and Wolfe--11.

So the resolution was adopted.

The duly elected officers appeared and took the oath of office.

Senator Caldwell presented the following resolution:

Resolved by the Senate, That a committee of two be appointed to wait upon the Governor and inform him that the Senate is organized and ready to receive any communication he may have to make.

Resolution adopted.

The President appointed Senators Caldwell and Bolter as said committee.

Senator McCoy offered the following resolution:

Resolved by the Senate, the House concurring, That the Secretary of State purchase for the use of the State, and furnish to each member of this General Assembly, including the President of the Senate, a copy of McClain's Code, or a copy of Miller's Code, as each member may select. *Provided,* that the price to be paid shall not exceed seven dollars (\$7) per copy for each set of books.

Senator Seeds offered the following amendment to the resolution:

"And that said books be considered the property of the State, to be returned to the proper custodian of the property of the Senate at the conclusion of the session, to be kept for the future use of the Senate at the subsequent session."

Lost.

The question recurring upon the resolution, the yeas and nays were demanded.

Those voting yea were:

Senators Barrett, Bolter, Brower, Caldwell, Clark, Converse, Deal, Dodge, Dooley, Dungan, Funk, Garlock, Groneweg, Hanchett, Hutchinson, Kent, Kegler, Lawrence, McCoy, McVay, Meservey, Milla, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—34.

Those voting nay were:

Senators Barnett, Bayless, Bills, Chesebro, Davidson, Harsh, Mattoon and Seeds—8.

Absent or not voting:

Senators Doud, Finn, Gatch, Kelly, Knight, Taylor and Wolfe—7.
So the resolution was adopted.

RESOLUTION.

Senator Dungan offered the following resolution:

Resolved, That the Senate hereby invites the resident clergymen of Des Moines to open the morning sessions of the Senate with prayer, in such order as they may arrange among themselves. In their absence the President of the Senate may invite any visiting clergyman present to officiate as chaplain, and the latter shall receive the same compensation as resident clergymen.

Adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, January 10, 1888. }

MR. PRESIDENT—I am directed by the Governor to deliver to your honorable body a message in writing.

FRED. W. HOSSFELD,
Private Secretary.

Gentlemen of the Senate and House of Representatives:

You assemble under favorable circumstances. The chief questions that you will be called upon to consider have already been widely discussed by the people, and their opinions and desires are very well known. It is expected by your constituents that you will address yourselves to the work before you with prudence and devotion; that you will dispose of it wisely and promptly; that you will have great care for the reputation and honor of the State; that you will maintain the dignity and majesty of the law by providing certain and quick punishment for those who wilfully and persistently violate it; that you will see to it that aggregated capital, corporate or otherwise, does not take to itself a larger share of the general income than is fairly its due; that you will make sure that all your legislation is in the interest of justice, and well adapted to promote peace and prosperity among the people. You have it in your power to give the Twenty-second General Assembly a very honorable place in the history of the State. I congratulate you on your opportunities, and I congratulate the people that their interests are committed to men so well qualified to guard and promote them.

The constitution makes it the duty of the Governor to "communicate by message to the General Assembly, at every regular session, the condition of the State, and recommend such matters as he shall deem expedient." This I now proceed to do.

FINANCES.

The report of the State Treasurer exhibits the financial condition of the State, the resources and expenditures for the biennial period closing June 30, 1887, showing in detail the sources from which the revenue was derived, the disbursements and other matters of interest.

RECEIPTS.

Balance from last report.....	\$ 147,151.94	
From counties.....	2,882,179.27	
From insurance companies.....	140,355.24	
From Railroad Commissioners' tax	40,302.67	
Fees from State officers	67,407.36	
From telegraph and telephone companies	22,559.87	
From miscellaneous sources.....	21,060.96	
Transfers from temporary school fund	38,073.26	
Total.....		\$3,359,110.67

PAYMENTS.

State Auditor's warrants redeemed.....	\$3,231,151.39	
Interest on the same.....	107,565.23	
	\$3,338,716.62	
Cash in treasury June 30, 1887... ..	20,393.95	
Total.....		\$3,359,110.67
Warrants outstanding July 1, 1886.....	\$ 765,524.63	
Warrants outstanding July 1, 1887.....	455,967.80	

ESTIMATED RECEIPTS AND EXPENDITURES FOR THE CURRENT BIENNIAL PERIOD.

The Auditor of State estimates the receipts for the fiscal term commencing July 1, 1887, and ending June 30, 1889, from State tax, based on two and one-half mills levy in 1887, and two mills in 1888, and from other sources, at \$2,992,583. His estimated expenditures for the same period, exclusive of extraordinary appropriations, are \$2,174,280.00. Leaving for the payment of outstanding warrants and extraordinary appropriations, \$818,303.00. The warrants outstanding July 1, 1887, amounted to \$455,987.30, to which must be added about \$30,000.00 for interest, making a total of \$485,987.30, which, taken from the sum previously named, leaves \$332,315.70 that the General Assembly may safely draw upon for extraordinary appropriations. There is usually at the end of each biennial period a number of unexpended balances of special appropriations undrawn from the treasury. The aggregate of these, July 1, 1885, was \$363,148; July 1, 1887, it was \$153,104.91. A similar condition will probably exist at the close of the current period, and the unexpended balances, therefore, are not included in the above estimates. As already stated, the estimated revenue from the State tax is based upon two and one half mills in 1887, and two mills in 1888. The total assessment for taxation is \$495,710,241.00. An additional half mill for 1888 would increase the revenue about \$250,000, and make the sum for special appropriations about \$582,000, or something less than the amount of those of the same character made by the Twenty-first General Assembly. In view of the facts that property is assessed at scarcely one third of its actual value, that two and one half mills have been levied continuously for six years, and that the money is required to keep in proper repair the various State institutions and to provide for their growing necessities, I recommend that the levy be continued at two and one half mills.

The crops have been less abundant than usual, on account of the severity of the drouth during the last season, and every effort should be made that is possible to keep expenses within proper bounds. While the State tax has been one of the least burdensome, yet it is incumbent upon all, under present circumstances, to make no expenditure that is not really necessary, and I earnestly urge that no other expenditure be authorized or countenanced.

STATE INSTITUTIONS.

I herewith transmit to the General Assembly the biennial reports of the trustees, superintendents and other officers of the various State Institutions. I ask for these reports that careful consideration which their importance deserves. They contain the record of duties well and faithfully performed, and exhibit a condition of affairs alike creditable to those who have managed them and to the State.

Having, from frequent visits to these institutions, become quite familiar with their condition and management, it gives me pleasure to say that in my judgment they are economically and skillfully conducted, and are serving with praiseworthy fidelity the interests for

which they were established. Though the sums annually required for their support may seem large in the aggregate, they become small when divided among the whole people of the State, and probably no money expended brings a better return. It is not only a duty, but should be a pleasure, to our public spirited citizens to see that these institutions are maintained at a high standard of efficiency, and granted the aid necessary to enable them to do their work in the best possible manner. The recommendations made, particularly as to appropriations, should have your especial examination. The aggregate of the sums asked for new buildings, improvements, repairs, contingencies, etc., coming properly under the head of special appropriations, amounts to about \$1,147,656. These recommendations are undoubtedly, for the most part, based on the actual needs of the separate institutions as seen by their respective managers. Many of them ought to and can be complied with. But in the present condition of State finances, it will not be practicable to grant them all, scarcely indeed one half of them. In your wisdom you will be able to discriminate between the most urgent and those which can be safely deferred until another time. *Outstanding warrants should be paid during the first half of the current biennial period.* This provision made, the special appropriations may be safely carried, under a two-and-one-half-mill levy, to, but not beyond, \$582,000. Judiciously and fairly distributed, these, in my judgment, will be sufficient to keep the public property in good repair, and all the State institutions in a safe and prosperous condition. I trust it will be the resolute purpose of the General Assembly to promptly pay off the outstanding warrants of the State, and to keep the appropriations clearly within the limits of the estimated revenue of the period. It has been in the past the wise practice of the people and, in the main, of their representatives, to keep the State out of debt. The departure made from this wholesome rule, by the last two General Assemblies, in making appropriations considerably in excess of the revenue, *should not be repeated.* There is no necessity for it, while sound policy and the will of the people are both decidedly against it. But, whatever appropriations are made, an income should be secured to meet them. Within the bounds indicated, you will have my hearty concurrence in all measures designed to strengthen and promote the usefulness of our State institutions.

HOSPITAL FOR THE INSANE AT MT. PLEASANT.

The completion of a substantial and commodious wing to the hospital at Mt. Pleasant, at a cost of \$100,000, gives capacity to that institution to accommodate two hundred additional patients. There were here at the beginning of the period 544; at its close 707; an average population of 638. The total number treated was 1,311. Of these 235 were discharged recovered; 131 improved; 124 not improved; 114 died. The amount specified by law that may be drawn for each patient per month is \$16. The amount actually drawn was \$15 per capita for eighteen months, and \$14 for the remainder of the time. The expenditures were \$223,211.66. The annual cost of the support of each patient was \$174.92. The number of officers and employes at

the beginning of the period was 95; and at its close 115. There have been treated in this institution, since its foundation thirty years ago, 6,605 patients, of whom 1,989 have recovered; 1,133 improved; 1,545 not improved; 1,240 have died; and 11 have been discharged as not insane. The appropriations made by the last General Assembly have been economically and judiciously expended. The new wing was built under the immediate supervision of the Superintendent of the hospital, and is a model of convenience and solidity. The Trustees and Superintendent make recommendations and earnest pleas for considerable appropriations for needed improvements during the current period. The most of these improvements are desirable and should be made as rapidly as practicable.

HOSPITAL FOR THE INSANE AT INDEPENDENCE.

During the period an additional cottage has been completed and the capacity of the Hospital for the Insane at Independence thereby increased so as to accommodate one hundred additional patients. There were in this institution for treatment July 1, 1885, 694 persons. There were admitted during the period 654; 118 were discharged cured, 187 improved, 111 unimproved and 146 died; leaving in the hospital June 30, 1887, 791. The officers and employees at the beginning of the period numbered 130; at the close 140. The expenditures were \$251,549.68. The average daily number of patients was 736. The annual cost of each was \$170.89. This institution was opened in 1874 with an average population that year of 128. There has been an annual increase, and in 1887 the average population was 756, and the whole number of patients treated in 1887 was 1,069. The appropriations made by the last General Assembly have been well expended. The new cottage, costing \$40,000, furnishes cheap and good accommodations. The appropriation of \$15,000, to enlarge the rear central building, was not sufficient, as the Trustees report, to complete the improvement. An additional \$5,000 is asked by them for this purpose and should be granted. Water is supplied now in abundance and at reasonable cost, but more cisterns are still desirable. The ventilation of the main building should be improved and a passenger elevator put in. There is need of more land for the use of the hospital, and it should be purchased as soon as the condition of the State Treasury will justify it.

There is much in the reports of the Superintendents of these hospitals worthy of the attention of the legislature and of citizens generally. The large and increasing number of insane persons in the State, may well awaken public solicitude as to the causes of this increase and the best means for its prevention. I earnestly commend to your thoughtful consideration all that is said by these able and experienced Superintendents, touching the welfare of the unfortunate class with whom they have to deal, and especially as to the causes of insanity, the quarantine against imported cases, and the necessity for early treatment. July 1, 1887, there were 1,498 patients in the two Hospitals for the Insane, of whom 306 were born in Iowa, 504 in other States, 684 in foreign countries and 4 unknown. The foreign-born population of the State is about seventeen per cent of the whole,

while the foreign-born patients at the Hospitals of the Insane are forty-five per cent of the whole number.

THE NEW HOSPITAL FOR THE INSANE

at Clarinda is nearly ready for the reception of patients. It consists of: First, Administrator's building, containing all the necessary quarters for the officers and also accommodation for 40 patients. Second, one series of six wards with sufficient room for the accommodation of 200 patients. It will require, according to the estimate of the Commissioners, \$11,770 to finish and furnish these departments ready for occupancy. This appropriation should, I think, be made at once in order that the work already done may be utilized without further delay. The work thus far has been well done, but I regret that the Commissioners have not been able to accomplish the work according to their estimate presented to the last General Assembly, and there is consequently a delay in opening the hospital. With the completion and occupancy of the present portion of the building, the institution should be placed under the control of a Board of Trustees as the other hospitals are, and the work of construction continued under their management.

VISITING COMMITTEE.

The Hospitals for the Insane are visited once a month by one or more of the three members of the visiting committee. They go unannounced and visit all the wards of the hospitals unaccompanied by officers or employees, listen to all complaints, investigate all charges of abuse or wrong-doing, communicate freely with the patients, and are thus able to obtain a very complete and accurate understanding of the entire management of these institutions. The current report of this committee contains many matters of interest and suggestions of value. The general conclusion is that these hospitals are very carefully and humanely managed, and are doing very thorough and in every way excellent work.

INSTITUTION FOR FEEBLE-MINDED CHILDREN.

The population of this institution has increased during the period from 259 at the beginning, to 331 at its close; average 271. The trustees note with pleasure the prosperous condition of the institution and express the hope that its means for usefulness may be enlarged. Its facilities have been increased during the past two years, but it has now nearly all the inmates it can comfortably accommodate, while many applications for admission are still pending. The appropriations of the last General Assembly have been well expended. The recommendations of the trustees are entitled to much weight. The central building should be completed as soon as means can be provided. The superintendent is devoted to his work and makes in his report many valuable suggestions. The progress made in bringing into activity the darkened faculties of feeble-minded children has been very marked, and the work done in this institution has only to be observed in order to awaken an interest in it and to wish for its still further development.

SOLDIERS' ORPHANS' HOME.

The report of the Soldiers' Orphans' Home and Home for Indigent Children shows that since the opening of the institution in 1862, there have been received 1,496 soldiers' orphans, of whom but 42 now remain. Ninety-five per cent of those who have left are good and useful citizens. Since the home was opened for indigent children in 1876, there have been received from forty eight counties 542 children, of whom 251 remain, making the whole number in the home at the close of the period 293. The trustees and superintendent exhibit the needs of the institution, some of which are quite urgent. Since this report was made the home has had a severe loss in the destruction of the main central building by fire, caused by a stroke of lightning. There was also a loss of supplies, including provisions, clothing, furniture, etc., amounting to \$6,600, as estimated by the trustees. An appropriation of \$4,500 was made from the providential fund, by the executive council, on the 14th of November, 1887, and a temporary building has been put up to meet immediate necessities. The lost building, which was insured for \$15,000, should be restored as soon as proper funds can be provided. The temporary building has cost \$5,436.24, exceeding the appropriation from the providential fund by \$936.24. To meet this and also to supply the lost provisions, etc., an immediate appropriation of \$7,536.24 should be made by the General Assembly. This institution continues to do good work, and of a kind that appeals forcibly to the patriotic and humane sentiments of the people, and I am sure will not be neglected at your hands.

SOLDIERS' HOME.

The Soldiers' Home, located at Marshalltown, was formally opened on the 30th of November, 1887, and there are now about sixty old soldiers domiciled there. The board of commissioners have executed their trust very faithfully; the building erected is one of the most economically built of any in the State; and will serve its purpose well. The report of the commissioners will, as required by the statute, be made to the General Assembly, and will fully inform you as to the condition and needs of this new institution, which deserves, and I have no doubt will receive liberal treatment from you.

PENITENTIARY AT FORT MADISON.

The number of convicts in the Fort Madison penitentiary at the beginning of the period, was 412, at its close 360. The average number was 390. The total expenditures were \$142,245 21. The net cost of the prison to the State for the two years, after deducting earnings of convicts, was \$53,959.03. The prison has been managed with gratifying results. The prisoners have been well provided for and treated impartially, while everything has been done for their health and comfort that could be desired, and the discipline has been excellent. The electric light gives entire satisfaction. The buildings need some repairs, and the small appropriations asked for by the Warden are necessary. I do not consider any legislation necessary as to the division of convicts between the two penitentiaries until the Legislature

determines to classify the prisoners, which should be done on the completion of the penitentiary at Anamosa. Provision should be made at the present session for the employment of the convicts, as some of the contracts now existing will expire before the meeting of another regular session. From my personal observations, after carefully weighing the arguments in favor of our method of employment and others, and from the fact that experiments are now being made in other States that will later enable us to profit by their experience, and from the further fact that we have now only a small number of convicts under the contract system, I think we cannot do better than to continue that system for the present. In a few years the other prison will be completed, and we shall then have more knowledge upon the subject and shall risk less in experimentation. If our contracts are to be re-let we should secure more favorable terms than we have at present.

PENITENTIARY AT ANAMOSA.

General progress has been made in the construction of the prison at Anamosa, the work being prosecuted under the careful personal attention of the Warden. The building for the criminal insane is ready for the roof and inclosed by a stone wall. Sufficient funds should be provided for the completion of this department as it is sadly needed. At present, the criminal insane are confined in the Hospitals for Insane, and adequate accommodations are not provided. Their removal to new quarters will make room for a number of additional patients at the Hospitals. Upon the completion of this department, additional legislation will be required before it is occupied. Work has also been commenced on the building for female prisoners. Appropriation should be made for continuing the work of construction and keeping the convicts employed. At the beginning of the period the convicts numbered 255, and at its close 313; average, 296. The expenditures were \$177,447.14. The discipline has been good and the general management excellent. While the Prisoners' Aid Association is animated by the most generous and humane motives, in my judgment the funds used by that Association would accomplish much more good if placed in the hands of the Wardens, and used by them, in such manner as they see proper, to secure employment for discharged convicts.

CONVICTS DECREASING.

The whole number of convicts in the two penitentiaries at the beginning of the period was 607; at its close, June 30, 1887, 673; an increase of 6. The number at the beginning and close of the previous period was respectively 607 and 667, an increase of 60. During the period ending June 30, 1885, 76 convicts were pardoned out of the penitentiaries, and for that ending June 30, 1887, 46. January 1, 1888, the whole number of convicts was 648. These figures indicate a gratifying decrease in the number of our penitentiary convicts, a result largely due, I doubt not, to the enforcement of the prohibitory law. The complete enforcement of that law in all parts of the State will unquestionably still further diminish the criminal class.

PARDONS, SUSPENSIONS, COMMUTATIONS AND REMISSIONS.

During the two years closing December 31, 1887, I have granted conditional pardons, which may be revoked at any time, to 36 convicts in the penitentiaries. The suspensions were 54, commutations 9, remissions 11. The suspensions of sentence, which were also conditional, include temporary suspensions in several cases to await the prosecution of applications for pardons, and in at least two cases pardons were afterward granted, so that the same case appears under the head of pardons and also suspensions. There were also five cases of transfer to the Hospital for the Insane, which are included in the suspensions. In most of the suspensions the action was only to release from jail in cases of violation of the prohibitory liquor law, and did not release from the payment of the fine imposed. A full account of these pardons, etc., with the reasons for granting them, will be presented to the General Assembly in another communication.

INDUSTRIAL SCHOOL.

The Trustees of the Industrial School in their report speak words of gratitude and congratulation because the institution commenced in an humble way twenty years ago, has at last gained a good footing among the permanent institutions of the State and is doing a noble work in its efforts to "rescue the perishing." Since its beginning 1,580 children and youth have been under its instruction and care, many of whom are now useful and respectable citizens in this and other States. On the 30th of June, 1887, there were in the Boys' Department at Eldora 380 and in the Girls' Department at Mitchellville 112. The expenditures for the period were \$90,699.14. There is need, in the Boys' Department, especially, of greater facilities for employment. An idle brain is the devil's work-shop. Perhaps some of our public printing might be done at this school with a profit to it and to the State. This institution is one of much importance, good results are being secured, and I commend the reports of the Trustees and Superintendents to your attention, and trust you will give the school the support and encouragement it so justly deserves.

THE PUBLIC SCHOOLS.

The Superintendent of Public Instruction is able to report a most satisfactory and prosperous condition of education throughout the State. The number of school houses, their aggregate value, the number of teachers, and the school population have steadily increased. There are now 12,444 school houses, valued at \$11,360,472. The number of schools is 14,829, and the number of teachers 24,675. The permanent school fund is gradually increasing and now amounts to \$4,187,893.94; and there are 53,927.88 acres of school lands still unsold. The average monthly wages paid male teachers is \$38.42, and females \$29.10. The disbursements for 1886 were: school-house fund, \$952,540.03; contingent fund, \$1,361,749.39; teachers' fund, \$4,008,863.54; total, \$6,323,172.42. In the same year the whole num-

ber of children between the ages of five and twenty-one was 638,156, and there were enrolled in the public schools 480,788, with an average attendance of 284,567. The Superintendent reports that the law of the Twenty-first General Assembly requiring instruction in the public schools in relation to the effects of stimulants and narcotics upon the human system, has been generally obeyed. There has been unwillingness on the part of some parents to purchase the necessary text-books, but with some amendments, which he suggests, including this and other points, the Superintendent believes the law would be well and generally observed. There has been an increasing number of teachers in attendance upon normal institutes.

The last General Assembly, by concurrent resolution, requested the Superintendent of Public Instruction to embody in his next biennial report an exhaustive treatment of the subject of

COMPULSORY EDUCATION,

and the Superintendent devotes some forty pages of this report to that subject, giving its general history, the opinions of eminent educators, and some comparisons of the United States with other countries with reference to school attendance not very flattering to our national pride. I commend the subject of compulsory education to your thoughtful attention and judicious action. The people have a just pride in their public schools and in the report of the last national census, which showed that our State then had the lowest percentage of illiteracy of any State in the Union. But we may well fear, when we look at the small average attendance in our public schools in comparison with our school population, that we shall not maintain our previous advanced position unless some decisive steps are taken to bring into the schools of the State all, or at least a much larger percentage, of those who ought to partake of their advantages. Compulsory education is not an untried experiment. It is in successful operation in many of the most enlightened and cultivated States and Nations of the world, and it may well be considered whether the time has not fully come when it ought to be adopted in Iowa. In my judgment it has, and I recommend the passage of a suitable law in reference thereto.

SCHOOL BOOKS.

In reference to this subject I would say, keep the State from engaging in commercial enterprises like the publishing of school books, etc. Leave to the people of school districts great freedom to determine such questions, and to govern their own affairs.

STATE UNIVERSITY.

The services of several new professors, who have distinguished themselves in their particular lines of study, have been secured for the University within the last year, which will give the students of this institution better advantages than have ever before been provided for them. It is the determination of the Board of Regents to

place the University in the first rank of the educational institutions of the country. The people of the State demand a high standard of educational facilities to meet the wants of the future, and nothing should be left undone that will help to secure them. No teachers should be employed but those of the highest attainments. It will need increased income to provide such, but the funds should be furnished as fast as plans can be matured to properly use them. We cannot afford to have a second class University.

It is a highly favored community that secures the location of such an institution, and especially so if its inhabitants have sufficient spirit and enterprise to make the most of it. While receiving the favor, a burden is imposed upon them to do everything which they can do for its highest success; for not only is literary education to be secured, but health is to be preserved, character is to be formed, manners are to be learned, moral principles established, a law-abiding spirit inculcated, and for all of these much depends upon location and surroundings, its beauties and opportunities for exercise, and the character of the local population. We should have at least 1,000 students here. I see but one obstacle in the way. The Prohibitory Law is not enforced with sufficient vigor in Johnson county to make it as effective as it should be to harmonize with the sentiment of those who most desire to patronize the institution. Hence we have only about one-half the number of students at the University that we should have. Hundreds of students now seek other places for this reason. I desire to impress upon the good people of that county, and especially upon the younger generation, who are not wedded to the outgrown evil customs of the past, the necessity of enforcing the law and banishing the sale of intoxicating liquors as a beverage entirely, from that vicinity.

AGRICULTURAL COLLEGE.

This institution is doing excellent work, and deserves liberal encouragement and support at the hands of the people's representatives. The needs of the college in the way of repairs and improvements are fully set forth in the report of its president. It will probably not be practicable to grant all these requests, but some of them, the ladies' hall especially, are very urgent and cannot well be deferred. I commend the institution, its work and its wants, to your attentive consideration.

In this connection I call your attention to an act of congress approved March 2, 1887, establishing experiment stations at the various agricultural colleges of the country. For the necessary expenses of these experiments it provided that the sum of \$15,000 be granted to each State annually from the United States treasury, the appropriation to be made each year. By an apparent oversight, or by the close technical ruling of the Treasury Department, no appropriation has yet been made available for carrying out the purposes of the act. The matter is regarded as one of much importance by agricultural institutions, and it might be well for the General Assembly to memorialize congress in relation thereto.

STATE NORMAL SCHOOL.

All the counties of the State, except ten, have been represented among the students in the Normal School at Cedar Falls during the past two years. The Principal reports that nearly all the graduates of the institution are engaged in teaching, or hold positions directly connected with our school system. Changes have been made in the course of study, by which the work done by the high school is recognized and supplemented so that the graduates of the latter may be fitted in the shortest practicable time for teaching. The needs of the School are fully set forth in the report of the Trustees and Principal. Some repairs of the buildings, better means of lighting, and other improvements are urgently needed. I think the legislature should deal as liberally with this institution as the means at its command, and a due regard for other obligations, will justify. The training of teachers is one of the most important elements of a successful system of public schools, and cannot safely be slighted or neglected.

INSTITUTION FOR THE DEAF AND DUMB.

The Trustees and Superintendent report a prosperous condition of this institution. The average attendance has increased, the health of the pupils has been good, and their progress satisfactory. Since the close of the period, a change has been made in the management of the school which separates the office of Principal from that of Superintendent. The Trustees express their satisfaction with the results of this change, so far as developed, and confidently anticipate still further progress and success in all departments. They make, in detail, a representation of the various needs of the institution, in the way of improvements and repairs, to which your attention is directed. All the State institutions ought to be provided with a sufficient contingent and repair fund, so that the buildings and grounds may be kept in proper order without infringement upon their current support funds. This is especially true of the institution at Council Bluffs, where considerable repairs are sure to be required, owing to the character of the buildings and grounds. Other appropriations asked are, some of them at least, quite urgent, and should be made as far as practicable. I regard it as highly important that the best facilities should be afforded here for industrial as well as for literary education.

COLLEGE FOR THE BLIND.

The period has been one of prosperity to the College for the Blind. The attendance has been larger than ever before, numbering one hundred and eighty seven at the close, and the School is well organized, with competent officers and teachers. The government of the institution, under the Trustees, is divided between the Principal and the Secretary of the Board, the former having charge of the School proper and the boarding department, and the latter of the building, grounds, stock, and improvements belonging to the College. The

Principal has under his control, as assistants and helpers, thirty persons, and the Secretary four. The special appropriations have been well expended. The requests made by the Trustees for appropriations should be duly considered, and granted so far as is consistent with the needs of other institutions and the condition of the public treasury.

MILEAGE AND PER DIEM.

In reference to the mileage and per diem of Boards having charge of State institutions, the law should be so amended as to pay, say, \$5 per day, for time actually and necessarily spent in the discharge of their duties, and also the actual and necessary expenses incurred while so engaged; but in no case should the latter exceed five cents per mile, by the nearest traveled route, from and to their homes. Great care should be exercised in the selection of these officers, in order to secure the services of those who have both the time and the disposition to attend closely to the duties of their respective positions.

STATE HISTORICAL SOCIETY.

The Curators of the State Historical Society report a satisfactory increase in the library both in bound volumes and pamphlets. The "Historical Record," a quarterly periodical, is published for the purpose of preserving in permanent form facts connected with the history of the State. With the completion of the new Capitol there is a feeling quite general that the Historical Society of the State should have a permanent home in some of its ample rooms, and that increased effort should be made to inquire into, collect and preserve all information and objects of interest connected with the history of our State from its first settlement. Iowa is behind some of her sister States in these matters, and cannot too soon begin to recover lost ground. I commend the subject to your favorable action.

STATE LIBRARY.

The condition of the State Library is shown by the report of the Librarian. In the past nearly the entire strength of this institution has been given to its law department. The collection in this line is superior and extensive and very justly the pride of judges, attorneys and the people generally. But I think the time has come when the scope of the Library should be enlarged, particularly in its historical, literary and scientific departments.

THE WEATHER SERVICE

has for its object the study of the climate of our State in its most essential features. The observations are made by a number of volunteers in different counties under the direction of the central bureau at Iowa City. The results of this service are of interest to a large number of intelligent citizens and the work should be continued. The reports of the Director contain much information of value.

BOARD OF PHARMACY.

The number of registered pharmacists whose certificates were in full force September 15, 1885, was 1,843; September 15, 1887, it was 1,729, a reduction of 114. The Board has the record of about one hundred cases prosecuted for violations of the pharmacy law, seventy-five per cent of which resulted in conviction. Fines imposed have amounted to nearly \$10,000, of which about \$7,000 have been paid into the school fund, but only \$925 have been paid into the State treasury on the twenty-five per cent enforcement fund according to the law of 1886, being twenty-five per cent of \$3,700. The funds at the command of the Board have not been sufficient to prosecute all violators of the law, and many cases have been referred to county attorneys for prosecution, but as these officers do not report to the Pharmacy Board, but few of their cases have been heard from. During the two and one fourth years covered by the report, receipts from licenses granted have amounted to \$3,800, which have been applied to contingent expenses, clerk hire, and expenses of Board meetings. Fees from all sources for the period named have amounted to \$7,812, which apportioned among the Commissioners has given to each an annual compensation of \$1,041.60. The report of the Commissioners gives a full account of their work and the operation of the pharmacy law, with various suggestions and recommendations as to deficiencies and needed amendments. It is not improbable that the people generally have failed to rightly estimate the many difficulties attending the strict enforcement of this law; and they may not likewise have given the Commissioners full credit for their earnest efforts to discharge their whole official duty. Undoubtedly amendments are needed, particularly in reference to the sale of intoxicating liquors, and I ask for the subject your earnest consideration. The provisions should be made more stringent and the methods of dealing with delinquents more direct and certain.

DENTAL EXAMINERS.

The total number of registered and licensed dentists as shown by the records of the State Board of Dental Examiners is 489, an addition of 26 during the year 1887, 23 of whom are graduates. The Examiners report 70 Iowa students now attending dental lectures, 55 of whom are in the dental department of the State University. The Examiners say that the law is having good results in increasing the knowledge and skill of the dental profession. They recommend an amendment to the law, increasing the fees for licenses granted upon examination from two to ten dollars, and five dollars for licenses to holders of valid diplomas, which would enable the Board to prosecute the work with greater efficiency than at present.

STATE BOARD OF HEALTH.

The fourth biennial report of the State Board of Health is less voluminous than those preceding it, but it is better adapted to general usefulness, and contains a large amount of interesting and valuable information. The Board has been active in its efforts to protect and

promote the health of the people of the State. It has distributed a large number of original pamphlets and circulars relating to sanitary measures and contagious diseases. Its timely warnings have undoubtedly guarded against much sickness, while its enforcement of the medical practice act has done not a little to improve the average character of the profession and to diminish the evil caused by that class of medical colleges which only exist for the purpose of selling degrees and preying upon an unsuspecting public. I commend the work of the Board to your favorable consideration. The small outlay of money required for its operations is *nothing* as compared to the greater benefits that may be derived therefrom.

THE NATIONAL GUARD

is composed of forty-eight companies, the limit permitted by law but the strength of each company is kept at about the minimum number of forty enlisted men. The encampment of 1885 was by regiments, that of 1886 by brigades. The Adjutant-General reports that the Guard of the State is rapidly coming to a substantial basis, taking more pride in its full army equipment and ability to subsist itself, and in all its training to follow the methods of the United States Army, rather than in taking on the showy, holiday appearance once so prevalent. At present there is no law authorizing the payment of the Guard when called into the service of the State. This should be provided for by an appropriation which could be drawn upon when needed. The Adjutant-General in his report makes a number of recommendations looking to the still further improvement of this important branch of the service, all of which I heartily approve. The State can well afford to encourage its Guard and aid it more liberally than it has done hitherto. Our appropriations for this purpose have been very light as compared with those of many other States. The Adjutant-General's office should be removed from the Arsenal building to the Capitol.

THE STATE VETERINARY SURGEON

represents that the appropriation for the expenses of his office was not sufficient to enable him, personally or by deputy, to answer all the calls made for his services. I have occasion to know that these calls have been very numerous. I recommend that the appropriation be increased, and also that an appropriation be made that can be used in an emergency, providing

PLEURO PNEUMONIA

should break out in this State. If no provision of this kind is made, and this disease should get a foothold in the State, a special session of the legislature might have to be called, causing delay and additional expense. We are now comparatively helpless, or would be, were it not for the co-operation of the national government.

This dread disease would probably already have invaded our State had it not been for the prompt action of the Veterinary Surgeon and

the Board of Health. In February last, prominent farmers and stock-growers of the State, realizing the extreme danger then existing on account of the prevalence of pleuro-pneumonia in Illinois, particularly in and near Chicago, requested that additional restrictions be placed upon the importation of cattle from that State. I thereupon issued a quarantine proclamation forbidding such importation except in special cases to be approved by the Veterinary Surgeon of this State. In company with that officer I visited Chicago and arrangements were made, with the hearty concurrence of the railroad companies, by which the spread of the disease into Iowa was happily prevented. That proclamation was in force until November 21, 1887. It is reported that the loss to the State of Illinois from this outbreak of pleuro pneumonia was not less than \$2,000,000. The lesson ought not to be lost upon our own State. Ceaseless vigilance and the most prompt and energetic measures to stamp out the disease, should it appear, will only save Iowa from a similar calamity. The Veterinary Surgeon recommends several amendments to the law, to which I ask your attention.

HOG CHOLERA

is one of the most common among the diseases of animals with which our farmers have to contend. The annual losses from this disease are variously estimated from \$1,000,000 to \$1,500,000. With a small per cent of the loss of a single year expended under the direction of the Veterinary Surgeon, I think the disease could be exterminated in the State. The magnitude and importance of this interest demand that nothing which can be reasonably done for its protection should be left untried. It is penny wise and pound foolish not to make provision for this.

AGRICULTURE

is our chief interest. If it languishes all other interests suffer. It deserves the care and attention of both the State and National legislatures. The diseases which effect our live stock are general, and can be dealt with effectually and finally only by National authority. I recommend that Congress be memorialized by you to make ample appropriations which can be used in emergencies to crush out pleuro-pneumonia, hog cholera and similar contagious diseases. By prompt and energetic action many millions might be saved.

The Agricultural and Horticultural Societies, Fine Stock Association and other organizations have been doing good work. These, with farmers' institutes, and other methods of awakening the public mind and securing the intelligent application of the best means to produce the highest prosperity upon the farms of Iowa, and the greatest happiness in the homes which beautify the prairies of our State, should be liberally encouraged by the representatives of the people in their legislative action. A large number of the members of the present General Assembly are practical farmers, and they should especially charge themselves with the duty of seeing that the great interests with which they are so closely identified are not over-

looked, and that they receive the full measure of attention which they deserve at the hands of the law-making power.

DAIRY INTERESTS.

The report of the Dairy Commissioner shows an encouraging condition of that important branch of our agricultural industry. State and National laws regarding the manufacture and sale of oleomargarine have annihilated that business in this State, and there has been a marked increase in the manufacture and sale of genuine butter. It is estimated that Iowa produced 40,000,000 pounds of butter during the six months ending June 30, 1887; an increase of 10,000,000 pounds over the product of the corresponding period of the year before. Within the last year thirty new creameries have been put in operation and a number that had been previously closed re-opened. The dairy law of the last General Assembly has vindicated the wisdom of its passage, and the Dairy Commissioner has done excellent work and at small expense to the State.

MANUFACTURES

should also meet with every reasonable encouragement. Diversified industry is absolutely essential to the growth of a strong, independent and wealthy State. Many of our manufacturers have been unable to thrive as they should, because of the discriminations against them and in favor of others located outside of our borders, on the part of railroad corporations. Large cities and great industries have been built up east, west, north and south of Iowa, and very largely at the expense of our people, by reason of these discriminations. We have been unable to avail ourselves of the advantages of our central position and of the magnificent water-ways which form our eastern and western boundaries. These matters deserve your profound attention.

OIL INSPECTION.

The report of the State Oil Inspector covers a period of fifteen months. The number of barrels of oil inspected and approved was 170,691; rejected, 1,716. Number of barrels of gasoline consumed, 42,435. Total fees collected, \$19,362.45. The work was done by the Inspector, assisted by his secretary and seven deputies located in different parts of the State. The Board of Health, in a valuable paper on kerosene oil, says: "The people of Iowa may now congratulate themselves upon being as safely protected against accident from kerosene oil as those of any other State in the Union, both in their homes and in the railroad car. No legislation, however stringent, can protect against carelessness and negligence in the use of the products of petroleum. Naptha, the dangerous property of petroleum, is really more dangerous than gunpowder." It is the purpose of the law, which is doing good work, to remove so much of the naptha from petroleum as to make it safe for household purposes without detracting from its illuminating quality.

FISH COMMISSION.

The term of A. W. Aldrich having expired, I appointed in May last E. D. Carlton, of Dickinson county, commissioner. He has removed the fish hatchery from Anamosa to Spirit Lake, in Dickinson county, as directed by the Twenty-first General Assembly. About four acres of ground was given by the Spirit Lake Hotel and Transportation Company, and eight new ponds were provided. The old property at Anamosa, of about twenty acres, was sold for \$320 after having been well advertised. The commissioner will not be able to do more than has been done in the past in the way of enforcing the law, unless more funds are provided. These violations are often very wanton and should be summarily punished. The law should either be enforced or repealed.

BUREAU OF LABOR STATISTICS.

In the report of the Commissioner of Labor Statistics will be found much valuable and interesting information. It shows wages, cost of living and various other things desirable to know. In view of the early expiration of the contracts for prison labor in the Fort Madison penitentiary, the Twenty-first General Assembly requested the commissioner to investigate that subject. He has done so, and some sixty pages of his report contain the results of his inquiries. The facts, figures and opinions which he has collected, covering as they do, a wide field are of considerable value. The commissioner has also in obedience to the same authority, gathered much information in relation to assessment and taxation, in the different counties of the State, which will be useful to the legislator. The commissioner will be able to continue the work of this bureau without increased appropriation.

COAL MINE INSPECTION.

The mine inspectors, who report monthly to this office, say that the coal mines are worked at present to their full capacity. The demand for coal is good and the miners are all employed. The number of mines is 515. The output of coal in 1886 was 3,853,372 tons; in 1887 it was 4,014,490 tons; an increase of 161,118 tons. During the two years there were thirty-eight fatal and eighty-two non-fatal accidents. The greatest number of men employed at one time was about 11,000. During the thirteen months, ending June 30, 1887, that the present inspectors have been in office, improvements have been made in the mines as follows: forty-seven air shafts, seventy-four second openings, thirty-eight stair-ways, forty-four safety catches, fifty-four covers on cages, fifty-nine safety gates, eleven furnaces, sixteen fans, and eleven breaks on drums. The inspectors estimate the amount of capital invested in the mining interests of the State at \$9,487,125. The absence of strikes indicates harmonious relations between operators and miners—relations which it is hoped may be continued without interruption. The increasing demand for coal, with better transportation rates, promises activity and prosperity for this important and growing branch of industry.

THE NEW CAPITOL.

I employed Hon. Delos Arnold, of Marshall county, to assist me in making settlement with the Capitol Commissioners in compliance with the provisions of chapter 100, laws of the Twenty-first General Assembly. I herewith present his report and also the final report of the Capitol Commissioners. Mr. Arnold made a careful examination of the transactions of the Commissioners from the beginning to the close of the work, including bids for materials, prices paid, bills, vouchers, wages, etc., and reaches the conclusion, in which I concur, "That in the expenditure of funds coming into their hands and in the performance of the duties imposed upon them by law, the Commissioners have been governed by honest motives; have exercised wise discretion, and have faithfully executed the trust assigned them."

The expense of this examination was \$1,083; of which \$700 was paid to Mr. Arnold; \$290 to Mr. Williams, accountant, and \$93 to Miss Gowdy, clerk. I received from the Capitol Commissioners the sum of \$1,616 23, which I paid into the State Treasury.

The new capitol has cost \$2,676,543.24; the furniture, \$129,131.77; boiler house, \$25,844.19; street improvement, \$24,994.59. These, with some smaller items make the entire expenditure \$2,871,612.05. Some work remains to be done. The stone for the outside steps is cut and on the ground. The Commissioners procured plans, specifications and drawings, now in the hands of the Custodian, giving an estimate of the expense to complete the capitol and properly grade the grounds at about \$130,000. This work should be completed as soon as is consistent with other obligations. The new capitol is looked upon with pride and satisfaction by the people of the State who visit it. It is a commodious and beautiful building erected without scandal or debt.

PUBLIC BUILDINGS AND PROPERTY.

The Custodian of Public Buildings and Property has made quarterly and annual statements as required by law. He has attended closely to his duties and taken good care of the interests committed to his charge. I do not think it advisable for the State to insure its public buildings, as it can carry its own insurance more cheaply. The cost attending the care of the capitol for the year 1886, including labor, fuel, gas, furniture, carpets, repairs, salaries of Custodian, watchmen, janitors, mail-carrier, etc., was \$28,027.85. Nearly one-half of this accrued during the session of the General Assembly in that year. The cost of the same for 1887 was \$21,829.60. The cost of the new work included in these expenses was \$2,188.34. The Custodian makes a recommendation advising the sale of the old capitol, with which I agree.

JUDICIAL DISTRICTS.

The judicial system provided by the Twenty-first General Assembly has given general satisfaction. The enforcement of the Prohibitory Law has been so efficient in reducing crime and consequently diminish-

ing the business of the courts, that I recommend a consolidation of districts so as to reduce the number of judges from forty-four to forty, as I am satisfied it can be done without much inconvenience to the service, and will be a saving financially.

STATE PRINTING AND BINDING.

The following figures show the cost of the State printing and binding for the fiscal periods :

	Printing.	Binding.
Ending Sept. 30, 1879.....	\$32,267.55	\$17,512.81
Ending Sept 30, 1881.....	83,845 15	23,938 68
Ending June 30, 1883.....	38,707.15	22,034.60
Ending June 30, 1885.....	58,224 32	42,728.44
Ending June 30, 1887.....	60,046.68	43,562 75

There is a constant tendency to increase the amount of matter printed and bound at the expense of the State, as the above figures clearly and forcibly indicate. The subject is worthy of the careful attention of the General Assembly. I recommend that it be thoroughly investigated, with a view of greatly diminishing the amount of matter printed, readjusting and reducing prices, and so amending the laws as to lessen largely this now heavy and growing expenditure. The examination of printed reports will show that in the aggregate hundreds of pages are occupied with detailed lists of vouchers, inventories of a multitude of small articles, and prolonged tabular statements, adding much to the bulk of these reports but giving to the people of the State very little information of value. The law, which now requires the publication of these things, should be amended, the amount of printed matter cut down, and prices reduced.

REGISTRATION AND FEWER ELECTIONS.

The registration law for cities has, in some of its features, given excellent satisfaction. These should be preserved, while amendments, which experience has shown to be necessary, should be made to render the execution of the act less burdensome. The law ought to be perfected and retained as one of the permanent statutes of the State.

There appears to be a general and increasing desire on the part of the people for fewer elections, and I renew my recommendation that steps be taken to amend the constitution of the State so as to provide for biennial elections only. These should be held in the even-numbered years to correspond with congressional elections.

MUNICIPAL SUFFRAGE FOR WOMEN

is favored by many of our best citizens. It is claimed by those who advocate this that it is not only right and just, but that it would so reinforce the better element of the population of our cities as to secure a more perfect enforcement of the criminal laws and greatly improve the government of our municipalities. The experiment

might be a safe one, for if women should not avail themselves of the privilege when conferred, or if the results were unsatisfactory, the same power that bestowed the franchise could revoke it. I commend the proposition to your thoughtful and respectful attention.

LAND DEPARTMENT.

The report of the Secretary of State furnishes an account of the transactions of the Land Department for the period. There is still a large number of unissued patents, particularly of the School, Agricultural College, and University lands. There are many inquiries concerning land grants and titles to lands which have to be answered from that office. Deeds to lands belonging to the State should be kept in that office and should be recorded. Now they are scattered, some kept in one place and some in another. The School lands received by the State under the Congressional grant amount to 1,549,087.75 acres, and there yet remain unpatented 137,799.30 acres. During the period there were patented 20,464 acres of school lands, 382.64 acres of the 500,000 acre grant and 446.06 of the mortgaged school lands. There still remain unsold 2,059 acres of the University lands, and 2,607.07 of the Saline land grant. The University also has 601.45 acres of land given it, and 165 acres acquired by purchase at sheriff's sale. The report also gives a list of the lands and lots owned by the State taken on account of the debts of James D. Eads, Samuel E. Rankin, Samuel M. Dyer and R. G. Orwig, none of which are needed for State purposes. It would be well, I think, if the Executive Council were authorized to sell this property, the old State Capitol included, under a uniform plan of appraisement and advertising.

In addition to swamp land indemnity fund reported by the State Treasurer as received from the United States and paid to proper counties, the sum of \$2,069.53 was paid through the executive office to Clinton county.

The report also contains the bill which was passed at the first session of the Forty-ninth Congress for the relief of the settlers on the

DES MOINES RIVER LANDS,

but vetoed by President Cleveland. The bill was passed in the Senate over the President's veto but failed in the House. At the second session of the same Congress the bill was passed in the Senate but the House failed to act upon it. It is probable that the subject will be this winter further pressed upon the attention of Congress. The State should render all assistance in its power for the relief of the Des Moines River Land Settlers who entered upon the same with good reason to believe they were public lands. I earnestly commend the matter to your consideration.

RAILROAD LANDS.

The report gives a list of 26,017.33 acres of land patented to the State as railroad lands, but which in accordance with provisions of

chapter 71, acts of the Twentieth General Assembly, were relinquished and reconveyed to the United States, the list being certified by me on the 12th of June, 1887, as directed in section 2 of said act. I also patented to the C., M. & St. Paul Railroad Company under provisions of chapter 21, acts of the Seventeenth General Assembly, 3,342.86 acres in Dickinson county, and 34,197.36 in O'Brien county; total, 37,540.22. The whole amount of public lands in the State received by the railroad companies as donations is 4,393,436.78 acres, or about *one eighth of the entire acreage of the State.*

INSURANCE.

During the year 1887 two hundred and seventy-five insurance companies were legally doing business in this State. Of these, fourteen fire companies, four life companies, and ninety-three co-operative fire companies were organized in Iowa. In 1886 the amount of risks written by fire companies was \$194,964,393; premiums received, \$3,030,902; amount of losses paid, \$1,325,062. In 1886 the life companies wrote 7,421 new policies, and had at the close of the year \$47,532,751 of insurance in force on the lives of citizens of Iowa. The total premiums received were \$1,054,542, and the losses paid were \$398,483.

The State Auditor has been as vigilant in his examination of the affairs of insurance companies as his other duties would permit, and has done all in his power, under present laws, to place the business upon a sound basis. Iowa affords a good field for legitimate insurance companies but has no room for fraudulent concerns. No companies of doubtful standing should be permitted to do business. Home companies should be encouraged. Authority should be given the Auditor and means placed at his disposal to enable him to exterminate illegitimate companies, and to compel legitimate ones to do a strictly lawful and safe business. Co-operative associations are furnishing cheap insurance and generally giving good satisfaction. The whole subject of insurance is one of very great importance the people of the State and should have the most careful attention of the General Assembly. The magnitude of the interests involved is so great that they should be placed in the hands of a separate department, where they could receive the undivided attention of those charged with their supervision.

The revenue to the State in taxes and fees from this source amounts to nearly \$100,000 a year, and it should be, by proper amendments to the law, somewhat increased. A separate department, while securing better service, would be but little more expensive than the present method. The duties of the Auditor of State, aside from those connected with insurance, are varied and of great importance and responsibility, and sufficient for his entire time; while the business of supervising insurance companies is not germane to his office and has no natural connection with it. He cannot indeed attend to insurance properly, without neglecting to some extent his other duties. The Legislature undertakes to protect the people from the imposition of worthless insurance companies, and it should, both by its laws and the supervision it secures, make that protection as perfect as possible.

In these particulars much yet remains to be done. An insurance department should be created at the present session of the General Assembly.

BANKS.

The latest returns at hand give the following figures as to the number, capital, and deposits of the State and National banks:

Number.	Capital.	Deposits.
37 savings banks	\$ 2,123,893.67	\$ 9,969,019.03
65 incorporated (not savings).....	3,579,843 12	5,747,236 97
123 national banks.....	10,150,000.00	19,284,697.83
Total	\$15,853,536.79	\$35,001,003.83

REPORT OF RAILROAD COMMISSIONERS.

The report of the Railroad Commissioners shows that the number of miles of railway in the State, June 30, 1887, was 7,997. The number of miles built last year was 432. The amount of stock representing the roads in Iowa is \$147,350,517.48. Amount of bonds for the same, \$150,296,919.87. Stock per mile, \$19,347.21. Debt funded and unfunded per mile, \$25,350.52. Total stock and debt per mile, \$43,697.73. The cost of the roads and equipment in Iowa is placed by the Commissioners at \$261,747,197.44. The gross earnings of the roads in Iowa, passenger, mail and express, \$10,208,086.72; freight and miscellaneous, \$27,321,643.05; total, \$37,529,730.62. Increase over previous year, \$1,436,624.08. Expenses of roads, \$24,152,990.71. Net earnings after paying all expenses, \$13,376,739.91. Net earnings per mile, \$1,672.73. Taxes paid in Iowa, \$1,011,530.85. Total number of employes in the State, 29,078. Amount paid employes, \$15,146,334.84. Locomotives in State, 1,177. Cars, passenger, 638; baggage, mail and express, 255; box freight, 18,681; stock, 3,116; coal and platform, 7,973; other cars, 2,479; total, 33,142. Number of stations in Iowa, 1,379. Number of miles in operation January 1, 1888, 8,263. During the year 132 persons were killed, 8 of whom were passengers, 59 employes, and 65 not connected with the operation of the roads. In the same time, 440 persons were injured—28 passengers, 354 employes, and 58 not connected with the operation of the roads.

RAILROAD LEGISLATION.

I propose to discuss in another paper, more fully than the limits prescribed to myself in this message will permit, the relation of railroad corporations to the State and the duty of the latter to protect its citizens against exorbitant rates, unjust discrimination, and unfair and inequitable dealings of all kinds at the hands of these corporations. At present I make the following recommendations in regard to that portion of railway traffic that comes within the control of State authority:

First. I recommend the passage of a law destroying the pass sys-

tem, root and branch. No one should be permitted to ride free except the officers and employes of railroads, and they only when traveling upon the legitimate business of their respective companies. Neither passes nor mileage tickets should be used in payment for services or work of any kind done for railroad companies. Such services and work should be paid for in cash.

Second. I recommend that maximum passenger fares on first-class roads be fixed at two cents a mile. In my judgment increased travel, and receipts from those who formerly traveled on passes, will soon make up to the railroad companies any loss they may suffer from this reduction in fares, and the change will prove beneficial both to them and to the people. A large percentage of the business is already done at this rate, but not enjoyed by those least able to pay.

Third. I recommend the passage of a law fixing reasonable maximum rates of freight on the principal commodities transported by rail; and also authorizing and requiring the Railroad Commissioners to reduce said rates at any time when, in their judgment, they are too high. If it shall be held that the legislature cannot delegate to the Commissioners the power to absolutely fix such rates, then they should be regarded as *prima facie* reasonable rates. Railroads should not be permitted to raise any freight rate at any time without the written approval of the Railroad Commissioners.

The companies should be required to furnish sufficient freight cars. There have been, during the present season, hardship and suffering in the midst of plenty, in the Northwestern part of the State, because of the failure of the railroads to provide sufficient rolling stock to move the products of that section.

Should the General Assembly decide to make the Railroad Commissioners elective by the people, or nominated by the Executive and confirmed by the Senate, such legislation will not meet with any opposition at my hands. The salaries of the Commissioners are now paid by the railroad companies. I recommend that the law be so amended that they shall hereafter be paid by the State.

Railroad corporations in the running of trains do not pay sufficient regard to the Sabbath. They not only deprive large numbers of their employes of the weekly rest which is essential to their physical and moral well-being, but they also set a bad example to the rest of the community. A large part of the present Sunday work of railroads could and should be discontinued. During the year nine persons were killed and one hundred and thirty-four injured in coupling cars. The companies should be required to adopt more modern appliances. I invite your attention to these subjects.

Railroad companies are public corporations, and the railways should be, by law, declared public highways, and their officers should be required to take an oath to obey the constitution and laws of this State and of the United States. The right of the State to control railroad companies has been confirmed by the highest judicial authority. While stringent means should be applied to strong corporations, the weak ones should be protected, and especially the new roads making efforts to do business at lower rates. Penalties should be provided and more effective measures used to compel the companies to comply with the laws. Combination should be prevented and competition

secured. The State should assume and maintain the full, thorough and complete regulation of railroads by law.

ASSESSMENT AND TAXATION.

The assessed value of property is as follows:

Lands and town lots.....	\$360,981.885	
Personalty	101,655.098	
Railroads.....	38,722.761	
Telegraphs.....	421.281	
Telephones.....	159,273	
	<u>\$501,960,398</u>	
Less exemptions for tree culture.....	\$ 6,240,157	
Total for taxation.....		\$495,710,241

All property is protected by the law. All is undervalued, and much personal property is not listed for taxation, which is required by law, to be listed. This imposes an undue proportion of taxes upon those who make full returns to the assessor. The plainest principles of good government are violated, when these inequalities which may be reached and obviated by legislation, are still permitted to exist year after year. Protection for all property is desired, and those who have charge of it, and the owners should not shrink from bearing their just share of the burden. County treasurers should remit to the State Treasurer taxes collected each month. Counties should be held for full amount of levy and have the benefit of all interest collected. Much interesting information and many suggestions as to proper legislation upon this subject will be found in the current report of the Bureau of Labor Statistics, obtained from county officers, many of whom have had long experience in assessing property and in levying and collecting taxes. There is a very general feeling that additional legislation is needed, and I again commend the whole matter of assessment and taxation of property to your earnest consideration.

COUNTY AND CITY INDEBTEDNESS.

The report just mentioned also contains some interesting information relating to county and city rates of taxation, expenditures and indebtedness. The reports are not complete, but enough is given to show that both city and county indebtedness is comparatively light. An exception may be made to this statement in the case of five or six cities, and perhaps two or three counties, that are still bearing considerable burdens of indebtedness arising from aid voted to railroads many years ago. On the whole, however, the showing is very favorable, in comparison with some of our neighboring States. Thirty-five of our fifty-eight cities report an aggregate indebtedness of \$3,474,383. Those reporting include nearly all of the larger cities, and it is probable that the entire city indebtedness is not over \$4,000,000. County indebtedness amounts to \$2,704,769. Nowhere is a higher standard of public or private credit maintained, and nowhere are the rights of property more carefully guarded than in Iowa.

COURTS OF CONCILIATION.

Public attention is being directed to simpler and less expensive methods of settling disputes between individuals, such as often lead to costly litigation and sometimes to unpleasant and vexatious feuds of long standing. Courts of conciliation have been in existence many years in other countries and with very happy effect. They consist of judges, not usually lawyers, but men of good judgment, high character, and kindly disposition, who in the presence of both parties to a dispute, but no other persons, hear both sides, and then endeavor to bring them to a common understanding and agreement, and in a large majority of cases with entire success. It is a very simple method of arbitration, yet permanent and possessing sufficient legal power to make its work effective. I do not doubt there is much in this worthy of attention, and I recommend that some committee of your body be charged with the duty of investigating and reporting upon it, with a view of bringing it into more general public notice and discussion, which may lead to its adoption.

TOPOGRAPHICAL SURVEY.

An opportunity is afforded for making a complete and minute topographical survey of the State in connection with a similar work now being executed by the authority and under the direction of the general government in the different States and Territories of the Union. Full details of the plan of co-operation, its utility, cost, time necessary for its completion, etc., have been placed in my hands by Prof. McGee of this State, now engaged in the United States geological survey, and I shall be pleased to lay them before you, or any committee of the General Assembly having such matters in charge. There is also need for a more careful geological survey of the State than any hitherto made, particularly in reference to the undeveloped wealth which undoubtedly exists below the surface, and of which there are many certain indications. The flow of natural gas in several counties, the need of artesian wells, and the benefit to be derived from the further development of our coal industry, stimulate the desire for a more complete exploration of the interior of the earth. Suggestions have been made that the State should undertake some work of this kind, doing it more systematically and thoroughly than can be accomplished by private enterprise. The whole field is one of very interesting inquiry to which I invite your attention.

REFUND OF DIRECT TAX.

There is a bill before Congress for repaying to the States and Territories the sums respectively received from them under the direct tax act approved August 5, 1861. The amount imposed upon Iowa under that law was \$452,088. The State undertook the collection of this tax and received therefor a commission, or discount, of fifteen per cent, the actual amount paid over to the United States being \$384,374.80. The whole tax imposed amounted to \$20,000,000. The amount credited, as paid, including commissions, is \$17,359,685.51; amount still due, \$2,640,314.49. The bill remits and relinquishes the latter

amount and refunds the former. This bill is just and should become a law. It would relieve the State resting under the burden of the amount still due, while the refunding to the States which came to the rescue of the general government when it was in distress, would be a graceful act on the part of the latter now that its treasury is burdened with a troublesome surplus. I recommend that you memorialize Congress for the speedy passage of this bill.

MISCELLANEOUS.

Notarial Commissions.—A new period of three years for the issue of notarial commissions will begin July 4, 1888. The number issued in the last two and a half years is 5,997, for which a fee of \$1.25 each has been charged. This hardly covers the expense attending the issue of a commission. I recommend that the fee be raised to \$3, and for commissioners in other States to \$5.

John Tolman School Lands.—The Eighteenth General Assembly appropriated \$8,000 to indemnify certain purchasers of land in Webster and Hamilton counties. On the 20th of December, 1887, there remained undrawn of said appropriation \$3,161.27. The interest on these claims should be stopped.

Telegraph, Telephone and Express Companies should be required to report as fully to State authorities as railroad companies and bankers now do.

Telegraph Tolls should be reduced. Twenty-five cents is a sufficient compensation for twenty words between any two points in Iowa.

Divorces are more numerous than they should be in a well regulated society. I recommend a revision of the law upon this subject with a view to bringing it into harmony with the latest and best judgment of the age in which we live.

Section 3861 of the Code should be amended by striking out "ten," in the third line, and inserting "sixteen."

Drawing Money from the Treasury.—The Auditor of State suggests, if sections 1679 and 1693 of the Code were amended so as to make the current expenses of the College for the Blind and the Institution for the Deaf and Dumb payable monthly, the business of his office would be facilitated, and that of these institutions conducted more satisfactorily. Money should be drawn from the State treasury only as it is needed, and should not be allowed to accumulate in local treasuries.

The Governor should have authority to receive and care for works of art and literary productions.

Information from Judges.—On the 6th of December, 1887, I addressed a letter to the judges of the State inviting suggestions as to amendments that should be made to our statutes; and also requesting them to apprise me of the effect of the Prohibitory Law in their respective districts, particularly upon crime and criminal expenses, and whether they would advise its repeal, and if so, what they would propose to place in its stead. At this writing I have received replies from about two thirds of the judges, containing many valuable sugges-

tions and recommendations, which I shall at an early day lay before you for your information.

Section 4773 of the Code should be so amended as to permit contracts for coal to be made at a different season of the year from the one there named.

Selecting Juries.—Many complaints are made in reference to the character of juries, particularly in the larger cities, where there is a growing demand for a change in the methods of their selection. The professional jurymen ought to be discouraged, and a higher order of talent and character brought into requisition. Some recent trials have demonstrated the necessity, if the ends of justice are not to be defeated, of some improvements in these matters, and, that possibly in certain cases, the State should have the right to a change of venue. To the whole subject I invite your earnest attention, with the hope that suitable remedies may be provided for an evil, which, if not promptly checked, may in time become one of great magnitude and difficult of eradication.

A Gift of Land.—In the month of October, 1886, I received from Dudley W. Adams and his wife, of Allamakee county, a deed to a tract of seventy-six acres of land in the incorporated town of Waukon, of said county, for the use of the Agricultural College, it being the desire of the donors to promote agricultural education. The gift is made upon certain conditions, which are set forth in the deed. Having no authority to accept such a donation on behalf of the State, I respectfully refer the matter to the General Assembly.

"Trusts."—I recommend that prompt measures be taken to protect the people against the abuses under the cover of combinations generally known as "trusts" or "pools." There is a common belief that these and similar combinations suppress competition, enhance the cost of the necessities of life, and lay heavy burdens upon those least able to bear them.

PROHIBITION.

Much progress has been made in the enforcement of the Prohibitory Law. Not only has public sentiment much improved in relation to it, but judicial officers are more disposed to secure its enforcement. Many judges gave strong testimony in its favor, showing that, where it had been well executed, there has been a marked reduction in criminal offenses, and also in court expenses. During the last year, and particularly during its latter half, there has been a decided falling off in penitentiary convicts, and a very large number of county jails have been empty, some of them for the first time in years. There has been a marked improvement in the condition of our poorer people, especially in the families of laboring men addicted to strong drink. What was formerly squandered in the saloon now goes to the support of wife and children. Hundreds of witnesses to this can be cited.

While there is very little difficulty now in enforcing the law in the rural districts and in a very large majority of the counties, there are still a few portions of the State, particularly some of the larger cities, where the law is not enforced. This, however, does not include all

such cities, for in Des Moines, Sioux City and Cedar Rapids, three of the largest and most rapidly growing cities of the State, the Prohibitory Law is now, and has been for the past year, well enforced. The Constitution makes it incumbent upon the Governor to

ENFORCE THE LAWS.

There is not much difficulty in complying with this injunction in reference to the laws generally. The law for the suppression of intemperance however is, in some places an exception. Citizens have again and again called upon me to enforce the Prohibitory Law in the few counties and places where, as yet but little regard has been paid to it. I in turn have called upon the judges, sheriffs, and other officers to aid in accomplishing this, but, I regret to say, without success. I know of no means at the command of the Executive which can be relied upon to secure better results in the future. I therefore recommend that a joint committee of the General Assembly be appointed early in the session to inquire into the reasons for the non-enforcement of this law in certain communities; and whether the officers there are neglectful of their duties. I think some measures should be adopted to quicken the consciences of the officials, who neglect or refuse to perform their sworn duty; or else provide a way for their suspension or removal. It is a disgrace to the State to have its authority so openly defied. Our people are strong in their convictions that this law should be enforced as well as others, and it is the duty of the Legislature to provide the means. The authority of the Legislature in these matters is no longer a subject of dispute. The recent decision of the Supreme Court of the United States settles that question, and on grounds so broad and just as to make it impregnable and final. The chief and confident hope of the opposers and violators of the law has been that this tribunal of final resort would set it aside, or least so impair its efficiency as to render its further continuance impossible. On the contrary, this decision sustains the principle of the law so completely and sweepingly as to become its strong bulwark of support and defense. The Court says there is no justification for the claim that such a law aims to deprive the citizen of his constitutional rights; "for we cannot shut out of view the fact within the knowledge of all, that the public health, the public morals, and the public safety, may be endangered by the general use of intoxicating drinks; nor the fact, established by statistics accessible to every one, that the idleness, disorder, pauperism and crime existing in the country are, in some degree at least, traceable to this evil. If, therefore, a State deems the absolute prohibition of the manufacture and sale, within her limits, of intoxicating liquors for other than medical, scientific and manufacturing purposes, to be necessary to the peace and security of society, the courts cannot, without usurping legislative functions, over-ride the will of the people as thus expressed by their chosen representatives." The Court further declares that the right to manufacture intoxicating drinks for general or individual use, as a beverage, does not inhere in citizenship, and that no one's constitutional rights of liberty or property are interfered with when such manufacture and sale are forbidden by the State. With this powerful

support, it only remains for the friends of good government and law and order, in Iowa, to press patiently, yet resolutely, forward with this great reform, until the saloon and all illegal manufacture and sale of intoxicating liquors are utterly destroyed. Such amendments should be made to the law as are needed and best calculated to make it thoroughly effective in accomplishing its purpose.

CONCLUSION.

I have now, to some extent, set before you the condition of the State, and have recommended such matters as seem to me expedient. I am not, and I feel sure that you will not be, unmindful of the fact that great care should be taken in the change and amendment of our statutes. The whole body of our laws is a growth of many years, and it should not be unnecessarily or lightly interfered with. Only such additions and changes should be made as justice and the public welfare clearly require. Relying upon the continued favor of Divine Providence, and with great faith in the uprightness and patriotism of the people, I shall gladly co-operate with you in the adoption of such measures as seem to be best calculated to promote the advancement and prosperity of the State.

WM. LARRABEE.

January 10, 1888.

Read in part, and on motion of Senator Woolson further reading was dispensed with at present and message referred to different committees when appointed.

RESOLUTION.

Senator Reiniger offered the following resolution:

Resolved, That the appointment of seats to and supervision of reporters and representatives of the press be and the same is hereby delegated to the Secretary of the Senate.

Adopted.

The President of the Senate announced the following as messengers of the Senate: Thad. S. Beaumont, Lawrence K. Deal, Frost Blyler, John M. McCoy, Albert Wishard, Bruce Clark, Harry Young. And also appointed Laura G. Holt as one of the paper-folders.

Senator Reiniger offered the following resolution:

Resolved by the Senate, the House concurring, That the Committee on Appropriations of Senate and House are hereby instructed when appointed to report at as early day as practicable, to their respective bodies, for consideration, all appropriations for the several State institutions, and for public buildings and grounds, and that said committee have leave to report at any time.

Adopted.

Jeff Logan, janitor, and Miss May Williams, bill clerk, appeared at the bar of the Senate and took the oath of office.

Senator Weber offered the following resolution:

Resolved, That the President appoint a committee of two to notify

the House of Representatives that the Senate is now organized and ready for business.

Adopted.

Senators Weber and Chesebro appointed as committee.

Senator Schmidt offered the following resolution:

Resolved, That the Senate do now enter into executive session.

Adopted.

Senate went into executive session.

Executive session closed and Senate re-convened.

Committee from the House inform the Senate that the House is organized and ready to proceed with business.

Moved by Senator Caldwell, the Secretary of the Senate be instructed to inform the House that the Senate has already informed the Governor that the Senate is organized for business.

Moved by Weber, that the roll be called and hold-over and those re-elected or Senators elected to fill vacancies answer by giving the numbers of their desks and stating whether satisfied or not.

Carried.

Roll called.

Senator Sweney offered the following resolution:

Resolved, That the adjournment of the Senate, unless otherwise ordered, be until 2 o'clock P. M. of the succeeding day.

On motion of Senator Hutchison the further consideration of the resolution was postponed until Friday morning.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in Senate resolution in reference to the consideration of appropriations to State institutions.

Also, in reference to the concurrent resolution relative to meeting the House to canvass the votes of Governor and Lieutenant-Governor, with amendment.

Also, in reference to making arrangements for the inauguration of Governor and Lieutenant-Governor.

Also:

I am directed to inform you that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

Relative to inaugural ceremonies.

Also:

I am directed to inform you that the House has passed Senate concurrent resolution:

Relative to Mail Carrier.

D. C. KOLP, *Chief Clerk.*

HOUSE MESSAGES.

On motion House messages were then considered.

Resolution relative to canvass of vote on Governor and Lieutenant-

Governor by joint convention, amended by the House by substituting January for December.

Amendment concurred in by Senate.

President appointed following committees to act with similar House committees:

On Inauguration Arrangements—Senators Gatch, Schmidt, and Sweeney.

On Mail Carrier—Senators Poyneer, McVay and Gatch.

Senator Dooley moved that the Senate do now adjourn until to-morrow morning.

Carried.

SENATE CHAMBER.
DES MOINES, IOWA, January 11, 1888. }

The Senate met in regular session at 10 A. M. and was called to order by Lieutenant-Governor Hull.

Prayer by Rev. Wm. Kephart.

The journal of the previous day was read and approved.

The President announced Ida S. Dwinell of Sioux county, as paper folder.

Senator Caldwell introduced the following resolution:

Resolved, That the Secretary of State be directed to furnish waste baskets for the use of the Senate.

Adopted.

INTRODUCTION OF BILLS.

By Senator Woolson, Senate File No. 1, a bill for an act prohibiting the leasing of convict labor within the State of Iowa, and providing for the employment of such labor.

Read a first and second time and ordered to lie upon the table and ordered printed.

By Senator Hutchison, Senate File No. 2, an act granting to the Chicago, Burlington & Quincy Railroad Company all the title and interest of the State of Iowa in and to certain grounds on the Des Moines river in the city of Ottumwa, Wapello county, Iowa.

Read a first and second time and referred to the Judiciary Committee when appointed. Ordered printed.

By Senator Weber, Senate File No. 3, an act to provide for the State printing and binding, and repealing certain portions of the code relating to the election, duties and compensation of State Printer and State Binder.

Read a first and second time and referred to the Committee on Retrenchment and Reform when appointed.

By Senator Seeds, Senate File No. 4, a bill amending chapter 161 of the laws of the Twenty-first General Assembly.

Read a first and second time and ordered to lie upon table until committee is appointed.

By Senator Seeds, Senate File No. 5, a bill for employing soldiers and sailors of the Union army.

Read a first and second time. To lie upon table until committee is appointed.

By Senator Price, Senate File No. 6, a bill for an act for the relief of Adair county.

Read a first and second time. To lie upon table and be referred to committee when appointed.

Senator Woolson, President *pro tem* of the Senate, took the chair.

By Senator McVay, Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa, and keep the same in good repair.

Read a first and second time and referred to Committee on Railroads when appointed.

By Senator McVay, Senate File No. 8, a bill for an act to repeal section two (2), chapter seventy-seven (77), acts of the Seventeenth (17) General Assembly, and providing for the election of Railroad Commissioners by the people.

Read a first and second time and referred to Committee on Railroads when appointed.

CONCURRENT RESOLUTION.

Senator Woolson offered the following concurrent resolution:

WHEREAS, As it appears from the report of the State Treasurer that the State of Iowa is considerably in debt, and as the Twenty-second General Assembly of Iowa is in favor of retrenchment and reform, and as the Governor of Iowa has specially and personally visited and examined the different State institutions and reported in reference thereto in his annual message now before the Senate, therefore be it

Resolved, That the appointment of visiting committees to the different State institutions be dispensed with.

Senator Dodge offered the following amendment:

Amend by adding to the resolution: "Except a special committee be appointed to examine into the management of the Anamosa Penitentiary."

On this the yeas and nays were demanded.

Committee from the House reported the House in readiness to meet the Senate in joint session.

The hour having arrived for the joint session the Senate was requested by the President to accompany him in a body to the House. Senator Lawrence was appointed to act as a teller for the Senate.

The Senate then went into joint convention.

The Senate re-convened at 5:30 P. M.

Senator Finn moved to postpone the matter under consideration until 10:30 A. M. Friday, January 13, 1888.

JOINT CONVENTION.

January 11, 1888.

The Senate appeared for joint convention.

Senator J. S. Woolson, President *pro tem.* of the Senate, called the joint convention to order at 11:05 A. M., and announced Senator J. S. Lawrence as teller on the part of the Senate.

The Speaker announced Mr. A. Custer as teller on the part of the House.

The roll was called, and a majority of both houses was found to be present, as follows:

Messrs. Agnew, Anderson A, Anderson C. L., Ball, Barnett, Bayless, Beem, Berryhill, Bills, Blythe, Bolter, Brower, Brown, Buell,

Burgess, Byers, Caldwell, Calvin, Chantry, Chapman, Chesebro, Clarke A. D., Clark T. E., Converse, Craig, Crooks, Cummins, Curtis, Custer, Darnall, Davidson, Davie, Dayton, Deal, Dietz, Dobson, Dodge, Dooley, Doron, Doud, Draper, Dungan, Duus, Eckles, Eilers, Estes, Field, Finn, Foley, Funk, Garlock, Gatch, Groneweg, Hall, Hamilton, Hanchett, Harsh, Hart, Hauser, Hipwell, Hobbs, Homrighaus, Horton, Hospers, Hotchkiss, Hunter, Hutchison, Jolly, Jones, Kegler, Kelly, Kennan, Kent, Kline, Knight, Larson, Lawrence, Lewis, Lockin, Mack, Mahoney, Mattoon, McCoy, McFarland, McVay, Meservey, Mills, Mitchell, Moore, Nelson, Nicoll, Oakman, Owen, Parkhurst, Parrott, Paschal, Piatt, Poyneer, Price, Redman, Reiniger, Rice, Roach, Roberts, Robeson, Roe, Roundy, Rowan, Russell, Schleicher, Schmidt, Seeds, Shipley, Slosson, Smith J. A., Smith J. H., Steele, Sweney, Taylor, Teale, Theophilus, Thompson, Thornburg, Thorniley, Tipton, Townsend, Vale, Wagner, Walker, Weber, Weidman, Wilbur, Wilson E., Wilson S., Wolfe, Woods, Woolson, Wyckoff, Wyman, Yergey and Young—142.

Members not answering were:

Messrs. Evans, Fillmore, Head, Limback, Luke, Riley and Robb—7.

The Speaker then opened the returns in the presence of the joint convention which proceeded to canvass the vote for Governor and Lieutenant-Governor at the general election in 1887.

There being no objection, two votes in Black Hawk county for W. C. Cadwell were counted for W. C. Caldwell.

There being no objection, votes for N. J. Cain were counted for M. J. Cain.

There being no objection, duplicate returns from Des Moines county were directed, one to be counted, the other to be filed with the Secretary of State.

Same disposition of duplicate returns from Emmet county.

A vote in Franklin county for Mrs. T. J. Anderson was counted for T. J. Anderson.

On motion of Mr. Riley the joint convention took a recess until 2 o'clock this afternoon.

The joint convention reconvened at 2 o'clock P. M.

Called to order, President Woolson in the chair.

Duplicate returns were found from Guthrie county, both lacking seal of board of supervisors.

On motion of Mr. Thompson one was counted, the other directed to be filed with the Secretary of State.

There being no objection, two votes from Hancock county for Anderson were counted for T. J. Anderson.

Of duplicate returns from Harrison county, one was counted and the other directed to be filed with the Secretary of State.

Same disposition of duplicate returns from Jackson county.

There being no objection, returns from Keokuk county were counted notwithstanding absence of seal of board of supervisors.

There being no objection the returns from Louisa county were counted, notwithstanding several informalities and errors reported by the board of supervisors in returns from Columbus City, Concord and Elm Grove townships.

The returns from Muscatine county had no seal attached, but were received without objection.

The returns from Union county showed in writing 1,041 votes for Wm. Larrabee and in figures 1,541. There being no objection the return was counted 1,541, that number agreeing with the total.

The returns from Wright county had no seal attached, but were received without objection.

On motion of Senator Sweney 239 votes for J. T. Anderson were counted for T. J. Anderson.

On motion of Mr. Roe 147 votes for J. E. Sovereign were counted for J. R. Sovereign.

The President of the joint convention then announced the vote of Governor at the November election, 1887, in the State of Iowa, as follows:

For Governor:

Wm. Larrabee.....	160,595
T. J. Anderson.....	153,706
M. J. Cain.....	14,283
V. G. Farnham.....	384
J. M. Anderson.....	43
Scattering.....	50

And declared that William Larrabee, having received the highest number of votes cast for Governor, is elected Governor of the State of Iowa for the term of two years from the second Monday in January, 1888, and until his successor is elected and qualified; and the following certificate was signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 11, 1888. }

This is to certify that upon a canvass in joint convention of the two houses of the Twenty-second General Assembly of the State of Iowa, of the votes cast at the November election, A. D. 1887, for the office of Governor of the State of Iowa, it appeared that William Larrabee received a majority of all the votes cast at said election for said office, and was therefore declared duly elected to said office for the term of two years and until his successor is elected and qualified.

Signed in the presence of the joint convention this 11th day of January, A. D. 1888.

JNO. S. WOOLSON,

President of the Senate and President of the Joint Convention.

W. H. REDMAN,

Speaker of the House of Representatives.

ATTEST:

JOS. S. LAWRENCE,

Teller of the Senate.

A. CUSTER,

Teller of the House of Representatives.

The Speaker of the House of Representatives, W. H. Redman, then announced the result of the joint canvass for Lieutenant-Governor, as follows:

J. A. T. Hull.....	171,640
J. M. Elder.....	151,561
J. R. Sovereign.....	14,942
W. C. Caldwell.....	838
Scattering.....	67

And declared that John A. T. Hull, having received the largest number of votes cast for Lieutenant-Governor, that he is elected Lieutenant Governor of the State of Iowa, for the term of two years, from the second Monday in January, 1888, or until his successor is elected and qualified, and the following certificate was signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, JANUARY 11, 1888. }

This is to certify that upon a canvass in joint convention of the two houses of the Twenty-second General Assembly of the State of Iowa of the votes cast at the November election, A. D. 1887, for the office of Lieutenant Governor of the State of Iowa, it appears that J. A. T. Hull received a majority of all the votes cast at said election for said office, and was therefore declared duly elected to said office for two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 11th day of January, A. D. 1888.

JNO. S. WOOLSON,
President of the Senate, pro tem.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

J. S. LAWRENCE,
Teller of the Senate.

A. CUSTER,
Teller of the House of Representatives.

RESOLUTION.

Mr. Craig offered the following resolution, which was adopted:

Resolved, That the abstracts of the votes for Governor and Lieutenant-Governor from the several counties be filed in the office of the Secretary of State for future reference.

On motion of Mr. Calvin a committee of three was appointed to notify the Governor and Lieutenant-Governor of their election.

Senator Reiniger of Floyd county and Messrs. Calvin of Buchanan and Thompson of Clayton were appointed.

The minutes of the joint convention were read and approved.

The committee to notify the Governor and Lieutenant-Governor of their election reported the performance of its duty.

On motion of Mr. Calvin the joint convention dissolved.

Senator Gatch offered the following report from committee on inauguration:

Your committee appointed by concurrent resolution on inauguration make the following report:

The inaugural ceremonies will be held in the rotunda of the capitol building at 2:30 o'clock P. M., Thursday, January 12. The military escort will receive the Governor, Lieutenant-Governor and party at the Kirkwood House at 2 o'clock P. M., and proceed to the north front of the capitol where the military will open order and the Governor, Lieutenant-Governor and party will pass through into the rotunda and occupy seats upon the platform. The members of the General Assembly will meet in joint convention in the hall of the House of Representatives at 2:15 o'clock P. M., and at 2:30 o'clock P. M. will proceed to the rotunda and take the seats there provided for them.

PROGRAMME.

Music.

Prayer by Dr. A. H. Ames.

Administration of the oath of office by the Chief Justice.

Inaugural address by the Governor.

Music.

The joint convention will then repair to the hall of the House of Representatives and there be dissolved.

The capitol building will be open from 8 o'clock to 10 P. M., and an informal reception will be held by the Governor, Lieutenant-Governor and Speaker of the House in the rooms of the Governor.

The ceremonies will be under the control of Adjutant-General Alexander.

The public will be admitted to the Capitol building at all doors except the north front.

Tickets entitling the holders thereof to seats will be issued and distributed as follows:

Members of the Senate and House, 2 each.

The Governor, 20.

The Lieutenant-Governor, 5.

Speaker, 5.

Secretary of State, 2.

Treasurer of State, 2.

Auditor of State, 2.

Superintendent of Public Instruction, 2.

Commissioner Labor Statistics, 2.

Clerk Supreme Court, 2.

Supreme Court Reporter, 2.

State Librarian, 2.

Mine Inspectors, 2 each.

Adjutant General, 2.

Attorney-General, 2.

Judges of Supreme Court, 2 each.

Railroad Commissioners, 2 each.

Mayor and Council of Des Moines, 2 each.

Press of the State, 50.

Governor's Private Secretary, 2.
Custodian of Capitol Building, 2.

It is found impracticable to furnish more seats than the tickets above provided, and the seats will be reserved for the holders of such tickets, and no person, whether a member of the General Assembly, State officer or otherwise, will be entitled to a seat except upon presentation of a ticket.

Tickets for distribution to the members of the General Assembly will be distributed by the chairmen of the respective committees.

All other tickets will be distributed by the chairman of the joint committee and Adjutant-General Alexander.

The printing of the tickets will be under the supervision of Senator Gatch and the Adjutant-General.

We further report that we have authorized the Adjutant-General to provide two military companies as an escort, one of which shall be the Des Moines company, also a band for the occasion.

We have also authorized the Adjutant-General to provide such carriages as may be necessary for the use of the Governor, Lieutenant-Governor and party.

We request that the Assistant Doorkeepers be required to report to the Adjutant-General at 1 o'clock p. m. and act under his direction during the ceremonies.

C. H. GATCH,
Chairman Senate Committee.

JAMES A. SMITH,
Chairman House Committee.

On motion of Senator Lawrence the report of the committee was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate joint resolution:

Relative to inauguration of Governor and Lieutenant Governor.

D. C. KOLF, *Chief Clerk.*

On motion of Senator Wolfe the Senate adjourned until 2 o'clock p. m. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 12, 1888. }

The Senate met in regular session at 2 o'clock P. M., and was called to order by President *pro tem.*, Senator Woolson.

The journal of previous day was read in part, and on motion of Senator Weber further reading was dispensed with.

REPORT OF COMMITTEE.

Senator Poyneer presented the following report:

MR. PRESIDENT—Your joint committee to whom was assigned the duty of selecting a mail carrier for the Twenty-second General Assembly, beg leave to report that they have selected for that position Frank Thurber of Polk county.

A. N. POYNEER,
Chairman Senate Committee.

JOHN CALVIN,
Chairman House Committee.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution and amendment, in which the concurrence of the Senate is asked:

Relative to dispensing with visiting committees.

Also:

I am directed to inform you that the House has concurred in following concurrent resolution:

Relative to the purchase of Codes for the use of Twenty-second General Assembly.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Weber House messages were taken up.

Concurrent resolution relative to dispensing with visiting committees read.

Moved by Senator Deal, that the resolution be ordered printed, and that its further consideration be postponed until next Wednesday at 2:30 o'clock P. M.

Committee from the House informed the Senate that the House is ready to meet the Senate in joint convention.

The hour having arrived for the joint convention the President of

the Senate requested the Senate to accompany him in a body to the House.

JOINT CONVENTION.

Joint convention called to order by Senator J. S. Woolson, President *pro tem* of the Senate.

On motion of Mr. Blythe the committee on inauguration was requested to deliver twelve additional tickets to the officers of the State Agricultural Society.

The Senate and House formed in procession and marched to the rotunda.

The convention was called to order in the rotunda of the capitol by President Woolson.

Prayer was offered by Rev. A. H. Ames, D. D.

The oath of office was administered in the presence of the convention to Governor-elect William Larrabee, by Judge J. H. Rothrock, acting Chief Justice of the Supreme Court.

Governor Larrabee then delivered the following inaugural address:

FELLOW-CITIZENS:

I desire to acknowledge to the people of Iowa, who have again vested me with the office of Chief Magistrate of the State, my deep appreciation of this renewed expression of their confidence. In assuming for the second time the grave responsibility of the Executive, it is my prayer that the people's support, which in the past has been so generously accorded me, may continue to aid me in the discharge of my official duties.

AMERICAN LABOR.

The necessity of maintaining for our people the elevated social position which they now occupy, makes it the imperative duty of the government to guarantee to them, by the continuance of a wise system of protection, such liberal returns for their industry as are necessary to assert the dignity of labor among a free and enlightened people. The application of science to the trades has greatly elevated our industrial classes and has correspondingly increased their wants. The American laborer cannot and should not content himself with a mere sufficiency of food, clothing and shelter. An enlightened community, of which he is a worthy member, makes demands to which he must respond. He must make provisions for self-improvement, for the elevation of his home and the education of his children. He is a new factor in modern society, whose presence a government for the people should not ignore.

The practice of free trade, as advocated by the party in control of our federal government, has been repeatedly tried in this country, and always with the same disastrous results. It was always used as a means for reducing a surplus in the treasury, and never failed to ultimately cause a deficit both in the finances of the government and the people. Except in one or two instances, when well-known causes for a brief period suspended the operation of the general law,

every inauguration of a free trade policy paralyzed the industrial interests of the country, greatly reducing the wages of laborers and causing financial depression. Free trade always has had, and, until circumstances and conditions have materially changed, always will have the same disastrous results in America. In striking contrast with such a state of affairs, protection to American industries has always secured prosperity for all interests, and has bettered the condition of the masses by enabling them to partake of all the comforts of life essential to the happiness of enlightened beings.

A general shrinkage in values, caused by the partiality of the present Administration to free trade, and the large immigration of laborers from foreign countries have produced a growing discontent among the industrial classes, especially in larger cities. Moreover, they feel keenly the injustice of an unequal division of profits between themselves and capital, and organize to effect the correction of many real and some imaginary evils. Though impelled by honest motives, they do not always find the proper remedies.

All interests of good citizens are best subserved by the security of property and the protection of individual rights, the basis of our free institutions. Labor and capital should work in harmony, and not waste their strength in useless wars; they have common interests, mutual obligations and separate rights. Capital should concede to honest labor an equitable share of their common earnings, and while it is entitled to protection, it should not be allowed to rule.

The welfare of our laboring classes and the future safety of our government urgently demand a check in the flow of criminal and pauper immigration. The future development of our resources and the healthy growth of our institutions require an increase in quality rather than in quantity of population. The present requirements for admission to American citizenship are scarcely in keeping with its dignity. Our naturalization laws should be so amended and enforced as to make moral worth an indispensable requisite for the high distinction of becoming an integral part of the most powerful and most enlightened sovereign people.

FREE BALLOT.

The purity of the ballot box is the bulwark of our liberties. To defile it, whether by fraud or intimidation, is to strike at the very foundation of republican government. Unless a free ballot and an honest count can be secured in every State in this Union, a national election is little more than a mockery. Hundreds of thousands of the qualified electors of the South are virtually denied the right of suffrage. The total congressional vote of the seven districts of the State of Mississippi in 1886 was 45,354; of the seven districts of South Carolina, 39,072; and of the ten districts of Georgia, 27,520, or an average of only 2,752 for each district. The number of votes cast at the same election in the eleven congressional districts of Iowa was 345,286, being an average of 31,389 votes for each district. The Constitution of the United States is thus nullified in the South, and the voice of the people is stifled; and the nullifiers, encouraged by

past achievements, are now seeking to obtain control of the Senate and the Supreme Court.

Under such circumstances the good citizens of the North should no longer remain in doubt as to their duty. Regardless of political affiliations, they should demand that Congress exercise its power to enforce by appropriate legislation the provisions of the 15th amendment to the Constitution, and guarantee to every citizen of these United States the privilege to cast his vote, free and unmolested, in accordance with his political convictions.

PENSIONS.

The surplus, which in the course of years has accumulated in the National Treasury, has been the cause of much anxiety to the present Administration. It appears to me that as long as any Union soldier is compelled to seek refuge in the poor-house or is found suffering for want of the necessaries of life, the treasury surplus should not create any apprehension in the minds of patriotic men. No better use could be made of the savings of the Nation than to relieve the distress and administer to the comfort of the brave veterans of the late war, who at the risk of health and life preserved the existence and asserted the supremacy of our Government.

Furthermore, the patriotism of American heroes should not be allowed to remain the cause of the poverty and misery of their wives and children or other dependent relatives. These have a right to expect that the country to which their supporters offered and sacrificed health, strength and life, will at least grant to them what alone it is in its power to grant—exemption from such suffering as is caused by poverty and want.

By pursuing this course the Nation would not only act in keeping with her own dignity, but would also sow seeds of heroism and patriotic devotion, to bear precious fruit in ages to come.

POSTAL TELEGRAPH.

The sentiment in favor of the establishment of a postal telegraph system by the National Government is constantly growing. While the telegraph is not likely to ever supplant the mail, it encroaches daily upon its domain. It has made itself indispensable to modern journalism and commerce. It has, together with the railroad, shortened geographical distances, and it is the faithful sentinel that guards the safety and thereby adds to the speed of the iron horse. As a messenger for purely social communications the telegraph is as yet employed to a very limited extent, owing to the fact that the short-sighted policy of the few men who control the telegraph system of the country has by an excessive tariff placed its benefits beyond the reach of the masses.

Successful experiments have been made by other governments in the direction of operating telegraph lines in conjunction with their postal service, and there is every reason to believe that, even with a materially reduced tariff, a postal telegraph could within a few years be made self-supporting in America. While it would convert a large

part of the surplus in our National Treasury into a safe and permanent investment, it would also extend the benefits of the service to all the people and open to the electric spark an unlimited field for the full development of its usefulness.

STATE AFFAIRS.

The progressive spirit of the people of Iowa has ever led them to take advanced positions upon all questions of progress and reform which since the birth of our State have agitated the Nation. The abolition sentiment at an early day found a fertile soil within our borders. While the heresy of States' Rights threatened the very life of the Nation, Iowa was in the front rank of the loyal States which came to her rescue and aided in asserting her supremacy. Devoted to the true spirit of freedom, she led all the states of the Union in extending the elective franchise to the colored race; and again, in these later years, she was one of the first in the sisterhood of states to abolish within her borders the slavery of intemperance. But the work of a progressive commonwealth is never done. The body politic, like every other organism, is subject to the law of evolution. New issues constantly arise. New ideas, born of the spirit of progress, constantly battle with the musty conceptions of conservatism, prejudice and tradition; and gigantic interests, the creation of our inventive age, are constantly striving to usurp illegitimate, as well as to assert legitimate rights.

Although in a republic it is the province of the sovereign people to determine the policy of its government, it must be left to the public servants to execute the dictates of their constituency. In the execution of a conservative policy these agents of the people as a rule meet with little opposition, but when forced by irrepressible issues to confront hostile interests, they encounter an enemy who, giving no pardon and knowing no surrender, often brings to the contest all the malignity of a personal contest.

If under such circumstances an official should consult simply his feelings, he might easily be tempted to make a truce with the enemy and thus avoid an implacable conflict. But when such a step can only be taken at the sacrifice of honor, when a solemn obligation makes the conflict an imperative duty, there is no alternative, and the evil which he must attack is solely to blame for the result.

The main issue with which we are now confronted concerns the mutual relations between the people and the great corporations.

RAILWAY TRANSPORTATION.

While the transportation question has for many years engaged the attention of our people, the enactment of the Inter-state Commerce Law by the last Congress has of late given it particular prominence; and there is a wide-spread demand that the State Legislature supplement the Congressional act. That dealing with questions so vital to our welfare requires both wisdom and courage, there can be no doubt; but it may safely be asserted that the representatives of our people will prove equal to the task.

In order to determine what to do, we should first know where we are and whither we are tending. Hence a retrospective view and a survey of our situation with reference to the subject in question may not be amiss. The abuses which have grown out of our modern system of transportation came to the State simultaneously with the railroads. For many years, however, the great desire of the people to secure new roads caused them to overlook these evils, and this leniency continued until a large portion of the State was provided with transportation facilities.

Then the demand upon the Legislature to correct existing abuses increased from year to year, until in 1874 it could no longer be refused. The discriminations and extortions which had so long been practiced by the railroads resulted in the enactment of what is known as the Granger Law, which established a classification and fixed maximum rates upon nearly all articles of produce and merchandise. This act was strenuously opposed by the railroad companies, reinforced by the representatives from those parts of the State which were not yet amply supplied with roads and were believed by them to be injured by such legislation.

The Granger Law remained a part of our statutes for four years, and was during this whole period resisted by all the forces that could be marshaled by the railroad companies. The law was denounced by its opponents as communistic in its tendency, destined to ruin railroad interests and hence to prevent the construction of new roads. It was contested in State and Federal courts until it was finally declared legal by the highest judicial tribunal of the Nation.

While the law was crude in some respects, it was nevertheless a great achievement, illustrating the power of the people under our system of government to correct evils even when defended by organized capital.

Failing to defeat the law in the courts, the railroad managers again turned to the legislature and plead piteously for its repeal.

Their friends, supported by members either inclined to conservatism or representing localities disposed to hold out every possible encouragement to railroad construction, succeeded, after much argumentation, in having the Granger Law repealed and the present Commissioner law enacted in its stead.

It has often been alleged that the partial cessation of railroad construction following the enactment of the Granger Law was its legitimate result. It will be remembered, however, that the general financial depression following the panic of 1873 affected all interests, and that railroad enterprise was no more stagnant in Iowa than in other states, where these alleged causes did not operate.

It has also been stated that the law was changed in obedience to a demand of the people, but this allegation is likewise contrary to the fact. It is true, the railroads had so applied the law as to make it odious in some localities and had by their peculiar strategy succeeded in persuading some of our best public men that it was not adapted to all interests and often worked injustice; yet a majority of our people regarded it, upon the whole, as just and wholesome, and desired an amendment of several of its provisions rather than its repeal. Nevertheless, when the commissioner system was adopted, they con-

ceded to it the right of an honest trial. Having once secured the right to establish rates, they were prepared to accept any legislation which promised an equitable adjustment of existing controversies.

To enable cities and towns to secure new roads and obtain more favorable rates through competition, laws were also enacted permitting them to vote a tax to the extent of five per cent on their assessed value to aid in the construction of projected roads. Under this law millions of dollars were donated, and many new roads were constructed, and for a time this new policy seemed to accomplish its purpose.

Railroad managers soon learned, however, that by arrangements among themselves, such as pooling, division of territory and division of business, they could manage to maintain unreasonable rates. Owing to these various devices, there is practically no competition as to rates in the transportation business of the State. Occasionally one road will become dissatisfied with the division of the spoils and out under the combination schedule; but a treaty is soon effected, and the old rates are restored.

The charges for transportation at present prevailing in the State are by far too high, and bear little or no relation to the cost of the service. Although steel rails can now be purchased for one-third of the price paid for the iron rails that were laid upon roads built fifteen years ago, and engines, cars and coal have depreciated in value in nearly the same proportion, local freight and passenger rates have not decreased to any perceptible degree. Railroad companies should not be allowed to reap all the profits growing out of modern inventions and the reduced cost of equipping and operating their roads. With almost equal propriety might woolen and cotton fabrics still be sold at colonial prices. But railroad managers aver that the interest paid on their bonded indebtedness and the dividends earned by their stock are not excessive, and that capital invested in railroads on the whole enjoys no larger returns than capital invested in any other enterprise. Yet the stock and indebtedness of a road is no indication of the amount actually invested in it, nor is the latter an indication of the actual present value of the road. Mr. Poor in reviewing the railroad earnings for 1883 affirms that if the fictitious capital could be eliminated from their accounts, their success as investments would have no parallel.

The railroads of Iowa have received as donations from various sources a value of over fifty million dollars. The tracts of land granted to them at various times by the Nation and the State, and by counties, municipalities and private individuals aggregate an area equal to more than one-eighth of the total area of the State. The total amount of money actually invested in Iowa roads by stockholders and bondholders probably does not average to exceed fifteen thousand dollars per mile, and the thirteen million dollars of net earnings which are annually distributed among them would be a fair profit upon twice the amount which they have actually invested.

The men who control our railroads labor under a serious delusion, inasmuch as they entertain an exaggerated opinion of the obligations under which they have placed the public. They attribute to themselves the unparalleled material progress which this country has

made, and claim the wealth which by their agency has been accumulated as their reward. They reason that they are entitled to the value of the difference between various places in the prices of commodities, because they furnish the means for making the exchange. It appears to me that this argument, if carried to its logical result, would transfer the title to a large share of their income to the heirs of Mr. Watts, the inventor of the steam engine. A similar reasoning would also give to McCormick all the profits of the reaper, and to Whitney those of the cotton gin.

Owners of railroads are no more entitled to a perpetual royalty than inventors. For a certain period of time, perhaps as long as similar privileges are enjoyed by patentees, railroads should be allowed liberal returns for their capital and enterprise; and if at the end of such a period it be found that similar roads could be constructed and equipped at a reduced cost, then their rates of transportation should be proportionately reduced.

But it is urged by railroad managers that a reduction in their rates would necessitate a reduction in the wages of their employes. Such reasoning might apply if those men were now paid a proper share of the receipts of the roads; this is not the case. Railroad employes receive a smaller percentage of the total earnings of their employers than wage-workers of other occupations. They receive little more than one-third of the total receipts of the companies, while the farmer, for instance, gives one-half of the products of his farm for its cultivation. It is but natural to suppose that railroads deal as unjustly with their employes as they do with the public, and the correction of one evil would be likely to ultimately result in the correction of the other.

Unreasonable rates are not only prejudicial to the best interests of the public, but to those of the railroad companies as well, since they constantly tempt capitalists to invest in new lines, which must needs acquire their territory at the expense of older roads.

The right of the State to fix rates can certainly not be questioned. Corporations have no rights save such as have been granted to them by the commonwealth. It must also be conceded that in the latter is ultimately lodged the power to create new corporations which would be prepared to accept the altered conditions. Railroad managers argue that if the State should undertake to establish maximum rates, it must also guarantee to their roads a minimum income. This will be found to be a fallacious argument when it is considered that although the State has passed laws prohibiting usury, it neither guarantees a minimum rate nor otherwise secures private loans.

Railroads have in the course of time usurped powers dangerous to the public welfare, and have practiced extortions perhaps less cruel, but in the aggregate more gigantic, than those of the British landlord.

It has been found necessary to limit the power of public officers to levy taxes for the maintenance of our schools and the support of State, county and municipal government—notwithstanding the fact that those taxes are used for the benefit of the people. Yet a few railroad managers are free to meet in Chicago and levy an extra tax

of one, three or even five million dollars upon the people of Iowa without giving them anything in return.

Thucydides relates how the Grecians, in olden times, engaged in the business of piracy under the command of men of great boldness and ability, and how the men so engaged both enriched themselves and supported their poor by their booty. They ravaged villages and plundered unfortified places. This was not at that time an employment of reproach, but rather exalted those piratical adventurers in the estimation of their kin. It appears that a class of persons has grown up under the refining influence of our modern age with tendencies similar to those of that sturdy race; and, strange as it may seem, some people even on our soil attribute honor to their practices.

While railroad charges should be reasonable, they should also be equitable and certain. It is impossible to conceive how trade can be established upon a sound basis with transportation charges subject to wild fluctuations and countless exceptions.

Propositions for even the smallest reductions in the custom-house tariff are always the subject of much deliberation in Congress, but freight rates are often cut, even without previous notice, to one-half, one-third, or even one-fourth of their former standard, and are again doubled, trebled or quadrupled. It is not uncommon to find that in the same train a car is hauled for one-half the rate charged for hauling another car loaded with the same article, or that one locality is systematically charged twice as much as another for the same kind of service. Railroads thus build up or tear down individuals, towns and cities, as the interests of their managers or those of their favorites may dictate; and to engage in business with any certainty of success, one is compelled to court the favors of railroad companies.

Railroads are the highways of commerce. Having supplanted the turnpikes and public roads, they should, as far as possible, be amenable to the laws that controlled them, and should be maintained by a just, certain and equitable tax levied upon those who use them. Our fathers would never have tolerated a system of collecting highway tolls or taxes, which, besides changing its tariff with every moon, recognizes privileged classes and discriminates in favor of the man who is so fortunately situated as to be able to haul five or ten times as much produce to the market as his less prosperous neighbor. Such a system is neither American nor democratic, and savors too much of the methods of the feudal lord who taxed the wayfaring public as much as his withered conscience in each individual case would permit.

Our district roads are maintained by a tax levied equitably upon all the property of the district. We do not accord special privileges to the man who year after year drives a thousand steers to the market. If any discrimination is ever made, it is made in favor of the poor tenant of the Government, who is permitted to apply his small earnings to the improvement of his newly selected and still humble home.

A policy of discrimination in matters pertaining to public business has always been regarded as dangerous to the general welfare, and scarcely a trace of such a policy can be found in the laws and institutions of either the State or the Nation.

State, county and municipal taxes are levied equitably upon all

taxable property. The citizen who owns ten houses in the city, or ten farms in the country, is not and should not for that reason be favored with a special rate of taxation. For the purpose of levying taxes it matters little who owns these estates, for taxes are levied upon property and property is held for their payment.

In a similar manner freight charges attach to the commodities transported, or in other words, they are a tax levied upon them. Hence, tariff discrimination in favor of privileged shippers are as unjust as a system of raising revenue which should prescribe a lower rate of taxation for the rich than for the poor. The exchange of the products of our soil and our factories will and must be effected. If an equitable tariff should dissatisfy such shippers as have heretofore been privileged characters, their enterprise will readily find new fields of labor, and other men, prepared to accept the new condition of things, will promptly fill their places. Neither will the public be the loser by the change nor will the volume of the transportation business be decreased.

It is impossible to compute or even approximate the loss sustained by the people of Iowa in consequence of railroad discrimination.

For years our miners have had just cause to be dissatisfied with their lot. The meager returns for their hazardous toil, decreasing from year to year, naturally led them to look for the cause of their oppression in the methods of their employers and the supposed iniquities of the law. There can be no doubt, however, that the miner simply suffers together with the operator by the discriminating and unreasonable coal tariff of our railroads, which not only confines the output of our mines to local markets, but even enables imported coal to compete with the best products of our own mines in the very heart of Iowa. Our millers fare still worse. The discriminations practiced by the railroads against them have made it impossible for them to manufacture flour for export, or even home consumption, except at a loss. Minnesota flour is often shipped to points in Iowa for less than one-third of what is charged for shipments of similar distances within the State. The injustice on the part of the railroads has forced a very large number of our millers to suspend work and has rendered their property almost worthless.

When several years ago the General Assembly in the interest of morality and good order passed a law prohibiting the manufacture of intoxicating liquors to be used as a beverage, and thereby depreciated the value of the breweries and distilleries of the State, the act was denounced by the advocates of the liquor traffic as striking at the very birth-rights of American citizens, and its validity was tested in the highest courts of both the State and the Nation. But when a few railroad managers enter into a conspiracy to destroy by an unreasonable grain and flour tariff the milling interests of the State, built up at a cost many times greater than that of the distilleries and breweries, and furnishing employment to thousands of men; when they thus render comparatively worthless property employed in one of the most important and most successful industries of the State; and perpetrate such wrongs in violation of law and in defiance of all principles of justice no step is taken for relief, because in these many years of railroad usurpation the opinion has gained ground among our peo-

ple that the abuses of these wealthy and powerful corporations are without a remedy, and must be endured with meekness and resignation, like visitations of Providence. Hundreds of other manufacturing and jobbing industries have by this unwise and unjust policy been ruined or driven out of the State, and the large number of empty shops and factories in the State are dreary monuments of railroad hostility to Iowa enterprise. Our towns and rural districts are taxed and our wholesale business is being discouraged to build up a few large cities outside of our borders.

It must not be supposed, however, that the friends of railroads and the defenders of their methods are confined to the few cities which thrive upon the tribute which the rural regions are forced to pay to them. By granting special rates, rebates, drawbacks and other favors here and there to men of influence in their respective localities, they have secured the favor of many who, after having divided with them their spoils, are ready to defend their wrongs and to advocate a policy of neutrality on the part of the State. By retaining the ablest attorneys, by influencing the press, and by flattering and favoring politicians, they have managed for many years to prevent an open outburst of popular indignation; and their long-continued success greatly added to their boldness in usurping unlawful powers and invading public rights. When it is considered that the railroad companies doing business in Iowa have an annual cash income of over one hundred million dollars, their past influence can readily be appreciated. It is not an extravagant statement that the power exerted by them has in many instances proved greater than that of the States to which they owe their corporate existence.

The body politic is composed of individuals, whose opinions concerning questions of public policy diverge with their different interests, and party bias and party jealousy often make agreement impossible upon measures of common interest.

Railroads, however, are enabled by their centralization of power and by combinations among themselves to act largely under a single management. Setting at naught the power of the State, they nullify with impunity the principles of equity which for centuries have been enunciated by the courts. Such combinations as are maintained by them would in other branches of business be considered conspiracies against the public welfare and would subject their originators to indictment.

The assertion has often been made that railroads do not take sides in politics. It is doubtless true that they do not cast their fortunes with those of political parties, but it is not true that they do not concern themselves in the affairs of the political arena. It has been for years their well-defined policy to favor their friends and punish their enemies in political contests.

These corporations have through their artfulness succeeded in appeasing from time to time an indignant public. Yet a change will come. Long continued abuses and aggressions will finally arouse the people; and law, the outgrowth of the necessities of the community, will surely, though insensibly, be moulded by public opinion. Railroads have suspended the natural laws of trade. If the appeals of justice are of no avail, the instinct of self-preservation at least should

lead them to restore the free and unrestricted working of these laws. The people will not be content until existing abuses are corrected; and a persistent popular demand never fails to accomplish its object. Under our form of government the right to rule is inherent in the people. Capital and enterprise may justly claim protection, but they must also submit to proper control. The sense of justice which characterizes our people will not permit any legislation detrimental to the best interests of railroads. Iowa appreciates the services which they have rendered in the development of her great resources and acknowledges her dependence upon their co-operation in the great work of future days. However, the people have grievances and demand redress, and it devolves upon their representatives to enact such laws as promise to correct existing evils. Railroads should be consulted as to their wishes, and it is proper for their representatives to present their views upon all questions affecting their interests, but they should not attempt to dictate legislative measures. The people do not ask the passage of any law which would place railroads at a disadvantage. Nor would such legislation be advisable; there is a community of interest between the State and its public corporations, which should constantly be kept in view. The great importance of these indispensable agencies of our material progress requires that they be judiciously managed and properly controlled, and that in the adjustment of all questions which affect their interests the people be represented; and good feeling cannot be restored until railroads concede this right to the people. Freight tariffs have always been one-sided compacts. The railroads have dictated the terms, which through the force of circumstances the people have been compelled to accept. They have taxed the public to pay interest and dividends on largely fictitious investments. In every transaction growing out of the relations between these corporations and the people we find an expert on one side and a novice on the other. To represent the people and to defend their rights, is the province of the Board of Railroad Commissioners. This Board has often been looked upon by the railroads as a tribunal clothed with judicial powers and charged with the duty of protecting the interests of the people and those of the railroads alike. This, however, is an erroneous conception of their functions. The Railroad Commission was created to be a committee of the people obligated to advocate their rights. Organized capital can safely be trusted to defend itself.

The Board of Railroad Commissioners should be authorized and required to exercise full and complete supervision over the railroads of the State, compelling them to comply with the laws and to furnish adequate facilities at reasonable compensation. With less than this the people of Iowa will not and should not be satisfied.

Senators and Gentlemen of the House of Representatives: To your careful and intelligent consideration have been entrusted the interests of nearly two million people.

The office of the legislator involves upon its incumbent great responsibility. In the conscientious discharge of duty he must subordinate all personal ambition and private interests to the welfare of the State and the needs of his constituency.

As it is your duty to care equally for all sections of the State, you

should guard against local and special legislation. Your measures should not only contemplate present results, but your efforts should be directed toward securing the greatest permanent good for the commonwealth. In making appropriations for the support of the State government, you should see that it is conducted with such economy as is consistent with the efficiency of the public service.

Permit me to assure you, gentlemen, of my hearty co-operation in all measures likely to advance the moral and material interests of the State.

Let us invoke the aid of Him who guides and controls the destinies of states and nations, and endeavor to gain the approval of the people whose eyes rest upon us, by earnest work and a faithful discharge of duty in the service of our beloved Iowa.

The oath of office was delivered to J. A. T. Hull, Lieutenant-Governor elect, by Judge J. H. Rothrock, acting Chief Justice of the Supreme Court.

The members of joint convention then repaired to the hall of the House of Representatives.

The convention was called to order in the hall of the House of Representatives by President Woolson.

The minutes of joint convention were read and approved.

Upon motion of Mr. Thompson the joint convention was dissolved.

At 4:25 p. m. the Senate re-convened.

Moved by Senator Finn, that a committee of two be appointed to escort the Lieutenant Governor to the chair.

Carried.

Committee appointed Senators Finn and Kelly.

The committee escorted the Lieutenant Governor to the chair.

President *pro tempore* Senator Woolson introduced J. A. T. Hull as Lieutenant-Governor of Iowa.

The Lieutenant-Governor then addressed the Senate, and at the conclusion of his remarks presented to the Secretary the following list of standing committees, which was read to the Senate:

STANDING COMMITTEES OF THE SENATE.

Ways and Means.—Senators Hutchison, Gatch, Poyneer, Harsh, Parrott, Barrett, Deal, Mills, Price, Vale, Kent, Schmidt, Kegler.

Judiciary.—Senators Woolson, McCoy, Reiniger, Clark, Finn, Lawrence, Sweney, Seeds, Dungan, Weber, Knight, Bolter, Wolfe.

Appropriations.—Senators Gatch, Young, Hutchison, Converse, Brower, McCoy, Garlock, Weidman, McVay, Smith, Taylor, Mattoon, Kelly.

Railways.—Senators Sweney, Young, Harsh, Meservey, Finn, McVay, Caldwell, Deal, Bayless, Dodge, Groneweg.

Agriculture.—Senators Poyneer, Mills, Vale, Converse, Deal, McCoy, Weidman, Reiniger, Kent, Chesebro, Dooley.

Congressional Districts.—Senators Barrett, Weber, Weidman, Dungan, Doud, Smith, Barnett, Hanchett, Bills, Mattoon, Kent.

Insurance.—Senators McCoy, Weber, Smith, Parrott, Finn, Bolter, Wolfe.

Labor.—Senators Young, Davidson, Garlock, Hanchett, Caldwell, Funk, Kegler, Chesebro, Dooley.

Education Institutions.—Senators Harsh, Vale, Meservey, Hutchison, Brower, Davidson, Bills, Knight, Dodge.

Suppression of Intemperance.—Senators Clark, Reiniger, Weidman, Dungan, Converse, Poyneer, Barnett, Chesebro, Schmidt.

Schools.—Senators Finn, Vale, Harsh, Parrott, Woolson, Funk, Bolter, Schmidt, Taylor.

Cities and Towns.—Senators Parrott, Lawrence, Hutchison, Smith, Gatch, Harsh, Knight, Groneweg, Dodge.

Public Health.—Senators Caldwell, McVay, Mills, Parrott, Seeds, Meservey, Bayless, Bills, Mattoon.

Mines and Mining.—Senators Dungan, Davidson, Hanchett, Doud, McCoy, Funk, Barnett, Dooley, Kelly

Charitable Institutions.—Senators McVay, Brower, Caldwell, Garlock, Dungan, Lawrence, Taylor, Kegler, Wolfe.

Highways.—Senators Mills, Price, Converse, Meservey, Poyneer, Funk, Kent, Chesebro, Kelly.

Compensation of Public Officers.—Senators Deal, Clark, Brower, Dodge, Bayless.

Constitutional Amendments and Suffrage.—Senators Reiniger, Clark, Caldwell, Weidman, Converse, Chesebro, Kelly.

Retrenchment and Reform.—Senators Weber, Vale, Finn, Sweney, Seeds, Taylor, Bills.

Elections.—Senators Meservey, Lawrence, McCoy, Barrett, Schmidt, Dodge, Bolter.

Banks.—Senators Vale, Barrett, Price, Reiniger, Sweney, Kegler, Kelly.

Commerce.—Senators Brower, Davidson, Doud, Funk, Hanchett, Bayless, Dooley.

Federal Relations.—Senators Lawrence, Mills, Seeds, Hutchison, Clark, Groneweg, Kegler.

Penitentiary and Pardons.—Senators Garlock, Price, Gatch, Barnett, Caldwell, Kent, Kelly.

Senatorial and Representative Districts.—Senators Smith, Weidman, Funk, Poyneer, Doud, Dooley, Bills.

Claims.—Senators Converse, Barrett, Harsh, Mattoon, Kegler.

Corporations.—Senators Seeds, McVay, Price, Wolfe, Schmidt.

Public Buildings.—Senators Davidson, Hanchett, Weber, Taylor, Groneweg.

Manufactures.—Senators Price, Smith, Barnett, Bayless, Kent.

Military.—Senators Hanchett, Deal, Mills, Sweney, Mattoon.

Rules.—Senators Young, Gatch, Woolson, Bolter, Schmidt.

Printing.—Senators Funk, Brower, Young, Parrott, Bayless.

Horticulture and Forestry.—Senators, Weidman, Garlock, Kegler.

Fish and Game.—Senators Doud, Seeds, Chesebro.

Public Lands.—Senators Bayless, Weber, Kelly.

Library.—Senators Knight, Woolson, Wolfe.

Engrossed Bills.—Senators Dodge, Barnett, Kent.

Enrolled Bills.—Senators Deal, Davidson, Schmidt.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to furnishing the members of the Twenty-second General Assembly with a bound copy of the acts of the Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth and Twenty-first General Assembly.

D. C. KOLP, *Chief Clerk.*

The Senate resumed consideration of House concurrent resolution relative to visiting committees, the question being upon the motion of Senator Deal that the resolution be printed and set for consideration Friday, January 13, at 10:30 A. M.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 9, a bill for an act fixing the rate of passenger fare on railroads, and to repeal section 2, chapter 68, acts of the Fifteenth General Assembly.

Read a first and second time and referred to the Committee on Railroads.

By Senator Young, Senate File No. 10, a bill for an act to provide against the payment of wages in scrip, dues, etc., payable otherwise than in money, and against the selling of goods or supplies to employees at excessive prices.

Read a first and second time and referred to the Committee on Labor.

By Senator Dodge, Senate File No. 11, a bill for an act to prohibit the employment of children under fifteen years of age in mines, factories, or workshops.

Read a first and second time and referred to the Committee on Labor.

Senator Dodge moved that 200 extra copies of Senate File No. 11 be printed.

Carried.

By Senator Dodge, Senate File No. 12, a bill for an act for the relief of William H. Birkhead of Des Moines county, son of John S. Birkhead, late private in company H, first Iowa cavalry.

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

By Senator Barnett, Senate File No. 13, a bill for an act to repeal section 2, chapter 68, laws of Fifteenth General Assembly, and to enact a substitute relating to railroads.

Read a first and second time and referred to the Committee on Railroads.

By Senator Barnett, Senate File No. 14, a bill for an act to regulate payment to miners for mining coal, by mine operators.

Read a first and second time and referred to the Committee on Mines and Mining.

By Senator Finn, Senate File No. 15, a bill for an act amendatory to chapter 77, acts of the Seventeenth General Assembly, making and defining the duties of Railroad Commissioners.

Read a first and second time and referred to the Committee on Railroads.

By Senator Finn, Senate File No. 16, a bill for an act to prevent the use of free passes on railroads by public officers and others.

Read a first and second time and referred to the Committee on Railroads.

By Senator Groneweg, Senate File No. 17, a bill for an act to repeal section 2521 of chapter 1, of title 17 of the Code, relating to actions upon judgments rendered in this State, and to enact a substitute therefor.

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

By Senator Sweeney, Senate File No. 18, a bill for an act to regulate commerce by railroad within the limits of the State of Iowa.

Read a first and second time and referred to the Committee on Railroads; 200 extra copies ordered printed.

By Senator Deal, Senate File No. 19, a bill for an act to merge the Bureau of Labor Statistics with the office of Secretary of State, and to abolish the office of Commissioner of Labor Statistics.

Read a first and second time and referred to the Committee on Labor.

By Senator Schmidt, Senate File No. 20, a bill for an act to repeal section 2, of chapter 68, laws of the Fifteenth General Assembly of the State of Iowa, in relation to rates of fare upon railroads and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Railroads.

By Senator Weber, Senate File No. 21, a bill for an act to repeal chapter 123, acts of the Sixteenth General Assembly, also chapter 173, acts of the Seventeenth General Assembly, relating to voting tax and bonds to aid railroads.

Read a first and second time and referred to the Committee on Railroads.

By Senator Wolfe, Senate File No. 22, a bill for an act to repeal section 4275 of the Code and to enact a substitute, relating to grand jurors.

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

By Senator Taylor, Senate File No. 23, a bill for an act to amend section 471, chapter 154, laws of 1874.

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

By Senator Kelly, Senate File No. 24, a bill for an act repealing section 1, of chapter 211, acts of the Eighteenth General Assembly and enacting a substitute therefor, relating to insurance and fire insurance companies.

Read a first and second time and referred to the Committee on Insurance.

By Senator Price, Senate File No. 25, a bill for an act to amend section 982 of Code in reference to highways.

Read a first and second time and referred to the Committee on Highways.

Senator Bolter moved that the Senate do now adjourn until 10 o'clock to-morrow morning.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 13, 1888. }

Senate met in regular session at 10 A. M.

The President in the chair.

Prayer by Rev. H. O. Breeden.

The journal of the previous day was read and approved.

Senator Caldwell introduced the following resolution:

Resolved by the Senate, the House concurring, That a special committee of three from the Senate and three from the House be appointed to examine and recommend what committee rooms shall be assigned for the use of committees of the Senate and House respectively, and to report their action to each of said bodies at as early date as practicable.

Adopted.

SPECIAL ORDERS.

Moved by Senator Dodge, that special order be taken up regarding the minority report of Committee on Credentials.

Senator Caldwell moved that the whole matter be referred to Committee on Elections.

Special order for 10:15 was on motion of Senator Sweney postponed until the matter before the Senate is settled.

Senator Dodge moved that the yeas and nays be called on the matter of referring the minority report to Committee on Elections.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to the appointment of a joint committee in relation to State Printer.

D. C. KOLP, *Chief Clerk.*

RESOLUTION.

Senator Dodge introduced the following resolution accompanied by evidence and moved its adoption:

WHEREAS, It appears from certified copies of returns on file in the office of the Secretary of State which are herewith submitted, that at the general election held on the 8th day of November, 1887, in the fifteenth senatorial district, Hon. E. R. Cassatt received a majority of nine votes of those cast for the office of Senator from said district, and

WHEREAS, The State board of canvassers have failed to issue a certificate of election to said office to any one because of a certificate

to them by the county canvassers of Monroe county that there was an excess of eleven votes over the number of voters in three precincts of said county, a certified copy of which certificate is submitted herewith, and

WHEREAS, Said certificate is of no legal validity because there was no certificate of such facts by any of the judges of election of any of said precincts, and

WHEREAS, The fact as appears from the affidavits and certificates herewith submitted that the alleged excess of votes in the fourth ward of the city of Albia does not exist and the certificate of the board of canvassers of Monroe county was based on a clerical error by which the clerk of election gave Josiah T. Young 85 votes instead of 75 votes, which were all that were cast for him in said ward, and

WHEREAS, In fact E. R. Cassatt had a majority of 19 votes in said district, and

WHEREAS, The Senate is the judge of the qualification, election, and return of its own members, therefore be it

Resolved, That the said E. R. Cassatt is entitled to take his seat as Senator from the fifteenth district, without prejudice to any right of contest by any one claiming adversely.

Senator Dodge moved that the matter be postponed for fifteen minutes, and that a committee of three be appointed to call upon the Governor to ascertain if a certificate of election had been issued to a Senator from the fifteenth district.

Carried.

The Chair announced as such committee:

Senators Dodge, Young and Vale.

SPECIAL ORDER.

The special order for 10:30 A. M., House and Senate concurrent resolutions relative to dispensing with visiting committees taken up.

The special committee appointed to inquire about a certificate of election to the Senator from the fifteenth district reported that the Governor stated that no certificate of election had been issued to any Senator from the fifteenth senatorial district.

Moved by Senator Weber that the yeas and nays be called on the concurrent resolution.

The hour having arrived for the consideration of the fifteenth district election matter.

Senator Dodge moved that it be postponed until the matter under consideration be finished.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution:

Relative to the appointment of a joint committee to assign committee rooms.

D. C. KOLP, *Chief Clerk.*

SENATE SUBSTITUTE.

Senator Woolson offered the following substitute for the House concurrent resolution relative to appointment of visiting committees.

Resolved by the Senate, the House concurring, That there be appointed committees to visit the several State institutions, each of said committees to be composed of three members, one from the Senate and two from the House; said committee to report to the General Assembly on or before the 5th day of February. They shall examine and include in their report:

1. Whether the appropriations made by the last General Assembly have been wisely and economically expended.

2. Whether they have been expended for the object appropriated.

3. Whether chapter 87 of the acts of the Seventeenth General Assembly have been complied with in not contracting indebtedness in excess of the appropriations.

4. Whether there has been any diversion of any money from the specific purpose for which it was appropriated.

5. Said committee shall also report the names and number of persons employed by the several institutions, for what purpose employed, and at what salaries; also, whether any persons so employed receive or have received anything in addition to their salary in any way, of board, rooms, lights, fuel or clothing, or anything else, at the expense of the State.

6. Said committee shall also report the manner of escape from fire, and make recommendation in regard thereto.

7. Said committee shall also report the sanitary condition of such institutions and make recommendations in regard thereto.

8. Said committee should also report what new structures or changes of or additions to old ones, if any are necessary, and the reason why the same are necessary, and that the committee may and are hereby directed to examine any person under oath, if they deem it necessary to gain the information called for.

Resolved further, That when this General Assembly adjourn on Wednesday, the 18th instant, that said adjournment shall be until Tuesday, the 24th instant, at 9 o'clock A. M.

At the request of Senator Woolson the motion was divided and considered, excepting the part referring to the time of recess.

The yeas and nays were demanded with the following result:

The yeas were:

Senators Barrett, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weidman, Woolson and Young—38.

The nays were:

Senators Barnett, Bayless, Bills, Chesebro, Dooley, Taylor, Weber and Wolfe—8.

Absent or not voting:

Senators Doud, Hutchison and Knight—3.

So the resolution was adopted.

The question recurring' on the latter part of the substitute, it was carried.

Senator Hutchison was excused for the day.

Senator Weber requested that 200 extra copies of Senate File No. 3 be ordered printed.

Granted.

Senator Woolson requested that 200 extra copies of Senate File No. 1 be printed.

Granted.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 26, a bill for an act to change the manner of electing railway commissioners, to increase their number and enlarge their powers, and to repeal section 2 of chapter 77, acts of the Seventeenth General Assembly.

Read a first and second time and referred to the Committee on Railroads; 200 extra copies ordered printed.

Mail Carrier Frank Thurber appeared at the bar of the Senate and took the oath.

PETITIONS.

Senator Weidman offered the following petitions from Pomona Grange No. 1, of Mills county, Iowa:

No. 1, Requesting enactment of laws regarding passenger fare and railway charges.

Referred to the Committee on Railways.

No. 2, Relative to letting public printing and binding by contract.

Referred to the Committee on Printing.

No. 3. Relative to promissory notes in the hands of third parties.

Referred to Committee on Judiciary.

No. 4. Relative to an appropriation for Farmers' Institutes in every county.

Referred to Committee on Agriculture.

No. 5. Relative to and in favor of a uniform system of school text-books.

Referred to Committee on Schools.

Senator Dooley moved that a committee of three on mileage be appointed.

Committee appointed—Senators Dooley, Price and Davidson.

Senator Price called up Senate File No. 6, and requested that it be referred to the Committee on Appropriations.

Granted.

INTRODUCTION OF BILLS.

By Senator Davidson, Senate File No. 27, a bill for an act entitled an act making it the duty of boards of directors of independent districts and district townships to purchase all necessary text-books for the public schools, and making the use of the same free to all persons attending said schools.

Read a first and second time and referred to the Committee on Schools.

President of the Senate appointed Senators Caldwell, McCoy and Bolter Committee on Assignment of Committee Rooms.

Senator Dodge moved that the Senate do now adjourn until two o'clock P. M., and that the consideration of the special order relating to the fifteenth district election be made a special order for that hour.

Carried.

Senate adjourned.

AFTERNOON SESSION.

2:00 O'CLOCK P. M.

The Senate met in regular session at 2 P. M.

The President in the chair.

The following report from Auditor of State read and referred to Committee on Commerce.

STATE OF IOWA,
OFFICE OF AUDITOR OF STATE, }
DES MOINES, JAN. 13, 1888. }

To the Senate and the House of Representatives of the Twenty-second General Assembly of the State of Iowa: Section 5, chapter 185, acts of the Twentieth General Assembly, makes it the duty of the State Oil Inspector to make and deliver to the Auditor of State a report of the inspections made by him during the fiscal period ending the thirtieth day of June, 1885, and every two years thereafter, and requires that the same shall be laid before the General Assembly.

By inference the law makes it my duty to lay this report before your honorable body, and I therefore respectfully present it. I call your attention to the fact that there are two reports, one made by B. W. Blanchard, Inspector, covering the period from June 30, 1885, to April 1, 1886, in manuscript form, and one made by Jno. Blanchard, Inspector, covering the period from April 1, 1886, to June 30, 1887, (or the remainder of the fiscal period) in printed form.

I can find no authority of law given me by chapter 185, laws of 1884, for having the report printed, and therefore submit them as they came into my hands, (the report of John Blanchard, Inspector, having been printed without my knowledge), and suggest that it might be well for the General Assembly to order the report of B. W. Blanchard printed. I am of the opinion that the two reports should have been embodied in one, and that said report should be made by the State Oil Inspector, as such officer, and not by individuals filling the place, in the same manner as the Auditor's biennial report is made for the fiscal period, without respect to the occupant of the office.

I desire to again call your attention to the suggestion made by me

in my biennial report, on page three, that section 5, chapter 185, Twentieth General Assembly, should be so amended as to require the report of the State Oil Inspector to be made to the Governor and not to the Auditor of State, while the law requires that the report should be to the Auditor of State. You will notice that both the Inspector have made their reports to the Governor, and simply filed them in my office.

Very respectfully,
J. A. LYONS,
Auditor of State.

RESOLUTION.

Senator Gatch offered the following resolution:

Resolved, That the Secretary of State is hereby directed to supply Senators' desks, reporters' desks and committee rooms with suitable files and covers for bills introduced during the session; provided the cost does not exceed thirty-five cents each.

Adopted.

SPECIAL ORDER.

The hour having arrived for special order relating to the election in the fifteenth district, it was taken up.

Senator Poyneer moved that the whole matter be referred to the Committee on Elections, and that the latter be instructed to report at ten minutes past ten o'clock, Saturday morning, January 14.

Carried.

The hour having arrived for the consideration of Senator Sweney's resolution respecting daily adjournments of the Senate, it was taken up and adopted.

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 28, a bill for an act to amend section 2584 of the code of 1873 relating to where insurance companies shall bring certain actions.

Read a first and second time and referred to the Committee on Insurance.

By Senator Dooley, Senate File No. 29, a bill for an act to compel employers to pay their employes semi-monthly.

Read a first and second time and referred to the Committee on Labor.

By Senator Harsh, Senate File No. 30, a bill for an act to amend chapter 143, acts of the Sixteenth General Assembly, and chapter 24, acts of the Nineteenth General Assembly, increasing the power of superior courts, and increasing the pay of jurors therein.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to the election of United States Senator by the direct vote of the people.

D. C. KOLP, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Kegler, Senate File No. 31, a bill for an act to amend section 401 and 411, title 4, chapter 9 of the code in relation to township collectors.

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

By Senator Young, Senate File No. 32, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith.

Read a first and second time and referred to the Committee on Mines and Mining.

By Senator Taylor, by request, Senate File No. 33, a bill for an act to provide for the payment of wages of workmen employed in mines, mills, manufactories and workshops in the State of Iowa, at regular intervals, in lawful money of the United States, and to protect said workmen in the management and control of their own earnings.

Read a first and second time and referred to the Committee on Labor.

By Senator Seeds, Senate File No. 34, a bill for an act to regulate the manner of holding courts in the several judicial districts of the State and to repeal chapter 128 of the laws of the Twenty-first General Assembly.

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

By Senator Clark, Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies and as to evidence in such cases.

Read a first and second time and referred to the Committee on Railroads.

Senator Seeds called up Senate File No. 4.

Referred to Committee on Cities and Towns.

Senator Seeds called up Senate File No. 5.

Referred to Committee on Military, and 100 extra copies were ordered printed.

Senator Barnett presented a petition asking that a law be enacted compelling railway companies to fence their tracks.

Referred to Committee on Railways.

HOUSE MESSAGES.

On motion of Senator Seeds House messages were taken up.

House concurrent resolution relative to election of United States

Senator was read, and on motion of Senator Finn it was referred to Committee on Federal Relations.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

Relative to the adoption of a system of postal telegraphy.

Also:

That the House has concurred in the Senate concurrent resolution: Relative to the appointment of committees to visit the State institutions.

D. C. KOLP, *Chief Clerk.*

House concurrent resolution relative to providing the session laws for members of the Legislature was reached.

Moved by Poyneer, to amend by striking out the word "Auditor," and inserting the word "Secretary."

Carried.

Moved by Weber, to add the words, "Provided the same are now in the hands of the Secretary of State and the property of the State."

Carried.

Senator Seeds moved to strike from the resolution the words "15th, 16th, 17th, 18th."

Lost.

The question recurring on the resolution as amended it was adopted.

House concurrent resolution relative to the appointment of a committee to consider the advisability of postponing the election of State Printer and State Binder was read.

Senator Young offered the following substitute for the resolution:

Resolved by the Senate, the House concurring, That the election of State Printer and State Binder be delayed until at least ten days prior to final adjournment of the Assembly, and that we will hold no joint convention for that purpose prior to said ten days before adjournment.

Senator Dungan offered the following amendment: "Unless the Legislature shall sooner determine the question of continuing the said office."

Senator Caldwell moved that the whole matter be referred to the Committee on Printing.

Carried.

House concurrent resolution relative to postal telegraphy was taken up.

On motion of Senator Parrott the resolution was referred to Committee on Federal Relations.

Senator Mills introduced the following concurrent resolution:

Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House are hereby authorized to appoint one superintendent of the paper-folding and State document packing room as they may agree.

On motion of Senator Sweney referred to Committee on Retrenchment and Reform, and committee ordered to report at an early day.

Senator Wolfe introduced the following resolution:

Resolved, That the janitor of the Senate be authorized to place a barber's chair in the cloak room and to employ a barber at his own expense, for the convenience of the officers, members and employees of the Senate.

Adopted.

INTRODUCTION OF BILLS.

By Senator Harsh, Senate File No. 36, a bill for an act increasing the pay of jurors in courts of record in this State.

Read a first and second time and referred to the Committee on Public Officers.

By Senator Reiniger, by request, Senate File No. 37, a bill for an act to complete the geological survey of Iowa.

Read a first and second time and referred to the Committee on Mines and Mining.

By Senator Barnett, Senate File No. 38, a bill for an act to amend section 2077 Code of Iowa.

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

On motion of Senator McVay the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, }
DES MOINES, IOWA, January 14, 1888. }

Senate met in regular session at 10 A. M.

Prayer by Rev. A. W. Stark.

Journal of previous day read and approved.

SPECIAL ORDER.

The special order for this hour, the fifteenth senatorial district election matter being in order, the Committee on Elections presented the following report:

Your Committee on Elections to whom was referred the resolution, evidence and report of Committee on Credentials in regard to the election of the Senator from the fifteenth senatorial district, report as follows:

We fully concur in the majority report of your Committee on Credentials in relation to the fifteenth senatorial district, and recommend that said report be adopted. Your committee, after a careful and full investigation of all the evidence before them and at their command, find and report that the Hon. E. R. Cassatt received in the fifteenth senatorial district a vote of 3,377, and that the Hon. Josiah T. Young received in the fifteenth senatorial district a total vote of 3,368, giving the Hon. E. R. Cassatt a majority of nine votes over the Hon. J. T. Young for State Senator, on the face of the official returns now on file in the office of the Secretary of State, and that no error or irregularity occurred, so far as we are now advised, in the election in the fifteenth senatorial district to change the result as above set forth; that in the fourth ward of the city of Albia, there was 128 votes cast, according to the poll list; that in the ballot-box there were found 129 ballots; that one of said ballots appeared to the judges of election to be double, and was so marked and rejected, leaving, after the rejection of said double ballot, 127 ballots. Of this last number one ballot was "not for Senator," hence we find that the ballots in box corresponded and tallied with the poll list, and in said voting precinct there was 126 votes cast for the office of State Senator.

Again, we find by the return of the judges of election of the fourth ward of the city of Albia, filed in the auditor's office of Monroe county, that there were 136 ballots cast for the office of Senator, of which the Hon. Josiah T. Young received 85, the Hon. E. R. Cassatt 39, and N. A. Flanders 12. By comparing this return with the poll-books the error first appears. By investigating the manner in which the votes were assorted and counted by the judges of election in the fourth ward, we find that the straight Republican and straight Democratic tickets were counted by themselves, and that the Hon. Josiah T. Young received 49 votes on the straight Republican ticket; that

in making a record of that vote on the tally sheet it was put down as 59 in the column of straight Republican tickets; a clerical error of ten votes; and that the Hon. Josiah T. Young received in said fourth ward a total of 75 instead of 85; that the Hon. E. R. Cassatt received in said fourth ward a total vote of 39, and that N. A. Flanders received a total vote in said fourth ward of 12 votes, making a sum total of 126 votes, which exactly agrees with the number of votes polled as shown by the poll-book after deducting the one double and the one vote "not for Senator." From the evidence before your committee, which evidence was not submitted to the Executive Board nor to your Committee on Credentials, your Committee on Elections are fully satisfied that the Hon. E. R. Cassatt is entitled to a seat in this body as a Senator from the fifteenth senatorial district. And your committee is unanimous in recommending the adoption of the resolution offered by the Senator from Des Moines, after striking from said resolution the following words: "Whereas, said certificate is of no legal validity because there was no certificate of such facts by any of the judges of election of any of said precincts and."

Report adopted.

The question recurring on the original motion of Senator Dodge it was adopted.

Senator Cassatt declared entitled to his seat as Senator from the fifteenth district.

Senator Weidman offered the following resolution:

Resolved, That the Secretary of State be requested to furnish the sergeant-at-arms, chief door-keeper and the pages of the Senate with appropriate badges of their office.

Referred to the Committee on Retrenchment and Reform.

INTRODUCTION OF BILLS.

By Senator Harsh, Senate File No. 39, a bill for an act to regulate railroads, prevent unjust discriminations and unreasonable charges, provide for the election of a Board of Railroad Commissioners by the people, define its duties and powers, repeal chapters 68 of the acts of the Fifteenth General Assembly and 77 of the Seventeenth General Assembly and all amendments and substitute therefore and all laws in conflict herewith, and to cause the laws of Iowa, relating to common carriers to conform to the National Inter State Commerce law.

Read a first and second time and referred to Committee on Railroads; 200 extra copies ordered printed.

By Senator Young, Senate File No. 40, a bill for an act imposing certain duties upon the Attorney General and empowering him to employ assistant counsel.

Read a first and second time and referred to Committee on Railroads.

By Senator Davidson, Senate File No. 41, a bill for an act entitled an act to exempt from taxation the homesteads of soldiers of the union army, when the same were obtained by or with the proceeds of a soldier's pension.

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

By Senator Caldwell, Senate File No. 42, a bill for an act to amend section 10, chapter 151, laws of the Eighteenth General Assembly.

Read a first and second time and referred to Committee on Public Officers.

By Senator Woolson, Senate File No. 43, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

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

By Senator Schmidt, Senate File No. 44, a bill for an act to amend section 1, chapter 200, of the laws of the Twentieth General Assembly, in relation to the improvement of highways.

Read a first and second time and referred to Committee on Highways.

JOINT RESOLUTION.

By Senator Reiniger, joint resolution No. 1, a joint resolution proposing to amend section one (1) of article two (2) of the constitution of Iowa:

Be it resolved by the General Assembly of the State of Iowa, That the following amendment to and substitute for section one (1), article two (2) of the constitution of the State of Iowa is hereby proposed for adoption:

SECTION 1. Every citizen of the United States of the age of twenty-one years, who shall have been a resident of this State six months next preceding the election, and of the county in which he claims his vote sixty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.

Read first and second time and referred to Committee on Constitutional Amendments.

By Senator Woolson:

Resolved, That the Secretary of the Senate cause to be printed at once for the use of the Senate, 300 copies of the list of standing committees of the Senate.

Adopted.

Senator Hutchison was excused until next Tuesday, January 17.

Senator Smith was excused until next Wednesday, January 18.

Moved by Senator Dungan that when the Senate adjourn it be until Monday afternoon at two o'clock.

Senator McCoy moved to amend by striking out "Monday at two o'clock" and substitute "Tuesday at twelve o'clock."

Carried.

The motion as amended was adopted.

Senator Reiniger was excused indefinitely for next week.

RESOLUTION.

Senator Woolson presented the following resolution:

Resolved, That the Committee on Printing are hereby directed to inquire into the practicability of causing the journal of the Senate to be printed each day, and to report by bill or otherwise at any time.

Adopted.

On motion of Senator Schmidt the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 17, 1888. }

Senate met at 12 o'clock, noon.

The President in the chair.

Prayer by Rev. B. St. John.

Minutes of last session read, corrected and approved.

Senator E. R. Cassatt appeared at the bar of the Senate and subscribed to the oath of office.

I, E. R. Cassatt, solemnly swear to support the constitution of the United States and the constitution of the State of Iowa; that I will faithfully discharge the duties of Senator to the best of my ability.

E. R. CASSATT.

REPORT OF COMMITTEE.

Senator Caldwell presented for the Committee on Assignment of Committee Rooms the following report:

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

Your committee, appointed under concurrent resolution to assign committee rooms to the Senate and House of Representatives, report that they have performed that duty, and recommend that rooms numbered as follows be assigned to the use of committees of the Senate, to-wit: 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28 and 29, and that rooms numbered as follows be assigned to the use of committees of the House of Representatives, to-wit: 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 27.

Respectfully submitted,

T. J. CALDWELL,

Chairman Senate Committee.

L. A. RILEY,

Chairman House Committee.

Adopted.

Also:

MR. PRESIDENT—Your committee appointed to make assignment of committee rooms, respectfully recommend that the several standing committees of the Senate meet in rooms as follows:

Room No. 16.—Insurance, Banks, Penitentiary and Pardons.

Room No. 17.—Mines and Mining, Corporations.

Room No. 18.—Suppression of Intemperance, Highways, Compensation of Public Officers, Rules.

Room No. 19.—Schools, Constitutional Amendments and Suffrage, Retrenchment and Reform, Federal Relations.

Room No. 20.—Congressional Districts, Senatorial and Representative Districts, Public Buildings, Manufactures.

Room No. 21—Railroads, Commerce, New Committee Educational Institutions.

Room No. 22—Judiciary, New Committee Charitable Institutions.

Room No. 23—Agriculture, Elections, Claims, Labor.

Room No. 24—Enrolled Bills, Engrossed Bills.

Room No. 26—Public Health, Fish and Game, Horticulture and Forestry, Public Lands.

Room No. 28—Ways and Means, Appropriations.

Room No. 29—Printing, Military, New Committee, Cities and Towns.

Library Room—Library.

All of which is respectfully submitted.

T. J. CALDWELL,

Chairman Senate Committee.

Adopted.

RESOLUTION.

Senator Woolson presented the following resolution:

Resolved, That this Senate do proceed at 12:30 P. M. of this day to the election of a United States Senator for the term beginning March 4th, 1889.

REPORT OF COMMITTEE ON MILEAGE.

Senator Dooley presented the following report from the Committee on Mileage:

MR. PRESIDENT—Your special committee to whom was referred the question of mileage of Senators, respectfully submit the following report of the number of miles traveled and the amount due each Senator, in pursuance of the statute, to-wit:

NAMES.	Miles.	Amount.
Barnett.....	44	\$ 2.20
Barrett.....	460	23.00
Bayless.....	680	34.00
Bills.....	312	15.60
Holter.....	344	17.20
Brower.....	310	15.50
Caldwell.....	50	2.50
Cassatt.....	94	4.70
Chesebro.....	272	13.60
Clark.....	368	18.40
Converse.....	598	29.90
Davidson.....	55	2.05
Deal.....	208	10.40
Dodge.....	350	17.50
Dooley.....	218	10.90
Doud.....	70	3.50
Dungan.....	110	5.50
Finn.....	310	15.50
Funk.....	228	11.40

NAMES.	Miles.	Amount.
Garlock	242	12.10
Gatch	2	.10
Groneweg	280	14.00
Hanchett	250	12.50
Harsh	232	11.60
Hutchison	172	8.60
Kegler	530	26.50
Kelly	217	10.85
Kent	324	16.20
Knight	582	28.10
Lawrence	474	23.70
Mattoon	440	22.00
McCoy	180	6.50
McVay	201	10.05
Meservy	334	16.70
Mills	134	6.70
Parrott	210	10.50
Poyneer	184	9.20
Price	84	4.20
Reiniger	304	15.20
Schmidt	350	17.50
Seeds	314	15.70
Smith	300	15.00
Sweeney	338	16.90
Taylor	212	10.60
Vale	183	6.65
Weber	210	10.50
Weidman	344	17.20
Wolfe	412	20.60
Woolson	232	14.60
Young	164	8.20

JAMES DOOLEY, *Ch'n.*

D. B. DAVIDSON,

RICHARD PRICE,

Committee.

Senator Young moved that the President of the Senate be empowered to assign the Senator from the 15th district to such committees as he may deem proper.

Carried.

RESOLUTIONS.

Senator Dodge introduced the following resolution:

Resolved, That the State Printer be required and instructed to print all Senate bills in the order of their filing with the Secretary of the Senate.

Senator Clark introduced the following resolution:

Resolved, That the Secretary of State be directed to furnish the regular representatives of the press, to whom seats have been assigned in this chamber, with the necessary stationery, not to exceed two dollars per week.

Referred to Committee on Retrenchment and Reform.

CONCURRENT RESOLUTIONS.

Senator Gatch offered the following concurrent resolution:

Resolved by the Senate, the House concurring,

1. That a committee consisting of three from the Senate and three from the House be appointed, whose duty it shall be to inquire and report at an early day of the present session as to such facts as in the opinion of the committee will be material in determining what further legislation, if any is necessary to insure from the railroad companies of the State more reasonable freight and passenger rates, and to prohibit unreasonable discriminations in favor of or against different sections or localities of the State, or as to different kinds, classes or classifications of traffic.

2. That so much of the Governor's biennial and inaugural messages as relates to the matter of such proposed inquiry and report be and hereby is referred to said committee.

3. That said committee be and hereby is authorized and empowered to compel the attendance of witnesses, the production of papers, and to administer oaths.

Referred to Committee on Railways.

Senator Woolson introduced the following resolution:

Resolved by the Senate, the House concurring, That the General Assembly will meet in joint convention in the hall of the House at 12 o'clock m., of Wednesday, January 18, 1888, to compare the journals of the two houses and to declare the result of the vote for a United States Senator for six years from the 4th day of March, 1889.

Adopted.

Senator Schmidt announced that Senators Reiniger and Wolfe were paired on the vote for United States Senator.

Senator Kent was excused.

Senator Weber announced that he was paired with Senator Kelly, who was absent.

Senate, on motion, proceeded to ballot for the election of a United States Senator.

Senator Woolson presented the name of James F. Wilson as a candidate for election for United States Senator for the term of six years beginning March 4, 1889 A. D.

PROTEST.

Senator Bolter presented the following protest, and requested that it be spread upon the the journal of the Senate:

We the undersigned, citizens of the United States and residents and qualified electors of the State of Iowa, and each holding a duly authenticated certificate of election to the office of State Senator of said State of Iowa, and each having taken an oath to support the constitution of the United States and also that of said State of Iowa as well, do hereby earnestly and solemnly enter our protest against proceeding to elect a Senator to represent the State of Iowa in the Senate of the United States, for that this body is not now formed and constituted in accordance with sections 34 and 35 of article 3 of the constitution of this State, in this:

The Twenty-first General Assembly of Iowa at its regular session in 1886, passed an act dividing the State into senatorial districts without passing any law fixing any ratio of representation for such senatorial districts, as required by said sections 34 and 35 of said article 3 of the constitution.

That since the adjournment of said Twenty-first General Assembly a general election has been held and Senators have been elected in several of the districts so unlawfully and unconstitutionally formed, are now acting as members of this body.

That said act of said Twenty-first General Assembly in so dividing the State into so-called senatorial districts was so done and said districts so formed as to defeat equal senatorial representation in proportion to population as contemplated by and secured to all the people of the United States by section 4 of article 4 of the Federal constitution, wherefore we ask to have this, our protest, spread upon the journal of the Senate.

L. R. BOLTER, 34th senatorial district.
F. D. BAYLESS, 36th senatorial district.
S. T. CHESBRO, 20th senatorial district.
JAMES DOOLEY, 12th senatorial district.
W. W. DODGE, 9th senatorial district.
W. H. TAYLOR, 3d senatorial district.

Senator Bolter put in nomination Hon. T. J. Anderson as a candidate for United States Senator.

The roll was called by the Senate with the following result:

Those voting for James F. Wilson were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Sweney, Vale, Weidman, Woolson and Young—31.

Those voting for T. J. Anderson were:

Senators Bills, Bolter, Cassatt, Chesebro, Dodge, Dooley, Grone-weg, Kegler, Mattoon, Schmidt and Taylor—11.

Absent or not voting:

Senators Barnett, Bayless, Kelly, Kent, Knight, Reiniger, Weber and Wolfe—8.

Hon. James F. Wilson having received a majority of the votes cast was declared elected, on the part of the Senate, to the office of United States Senator for the term of six years, beginning March 4, 1889.

RESOLUTION.

Senator Price introduced the following resolution from the Grand Union Alliance, Madison county, Iowa:

Resolved, That we demand our members of the Legislature to use their efforts to repeal the law which authorizes the clerk of courts in this State to furnish bar dockets for the use of lawyers at the expense of the tax-payers.

Referred to the Committee on Judiciary.

PETITION.

Senator Dodge introduced a petition signed by 500 legal voters of the ninth senatorial district, protesting against any change in the game laws to abolish the spring shooting of water fowl.

Read and referred to the Committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 45, a bill for an act to appoint and organize a board of trustees for the Hospital for the Insane of Clarinda, Iowa.

Read a first and second time and referred to the Committee on Charitable Institutions.

By Senator Clark, Senate File No. 46, a bill for an act to appropriate money to carry on the work of building the Hospital for the Insane at Clarinda.

Read a first and second time and referred to the Committee on Charitable Institutions.

By Senator Price, Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seed and other cereals.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Gatch, Senate File No. 48, a bill for an act providing for the manner of appointment and removal of railroad commissioners.

Read a first and second time and referred to the Committee on Railways.

By Senator Hutchison, Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly relating to the registration of voters in cities.

Read a first and second time and referred to the Committee on Cities and Towns.

By Senator Hutchison, Senate File No. 50, a bill for an act to repeal section 28, chapter 60, laws of 1874, and sections 814, 815, 816, 817, 818, 819, 828, 832, 833, 834, 836, part of section 812 of the code, and to enact substitutes therefor, providing for an equal, definite, accurate and equitable assessment and taxation of moneys and credits, incorporated State and National and private banks, merchandise and manufactured goods, real and personal property.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Dooley, Senate File No. 51, a bill for an act to amend section 1789 of the Code with reference to elections in independent school districts.

Read a first and second time and referred to the Committee on Schools.

By Senator Garlock, Senate File No. 52, a bill for an act defining and regulating insurance contracts.

Read a first and second time and referred to the Committee on Insurance.

By Senator Harsh, Senate File No. 53, a bill for an act to make

elective by the people the office of school treasurer in independent school districts, which contain within their corporate limits a village, town or city of five hundred or more inhabitants, and to change the date upon which said treasurer is required to make annual report.

Read a first and second time and referred to the Committee on Schools.

By Senator Harsh, Senate File No. 54, a bill for an act providing a plan whereby the people of an independent school district or district township may by majority vote empower the directors to purchase school books in large quantities, thereby obtaining the same at the lowest possible price and securing uniformity in text books in said school districts.

Read a first and second time and referred to the Committee on Schools. Two hundred extra copies ordered printed.

By Senator Barnett, Senate File No. 55, a bill for an act to regulate the fencing of railroads.

Read a first and second time and referred to the Committee on Railways.

By Senator Gatch, Senate File No. 56, a bill for an act to amend sections 4413 and 4414 of the Code of Iowa relating to peremptory challenges of jurors in criminal cases.

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

By Senator Gatch, Senate File No. 57, a bill for an act providing for the exemption after the year 1889 of homesteads from ordinary taxation to the value of \$1,000.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Schmidt, Senate File No. 58, a bill for an act to authorize cities organized under special charter to refund their outstanding bonded debt, and to provide for the payment of the same.

Read a first and second time and referred to the Committee on Cities and Towns.

By Senator Schmidt, Senate File No. 59, a bill for an act granting additional powers to cities organized under special charter with reference to the improvement of streets, highways, avenues or alleys and to provide a system for payment therefor.

Read a first and second time and referred to the Committee on Cities and Towns.

By Senator Dodge, Senate File No. 60, a bill for an act to prohibit the killing of squirrels in certain seasons of the year and to amend section 2 of chapter 156, acts of the Seventeenth General Assembly.

Read a first and second time and referred to the Committee on Fish and Game.

COMMITTEE REPORT.

Senator Funk from the Committee on Printing submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred concurrent resolution relative to postponing election of State Printer and State Binder, with amended substitute therefor, beg leave to report that they have had the same under consideration, and have

unanimously instructed me to report the same back to the Senate with the recommendation that amended substitute providing for the election of Printer and Binder not sooner than within ten (10) days of the final adjournment of the legislature, unless the legislature shall sooner determine the question of continuing the said offices, be adopted.

FUNK, *Chairman*.

Order passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred a resolution directing said committee to inquire into the practicability of causing the journal of the Senate to be printed each day, beg leave to report that they have had the same under consideration, and have unanimously instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for reasons following: It is deemed decidedly objectionable to have the Secretary surrender the original proceedings of this body into the hands of the printers, as would be necessary if this resolution is adopted. Danger of mutilation, and even loss of records that would be fatal to important interests, is involved, and the absence of these records might seriously interfere with the work of this body or individual members thereof.

FUNK, *Chairman*.

Ordered passed on file.

President Hull announced the following Senators as members of the several respective committees to visit the State institutions:

State University—Senator Brower.

Agricultural College—Senator Vale.

College for Deaf and Dumb—Senator Lawrence.

College for Blind—Senator Mills.

Orphans' Home—Senator Sweney.

Insane Asylum at Mt. Pleasant—Senator Caldwell.

Insane Asylum at Independence—Senator Mattoon.

Insane Asylum at Clarinda—Senator Bayless.

Normal School—Senator Davidson.

Penitentiary at Ft. Madison—Senator Funk.

Penitentiary at Anamosa—Senator McCoy.

Asylum for Feeble Minded Children—Senator MoVay.

Fish Hatching House—Senator Hanchett.

Reform School at Eldora—Senator Weidman.

Reform School at Mitchellville—Senator Price.

Soldiers' Home—Senator Young.

On motion of Senator Caldwell 100 copies of Senator Woolson's resolution of January 13, respecting visiting committees, were ordered printed for distribution to-morrow morning.

LEAVE OF ABSENCE GRANTED.

Senator Converse, until next Tuesday.

Senator Seeds, until next Tuesday.

Senator Weber, until next Tuesday.

Senator Kent, until next Wednesday.

On motion of Senator Seeds the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, January 18, 1888. }

Senate convened as per adjournment.

President in the chair.

Prayer by Rev. James T. Docking.

Journal of last session read and approved.

Senator Dooley of the Committee on Mileage reported the following corrections in the report of the Committee on Mileage: Senator A. B. Funk should be allowed for 400 miles, \$20, and Senator B. R. Vale 266 miles, \$13.30, instead of as recorded in report of said committee.

Senator Woolson moved that the salary of bill clerk be fixed for this term the same as that of committee clerks, at three dollars a day.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolutions relative to the meeting of the joint convention, Wednesday, January 18.

Also, that the House has concurred in the Senate amendments to the House concurrent resolution, relative to furnishing the members of the General Assembly with a bound copy of the Acts of the 15th, 16th, 17th, 18th, 19th, 20th, 21st General Assembly.

Also, that the House has passed the following concurrent resolution No. 3, relative to instructing the Committee to visit the Penitentiary at Anamosa, in which the concurrence of the Senate is asked.

Also, that the House has passed the following concurrent resolution, relative to the instructions to the Visiting Committee, in which the concurrence of the Senate is asked.

D. C. KOLP, *Chief Clerk.*

PETITIONS.

Senator Price presented a petition signed by 67 citizens of Madison county asking for additional legislation on the pharmacy and other liquor laws.

Referred to the Committee on Suppression of Intemperance.

Senator Groneweg presented a petition signed by 103 names asking for additional legislation on the pharmacy and other liquor laws.

Referred to the Committee on Suppression of Intemperance.

Senator Caldwell presented petitions signed by 126 citizens of Guthrie county asking for additional legislation on the pharmacy and other liquor laws.

Referred to the Committee on Suppression of Intemperance.

RESOLUTION.

Senator Dungan offered the following resolution:

Resolved, That in the opinion of the Senate, it will be the duty of the present General Assembly to provide for the election of Railroad Commissioners by the people.

Referred to Committee on Railways.

On motion of Senator Woolson, report No. 2 of Printing Committee was considered.

Senator Woolson offered the following resolution as a substitute for the report of the committee.

WHEREAS, Under a proper construction of the law, the State Printer will be entitled to no additional compensation except press-work on the extra copies ordered, for printing the Senate journal from day to day, instead of after the session, as has heretofore been the custom, and inasmuch as there is no difficulty in printing, after being corrected by the Senate, the whole number of copies required of the State Printer, without re-setting the type, and

WHEREAS, The amount heretofore generally allowed the Secretary for transcribing the Senate journal and superintending the printing thereof, after final adjournment of the session, is ample compensation for such transcribing and attending to the printing thereof during the session, as hereinafter contemplated, and

WHEREAS, The opportunity for personal examination and consequent correction of the journal will insure it thorough accuracy, while the business of the session will be greatly facilitated by the journal files being on the desks of Senators, therefore

Resolved. 1. The Secretary of the Senate be directed to furnish to the State Printer at such hours as may be necessary for the performance of the work hereinafter required of the State Printer, or as the Secretary and Printer may agree, but not later than 9 p. m. of each day, a copy of the journal of that day; and said State Printer is directed to print the same and furnish to the Secretary 100 copies thereof, by noon of the next legislative day. The Sergeant-at-arms shall at once cause one copy of said printed journal to be placed on the desk of each Senator. Provided, that if there is an evening session a copy of the journal shall be furnished to the State Printer as soon as possible after the close of that session.

2. Immediately preceding the adjournment of the Senate next following each distribution, the President of the Senate shall call for corrections to the journal as so printed and distributed, and the Secretary shall note on one of said printed copies all corrections so made, and shall correct the written journal in accordance therewith; and shall return said corrected printed copy to the State Printer forthwith.

3. Said State Printer shall forthwith make said corrections in his office, and shall within twenty-four hours thereafter print and deliver to the Secretary three hundred copies of said corrected printed journals. The sergeant-at-arms of the Senate shall thereupon deliver one hundred and twenty-five copies thereof to the sergeant-at-arms of the House for distribution in the House, and shall deposit the remainder of said corrected journals in the file room for the use of Senators.

4. The State Printer shall thereupon proceed to print the Senate journal after the same has been corrected as aforesaid in the numbers as provided by law, and shall be allowed for but one composition for all the journals by these resolutions contemplated and directed.

5. The State Printer is directed to cause to be printed the journals of Senate up to and including the present day, so that the same shall be on the desks of Senators at the convening of the Senate upon January 24.

6. The Secretary is hereby authorized to engage and place upon the roll of employes of the Senate, at not to exceed \$5 per day while so employed, a competent person who shall, under the direction of the Secretary, prepare said copy of said journal as hereinbefore directed.

Moved by Senator Bolter, that the whole subject be referred to the Committee on Printing.

Carried.

Senator Dooley requested that his vote be recorded in favor of Hon T. J. Anderson for United States Senator.

Granted.

LEAVE OF ABSENCE GRANTED.

Senator Meservey until next Tuesday.

Senator Davidson until next Tuesday.

Senator Lawrence until next Tuesday.

Senator Clark until February 2.

Senator Garlock until January 26.

Senator Hanchett until next Tuesday.

INTRODUCTION OF BILLS.

By Senator Finn, Senate File No. 61, a bill for an act creating a board of school book commissioners and to provide for furnishing text-books for the use of the common schools of the State.

Read a first and second time and referred to the Committee on Schools. Two hundred extra copies ordered printed.

By Senator Dungan, Senate File No. 62, a bill for an act to amend sections 6 and 7, chapter 40, acts of the Nineteenth General Assembly, fixing the age at which children shall be admitted to the Asylum for the Feeble Minded at Glenwood.

Read a first and second time and referred to the Committee on Charitable Institutions.

By Senator Bayless, Senate File No. 63, a bill for an act to amend section 8, chapter 83, laws of Twenty-first General Assembly.

Read a first and second time and referred to the Committee on Public Health.

By Senator Price, Senate File No. 64, a bill for an act to prevent and punish fraud in the sale of cattle, sheep, swine and other domestic animals.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Barnett, Senate File No. 65, a bill for an act to provide

that owners or keepers of pure bred, thorough bred, or standard bred horses for service, should post notice of registration.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Gatch, Senate File No. 66, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuances in criminal cases.

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

By Senator McVay, Senate File No. 67, a bill for an act to regulate railroad corporations, and declaring all railways within the State of Iowa public highways, and increasing the powers of the Railroad Commissioners and defining their duties.

Read a first and second time and referred to the Committee on Railways, and 100 extra copies ordered printed.

By Senator McCoy, Senate File No. 68, a bill for an act to provide for the establishment of a State Board of Supervision of State Institutions and officers.

Read a first and second time and referred to the Committee on Ways and Means.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to the appointment of a committee to visit the "Benedict Home."

D. C. KOLF, *Chief Clerk.*

REPORT OF COMMITTEES.

Senator Sweney, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred concurrent resolution relative to the appointment of a special joint committee to ascertain and report facts concerning railroads, and to which portions of the Governor's biennial and inaugural message should be referred, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that your committee desire and deem it necessary to cover substantially the same ground proposed by said resolution for the proposed joint committee, and believe they can more easily and quickly obtain such information as shall be necessary by original investigation and evidence than through a special committee. Your committee instruct their chairman to apply for authority to make all necessary investigation contemplated in said resolution, and to recommend that said resolution be indefinitely postponed.

J. H. SWENEY, *Chairman.*

Adopted.

Senator Funk, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing to whom was referred the substitute offered for the action of the committee relative to the matter of printing the Senate journal daily, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted and that it govern the action of the Senate until this committee shall present a bill for an act in harmony with the provisions of this substitute.

FUNK, *Chairman.*

Adopted.

On motion of Senator Woolson the Senate took a recess until 11:55 A. M.

Senate reconvened.

On motion of Senator Dungan, House concurrent resolution relative to the appointment of a committee to visit the Benedict Home was taken up and adopted.

Senator Brower offered the following resolution:

Resolved, That the custodian of the Capitol building be requested to place curtains at the base two windows nearest the south side on the west end of this chamber to prevent the draft of cold air which now prevails there.

Adopted.

A committee from the House announced that the House was in readiness to receive the Senate in joint assembly to compare the journals of the two houses on the vote for United States Senator.

The hour having arrived for the joint assembly, the President of the Senate requested the Senate to accompany him to the House.

JOINT ASSEMBLY.

The joint assembly was called to order by Lieutenant-Governor John A. T. Hull, who announced that in pursuance of a concurrent resolution, and in accordance with the United States statutes, the two houses were met in joint assembly for the purpose of comparing that part of the journals of the two houses relative to the vote for United States Senator, and ordered that the joint assembly now proceed to compare that part of the journals of the two houses as to the votes for United States Senator.

The Secretary of the Senate then proceeded to read that part of journal of the Senate for Tuesday, January 17, 1888, that referred to the votes for United States Senator.

Senator Bolter offered a protest, which the chair ruled out of order.

The Clerk of the House then proceeded to read that part of the House journal for Tuesday, January 17, 1888, that referred to said vote.

From the reading of the journals it appeared that upon Tuesday, January 17, 1888, the Senate and House of Representatives balloted separately for United States Senator, with the following result:

IN THE SENATE.

James F. Wilson received.....	81 votes.
T. J. Anderson received.....	11 votes.
Absent or not voting.....	8 votes.

IN THE HOUSE.

James F. Wilson received.....	59 votes.
T. J. Anderson received.....	26 votes.
Daniel Campbell received.....	3 votes.
J. E. Reed received.....	1 vote.
John A. T. Hull received.....	1 vote.

Thereupon the president of the joint assembly declared that:

WHEREAS, Hon. Jas. F. Wilson had received a majority of the votes cast in the Senate and House of Representatives, voting separately for United States Senator, Jas. F. Wilson was declared duly elected by the Twenty-second General Assembly of the State of Iowa as United States Senator from the State of Iowa, for the term commencing on the 4th day of March, 1889.

The following certificate was then signed in the presence of the joint assembly and read to the assembly by the clerk:

STATE OF IOWA, }
HALL OF THE HOUSE OF REPRESENTATIVES. }

This is to certify that at the meeting of the two houses of the General Assembly of the State of Iowa, in joint assembly, held on Wednesday, the 18th day of January, 1888, at noon, a majority of all the members of each house being present, it was found upon examination of journals of respective houses that upon the day before, the same being the second Tuesday after the meeting and temporary organization of the General Assembly, each house had by an open, viva voce vote of the members present, named Jas. F. Wilson, of Jefferson county, for Senator in Congress for the State of Iowa, for the term commencing the 4th of March, 1889.

Whereupon, said joint assembly formally declared said Jas. F. Wilson, of Jefferson county, duly elected Senator to represent the State of Iowa in Congress of United States for the term of six years, beginning on the 4th day of March, 1889.

J. A. T. HULL,
President of the Senate and Joint Assembly.

W. H. REDMAN,
Speaker of House of Representatives.

DAVID C. KOLF,
Clerk of the House of Representatives and Joint Assembly.

C. H. BROCK,
Secretary of Senate.

The journal of joint assembly was read and approved.

On motion of Senator Woolson the joint assembly was dissolved.

Senate reconvened after the joint assembly, 1 o'clock P. M.

Senator Deal excused until Tuesday.

On motion of Senator Caldwell the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 24, 1888 }

Senate convened at nine o'clock, as per adjournment.

President in the chair.

The journal of last session was read and approved.

President Hull announced that Senator Cassatt had been placed on the following committees: Ways and Means, Labor, Banks, Mines and Mining.

President Hull announced that Senator Dungan had been appointed committee on the part of the Senate to visit the Benedict Home.

INTRODUCTION OF BILLS.

By Senator Dungan, Senate File No. 69, a bill for an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud.

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

By Senator McCoy, Senate File No. 70, a bill for an act in relation to underground insurance, and to provide means for the suppression of same.

Read a first and second time and referred to the Committee on Insurance.

By Senator Hutchison, Senate File No. 71, a bill for an act authorizing the Auditor of State to settle and adjust permanent school fund revenue, insane and other accounts with the several county officers, and providing means for the payment of the same.

Read a first and second time and referred to the Committee on Ways and Means.

By Senator Schmidt, Senate File No. 72, a bill for an act authorizing the board of directors of any district, township or independent school district to supply school books to the pupils free of cost.

Read a first and second time and referred to the Committee on Schools.

RESOLUTION.

Senator Woolson offered the following resolution:

Resolved, That the Senate at 2:10 p. m. of this day will proceed to the election of United States Senator for the term commencing March 4, 1889.

Adopted.

On motion of Senator Dodge, the Senate adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

Senate convened as per adjournment.
President in the chair.

INTRODUCTION OF BILLS.

By Senator Price, Senate File No. 73, a bill for an act to fix the number of jurors, in both civil and criminal cases, at seven, any five of whom may render a verdict, and to repeal certain sections of the Code relating to the formation of juries.

Read first and second times and referred to the Committee on Judiciary.

By Senator Bayless, Senate File No. 74, a bill for an act to prevent discrimination against female teachers.

Read first and second times and referred to the Committee on Schools.

By Senator Bayless, Senate File No. 75, a bill for an act to authorize school directors to purchase text books.

Read first and second times and referred to the Committee on Schools.

By Senator Parrott, Senate File No. 76, a bill for an act amending section 1, chapter 78, laws of Twenty-first General Assembly, authorizing certain cities to fund certain outstanding indebtedness.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Weber, Senate File No. 77, a bill for an act relating to evidence in insurance cases.

Read first and second times and referred to the Committee on Insurance.

By Senator Weber, Senate File No. 78, a bill for an act to amend section 1146 of the Code of 1873, relating to insurance notes.

Read first and second times and referred to the Committee on Insurance.

By Senator Weber, Senate File No. 79, a bill for an act to compel insurance companies to insert in the application for insurance the conditions of the policy and deliver to the assured a copy of the application at the time of making the same.

Read first and second times and referred to the Committee on Insurance.

By Senator Gatch, Senate File No. 80, a bill for an act to legalize the addition of territory to the town of North Des Moines.

Read first and second times and referred to the Committee on Judiciary.

By Senator Seeds, Senate File No. 81, a bill for an act authorizing township trustees to provide places for holding elections and for paying for the same.

Read first and second times and referred to the Committee on Judiciary.

By Senator Seeds, Senate File No. 82, a bill for an act amending the Fish law of the State.

Read first and second times and referred to the Committee on Fish and Game.

By Senator Kelly, Senate File No. 83, a bill for an act to amend section six, chapter sixty, laws of the Fifteenth General Assembly relating to banks.

Read first and second times and referred to the Committee on Banks and Banking.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to election of U. S. Senator.

D. C. KOLP, *Chief Clerk.*

SPECIAL ORDER.

The hour having arrived for the Senate to ballot for a United States Senator, for the term beginning March 4, 1889, Senator Woolson put in nomination Hon. James F. Wilson, to be his own successor.

Senator Bolter, in the name of the minority, protested against the election of United States Senator on the grounds set forth in protest recorded in Senate Journal of January 17, 1888.

Senator Barnett put in nomination Henry Wallace, of Winterset.

Senator Dodge put in nomination Hon. T. J. Anderson.

On call of the roll, those voting for James F. Wilson, were:

Senators Brower, Caldwell, Converse, Davidson, Deal, Dungan, Finn, Garlock, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman Woolson and Young—29.

Those voting for T. J. Anderson, were:

Senators Bills, Bolter, Chesebro, Dodge, Dooley, Groneweg, Keger, Kelly, Schmidt and Taylor—10.

Those voting for Henry Wallace, were:

Senator Barnett—1.

Those absent or not voting, were:

Senators Barrett, Bayless, Cassatt, Clarke, Doud, Funk, Kent, Knight Mattoon and Wolfe—10.

Thereupon the Hon. James F. Wilson, having received a majority of all the votes cast was declared by the chair to be duly elected

United States Senator on the part of the Senate for the term of six years beginning March 4, A. D. 1889.

HOUSE MESSAGES.

On motion of Senator Woolson, House messages were taken up.

The message relative to instructions to Visiting Committees, to inquire as to source of supplies of State, furnished to State institutions during the years 1886 and 1887, was on motion laid on the table.

The message relative to instruction to Visiting Committee concerning Anamosa Penitentiary, was read. On motion to lay it on the table, the yeas and nays were demanded, and were as follows:

The yeas were:

Senators Hutchison, Lawrence, Poyneer, and Young—4.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, McCoy, McVay, Parrott, Price, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman and Woolson—35.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Clark, Doud, Funk, Knight, Mattoon, Meservey, Mills and Wolfe—11.

Motion lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to appropriations not to exceed the estimated income of the State.

D. C. KOLP, *Chief Clerk.*

Senator Dodge offered the following amendment to the resolution:

Add the words: That the Secretary of State obtain a certified copy of the minutes of the evidence taken before the grand jury of Jones county in the examination of the charges preferred against ex-Warden Martin, and place the same before this body.

On motion of Senator Dungan the resolution was laid upon the table until the report of the committee to visit the institution in question is received.

Message relative to appropriations was considered, and on motion to refer to the Committee of Ways and Means, with instructions to report at as early a day as possible.

The yeas and nays were called with the following result:

The yeas were:

Senators Bolter, Brower, Caldwell, Converse, Davidson, Deal, Finn, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Vale, Weidman and Woolson—29.

The nays were:

Senators Barnett, Bayless, Bills, Chesebro, Dodge, Dooley, Dungan, Harsh, Reiniger, Sweney, Taylor, Weber and Young—18.

Absent or not voting:

Senators Barrett, Cassatt, Clark, Doud, Funk, Knight, Mattoon and Wolfe—8.

So the resolution was referred.

MESSAGE FROM THE GOVERNOR.

The Governor's Private Secretary appeared and submitted to the Senate the following communication in writing:

JANUARY 24, 1888.

Gentlemen of the Senate and House of Representatives:

I have the honor to herewith transmit to you a communication from the Iowa Hospital for the Insane at Independence in relation to the title of the land which the Twentieth General Assembly authorized them to purchase for the use of the Hospital.

(Signed)

WM. LARRABEE.

[Seal]

IOWA HOSPITAL FOR THE INSANE, }
INDEPENDENCE, January 11, 1888. }

To His Excellency, Wm. Larrabee, Governor of Iowa, Des Moines, Iowa:

The Board of Trustees of the Iowa Hospital for the Insane at Independence beg leave to call your attention to the following facts in regard to the title of the land that the Twentieth General Assembly authorized to be purchased for the use of this Hospital. The act authorizing purchase of said land directed the trustees to have the records of Buchanan county searched, and from this search to certify as to the title. This was done and the deed was taken, and the steward of the Hospital went into possession and has been in possession ever since. Sometime in February, 1887, one Thomas J. Felling, of Des Moines, claiming that the land was the property of the United States, made what he called a homestead entry of the land, to-wit: the S½ SE¼ of section 8, township 88, range 9, and claimed that he was going to settle upon the same. When this fact became known, the secretary of this board, Colonel Jed Lake, of Independence corresponded with the Commissioner of the General Land Office at Washington and stated that the land in question was entered by one Silas Sawyer, of Dubuque, Iowa, on the 2d day of July, 1853, by the locating of military bounty land warrants on the said lands. That on the 28th day of August, 1860, the Commissioner of the General Land Office claimed to have cancelled said location on the ground that the Commissioner of Pensions had cancelled the warrants as having been procured from his office by reason of forged and fraudulent papers.

On a consultation with Dr. Hill, who had deeded this land to the State, it was thought to be the cheapest way for him to furnish money and make a substitution for said land in the name of Silas Sawyer, and by so doing it would perfect the title in the State. This was done;

the money tendered but was refused by the register and receiver for the reason, as alleged by them, that the homestead entry by T. J. Felling was the first in right, as it was the first in time. From this decision Col. Lake appealed to the Commissioner of the General Land Office, in the name of Dr. Hill, and said appeal was heard and decided in favor of Dr. Hill, and the receiver and register at Des Moines were ordered to accept the money and issue a certificate to Dr. Hill that he had made the substitution and let the patent issue to Silas Sawyer. The money was again tendered by Col. Lake for Dr. Hill to pay for said land in the name of Silas Sawyer. This was again refused by the receiver and register at Des Moines on the alleged ground that T. J. Felling had the right to appeal from the rulings of the Commissioner of the Land Office to the Secretary of the Interior. This appeal has been taken and is now pending in the Interior Department. While in Washington last October Col. Lake made an examination of all the papers and records as to this land, and found that the President of the United States, the Secretary of the Interior and the Recorder of the Land Office had united in making and completing a patent for each forty acres of said land, and that said patents were in existence and ready for delivery some four years before the pretended cancellation of the same by the order of the Commissioner of the General Land Office. He also found that in a case somewhat similar the Supreme Court of the United States had held that after the patent had been issued, recorded and was ready for delivery, the power of the officers of the Department to cancel or revoke the same had ceased. On this state of the facts it is believed that the title of the State is good, and that on a proper presentation of the facts, by some one who is authorized to act for the State, the Land Office at Washington will issue another patent to Silas Sawyer for said land. That will place the title in the State so that it can be questioned only in a court of law.

We believe that some one ought to be authorized by the proper authority to act for the State in this matter. We can not now ask Dr. Hill to make the title good, as from the facts stated the only party that can question it is the United States, and it only by a suit in the courts. Until the United States authorities see fit to take such a step, our possession is not disturbed or threatened. But to prevent any demand in the future the State of Iowa ought to take such steps as will secure it, as far as it can be done, a complete record title. As Col. Jed Lake has had the business in hand, and is familiar with the situation, we recommend that he be employed by the State to make the demand and procure from the proper officers a patent for said land. This will set at rest all questions as to the title to the land in question.

All of which is respectfully submitted.

(Signed)

JED. LAKE,
ALBERT REYNOLDS,
FREDRIC S. THOMAS,

Trustees Iowa Hospital for Insane at Independence.

Read in part, and on motion of Senator Young further reading was dispensed with, and the message referred to the Committee on Judiciary.

CONCURRENT RESOLUTION.

Senator Harsh offered the following resolution:

WHEREAS, Good government depends largely on the character of the homes of the people, therefore it should be the policy of the State to pursue such course as will stimulate and induce permanent home-building by each one of her citizens by making the home sacred, by exempting the same from taxation or sale for taxes, as now provided by law in case of debts due to private persons, firms and corporations; and,

WHEREAS, Such exemption of the homestead from taxation would diminish the revenue of the State, and such deficit should be provided for in such equitable way as will least interfere with the financial prosperity of the people; therefore,

Resolved by the Senate, the House concurring, That the Committees on Ways and Means of their respective houses be requested to inquire into the expediency of exempting all homesteads, as now defined by law, from taxation, for any purpose, in the assessed value of five hundred dollars, and the listing for taxable purposes each person whose annual income exceeds the sum of five hundred dollars, said persons to pay taxes thereafter on the plan known as the graduated income tax scheme, whereby the larger incomes are assessed at a greater proportionate rate than the smaller ones are listed and assessed.

Senator Sweney moved that the resolution be referred to the Committee on Ways and Means.

On motion of Senator Deal the motion was amended by adding "and that 500 copies be ordered printed."

The question recurring on the original motion as amended it was carried.

REPORT OF COMMITTEE.

Senator Hutchison offered the following report from the Committee on Ways and Means:

Report of the Committee of Ways and Means on the condition of the State's finances, with sundry estimates:

MR. PRESIDENT—The Committee of Ways and Means deems it within the scope of its duties to submit to the Senate a statement of the condition of the State's finances, with sundry estimates.

The report of the Auditor of State exhibits the operations of the treasury for the fiscal period that ended June 30, 1887, its condition at that time, and the amount of floating debt then outstanding. It also presents estimates of the movements of the treasury for the current fiscal period, which will end June 30, 1889; but, as six months has elapsed since the expiration of the period covered by the reports of the financial officers, and six months will elapse after the expiration of the current period before the convening of the Twenty-third General Assembly, your Committee thinks it not undesirable that the estimates be extended so as to cover the entire period that will elapse before the appropriations of the next General Assembly will, in accordance with custom, become available. In making these estimates the committee is of course aided by a knowledge of the actual

operations of the treasury for the first six months of the current period.

The period began on the first day of July last with a balance in general revenue of \$30,898.95; and there were warrants outstanding at the time amounting to \$455,986.15; the net amount of floating debt was therefore \$485,592.20.

During the first six months of the current period, the operations of the treasury were:

Receipts	\$ 584,273.69
<i>Disbursements:</i>	
Warrants redeemed	\$ 550,010.77
Interest paid on warrants	10,722.46
	<hr/>
	\$ 560,733.23
Excess of receipts	\$ 23,540.46
Add balance June 30	20,388.95
	<hr/>
Balance January 1, 1888 (cash)	\$ 43,934.41
The amount of the warrants then (January 1) out- standing was	546,912.80
	<hr/>
Net floating debt January 1, 1888	\$ 502,978.39

The following estimates of the operations of the treasury for the first six months of the year 1888 are submitted:

Receipts	\$ 1,010,000.00
<i>Expenditures:</i>	
Ordinary	\$ 681,000.00
Special appropriations Twenty-first General As- sembly	45,000.00
Interest paid on warrants	18,000.00
	<hr/>
	\$ 694,000.00
Receipts in excess	\$ 316,000.00
Add balance January 1, 1888	43,934.41
	<hr/>
Gives a surplus available for retiring outstanding warrants of	\$ 359,934.41
Outstanding warrants January 1, 1888	546,912.80
	<hr/>
Net floating debt June 30, 1888	\$ 186,978.41

The following estimates for the entire year 1888 are submitted:

Receipts	\$ 1,824,000.00
<i>Expenditures:</i>	
Warrants issued	\$ 1,200,000.00
Interest on warrants	22,000.00
	<hr/>
	\$ 1,222,000.00
Excess of receipts	\$ 402,000.00
Adding balance January 1, 1888, of	43,934.41
	<hr/>
We have	\$ 445,934.41
Which, deducted from outstanding warrants, January 1, 1888	546,912.80
	<hr/>
Leaves net floating debt of	\$ 100,978.39

The following are submitted as estimates for the two calendar years 1888 and 1889:

Receipts, including balance, January 1, 1888	\$ 3,044,000.00
<i>Expenditures:</i>	
Warrants	\$ 2,288,000.00
Interest paid	80,000.00 \$ 2,288,000.00
Resources in excess	\$ 776,000.00
Warrants outstanding January 1, 1888	546,912.80
Net surplus for the two years	\$ 229,087.20

It will be noted that these computations are based on existing statutes, and the appropriations recommended by the Auditor of State for clerk hire, etc. Consequently no allowance is made for any special appropriations to be made by this General Assembly, nor for such as must undoubtedly be made of the care for the Soldiers' Home and the additional expense of caring for the insane at Clarinda. On the other hand, the State tax is estimated at two mills only for the receipts of the year 1889.

Should the legislature authorize the levy of an additional half mill to be collected that year, the surplus will be increased by about \$248,000, making it some \$477,000.

Continuing the estimates to the first of April, 1890, when the appropriations of the Twenty-third General Assembly will begin to apply according to custom, the receipts and expenditures for the additional three months will so nearly balance each other, at least that has been the experience in the past, that the surplus above found will hardly be affected one way or the other.

But, continuing the estimates still further, until the end of the first year of the next fiscal term, namely, June 30, 1890, the surplus on a two mills levy on assessments of 1888 and 1889 would be increased to about \$439,000, and on a two and one-half mills levy for those years to \$820,000. For the six months referred to an estimate is submitted as follows:

Receipts (2 mill levy)	\$ 860,000.00
Expenditures (ordinary)	650,000.00
Excess of resources	\$ 210,000.00
Add surplus January 1, 1890, as estimated above	229,000.00
And there will then be a surplus of	\$ 439,000.00

If the tax collected in 1889 be on a two and a half mills levy this surplus would be increased to about \$687,000, and if the additional levy be continued through 1890 the surplus would be further increased to some \$820,000.

Your committee would urge upon the Senate the advisability of making special appropriations as much as possible not available until the year 1889. The foregoing estimates, and they are believed to be carefully made, being neither too hopeful nor too conservative, show

an inevitable floating debt on the first of January next of \$100,000, without any addition to its volume being made by this General Assembly. To the extent, therefore, that special appropriations are permitted to be drawn the present year will the State's indebtedness be increased. On the other hand, a floating debt of \$100,000 next winter would soon disappear in the presence of the spring receipts into the treasury, leaving the State in a position to go on with needed improvements, and not be under the necessity of paying interest. This item of interest cost the State during the last fiscal term the large sum of \$107,565.23, an amount equal to one-eighth of a mill of annual tax on all the property in the State, and more than had been expended on account of interest on floating debt for twenty-two years preceding. The amount to be paid the present term cannot, with the utmost economy on the part of this General Assembly, be much less than \$40,000, making for the four years an interest account greater than the aggregate of all the interest accounts on unfunded debt for the thirty years before.

In the judgment of your committee, the floating debt should be extinguished at the earliest day practicable. It is the most mischievous shape which public indebtedness can assume. It challenges all estimates and confuses all calculations. Two years ago the highest estimate of payments of interest on warrants during the period fell \$50,000 below the actual outlay on that account.

In conclusion, your committee would respectfully recommend:

First. As above suggested, that wherever at all practicable special appropriations be made not available until the spring of the year 1889.

Second. That in case the aggregate of the special appropriations and other increased charges on the public treasury should exceed \$240,000, an additional levy of one-half mill be collected in 1889 on the assessment of 1888.

Third. That should the aggregate of such appropriations exceed \$500,000, an additional levy be made on the assessment of 1889, to be collected in 1890, and that the excess of the appropriations over that amount be made not available until the year 1890.

By order of committee.

J. G. HUTCHISON, *Chairman.*

Five hundred copies of the report were ordered printed.

Corrections in previous printed journal were made.

On motion of Senator Dodge, the Senate adjourned until 10 o'clock A. M., January 25.

SENATE CHAMBER,
DES MOINES, IOWA, January 25, 1888. }

Senate met in regular session at ten A. M.
President Hull in the chair.
Prayer by Rev. J. Auracher.

PETITIONS.

Senator Hutchison presented petitions from miners of Wapello county asking that the legislature pass a bill known as the Miles bill or one similar to it, and also providing that miners shall be paid at not longer intervals than twice a month.

Referred to Committee on Mines and Mining.

INTRODUCTION OF BILLS.

By Senator Kent, Senate File No. 84, a bill for an act to provide for the formation of independent school districts.

Read first and second times and referred to the Committee on Schools.

By Senator Smith, Senate File No. 85, a bill for an act to amend chapter ninety-three (93), of the laws of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Sweney, Senate File No. 86, a bill for an act to limit the liabilities of State banks.

Read first and second times and referred to the Committee on Banks.

By Senator Sweney, Senate File No. 87, a bill for an act providing for the payment of bank examinations, and fixing the fee for the same.

Read first and second times and referred to the Committee on Banks.

By Senator Bolter, Senate File No. 88, a bill for an act to amend section 1464, of the Code, so as to prevent stock from running at large in the public highways.

Read first and second times and referred to the Committee on Agriculture.

By Senator Gatch, Senate File No. 89, a bill for an act to require corporations for pecuniary profit, hereafter organized under the laws of this State, to pay a franchise fee.

Read first and second times and referred to the Committee on Corporations.

By Senator Davidson, Senate File No. 90, a bill for an act to regulate the use and sale of intoxicating liquors, including ale, wine and beer.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Dungan, Senate File No. 91, a bill for an act to repeal section 1289 of the Code, and enact a substitute therefor, relating to damages by railways to live stock and by fire.

Read first and second times and referred to the Committee on Railways.

By Senator Parrott, Senate File No. 92, a bill for an act making appropriations for the State Normal School at Cedar Falls.

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

By Senator Vale, Senate File No. 93, a bill for an act providing for the existence of protective associations, with certain powers and requirements enumerated.

Read first and second times and referred to the Committee on Judiciary.

By Senator Caldwell, Senate File No. 94, a bill for an act regulating exit doors of public buildings.

Read first and second times and referred to the Committee on Public Buildings.

By Senator Kegler, Senate File No. 95, a bill for an act to repeal sections 857, 865 and section 866, as amended by chapter 194, Twentieth General Assembly, in regard to the semi-annual collection of taxes, and to enact the following in lieu thereof.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Seeds, Senate File No. 96, a bill for an act making an appropriation for the hospital for the insane at Independence.

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

By Senator Kent, Senate File No. 97, a bill for an act to amend chapter 1 of title 11, of the Code, in reference to the relief of the poor and the manner of obtaining the same, and providing criminal punishment for the violation of this act.

Read first and second times and referred to the Committee on Judiciary.

By Senator Weber, Senate File No. 98, a bill for an act to regulate the operating of railroads on the Sabbath day or first day of the week.

Read first and second times and referred to the Committee on Railways.

By Senator Schmidt, Senate File No. 99, a bill for an act conferring certain powers upon cities of the first class, including cities organized under special charters, and amending said charters pertaining to live stock and meat inspection.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Barnett, Senate File No. 100, a bill for an act to settle differences between parties of less than one hundred dollars by arbitration, the decision of arbitration to be final.

Read first and second times and referred to the Committee on Judiciary.

By Senator Finn, Senate File No. 101, a bill for an act to amend section 9 of chapter 104, acts of the Twenty-first General Assembly, as to physicians.

Read first and second times and referred to the Committee on Public Health.

JOINT RESOLUTIONS.

By Senator Poyneer, joint resolution No. 2, relating to the assignment of rooms in the basement of capitol.

Be it resolved by the General Assembly of the State of Iowa, That the rooms on the basement floor of the capitol, now unoccupied, be assigned for use by the Custodian of the building, by and with the consent of the Executive Council, for such use as he may deem best.

Read first and second times and referred to the Committee on Public Buildings.

By Senator Garlock, joint resolution No. 3:

Be it resolved by the General Assembly of the State of Iowa, That our representatives in the Senate and House of Representatives in Congress be requested to use their efforts to secure the passage of a bill which shall require that before judgments rendered in the Federal courts sitting in the State of Iowa shall become liens upon real estate, transcripts thereof shall be filed with the clerk of the court in the county where the real estate is located, and be properly indexed.

Senator Garlock moved that the rule be suspended and the resolution put upon its passage now.

Senator Reiniger moved to refer the resolution to the Committee on Judiciary.

Carried.

Senator Kegler presented the following concurrent resolution:

WHEREAS, A certain indebtedness has been incurred by the Commissioners of the World's Industrial Exposition at New Orleans, Louisiana; and,

WHEREAS, A large portion of said indebtedness is unadjusted and claims are still held by different parties; and,

WHEREAS, Said Commissioners were appointed by the Governor of this State, and said indebtedness was incurred in good faith; therefore,

Be it resolved by the Senate, the House concurring, That a committee of five (5) be appointed, two (2) from the Senate and three (3) from the House, to make a full report at an early day of all money expended by said Commissioners, of all amounts paid thereon and of all amounts and claims now held by different parties and unadjusted, that were made and incurred by said Commissioners of said World's Industrial Exposition at New Orleans, Louisiana.

On motion of Senator Deal the resolution was laid upon the table.

COMMITTEE REPORTS.

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

Mr. PRESIDENT—Your Committee on Retrenchment and Reform

respectfully report that they have examined a resolution referred to them for furnishing certain officers of the Senate with appropriate badges, submit, as a substitute therefor, the following resolution:

Resolved, That the Secretary of State be requested to furnish for the use of the Sergeant-at-Arms and Chief Door-keeper appropriate badges, provided that the same shall not cost more than \$2.50 each.

N. F. WEBER, *Chairman*.

Adopted.

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

Mr. PRESIDENT—Your Committee on Retrenchment and Reform respectfully report that they have examined a resolution referred to them, to allow stationery to the regular representatives of the press, beg leave to submit the following resolution as a substitute therefor:

Resolved, That the Secretary of State be instructed to furnish the regular representatives of the press who have seats assigned them in the Senate such stationery as may be required for the actual necessities of the work, not to exceed in value the sum of one dollar per week.

N. F. WEBER, *Chairman*.

Senator Young moved to amend by substituting "two dollars" instead of "one dollar."

On this motion the yeas and nays were demanded and were as follows:

The yeas were:

Senators Dodge, Dooley, Garlock, Schmidt, Woolson and Young—6.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Deal, Doud, Dungan, Finn, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber and Weidman—36.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Clark, Funk, Knight, Mattoon and Wolfe—8.

So the amendment was lost.

Senator Deal moved to amend by striking out the words "who have seats assigned them in the Senate," and adding the words "who attend the session for the purpose of reporting only," and by inserting the word "accredited" after the word "regular," in the report of the committee, and by adding the words "who may not otherwise be drawing pay from the State" after the word "press."

Senator Dodge moved the previous question, which was seconded.

On the question, shall the previous question be ordered,

The yeas were:

Senators Barnett, Bayles, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Deal, Dodge, Dooley, Dungan, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, McVay, Meservey, Parrott, Reiniger, Seeds, Vale, Weber, Weidman and Young—30.

The nays were:

Senators Doud, Hutchison and Poyneer—3.

Absent or not voting:

Senators Barrett, Cassatt, Clark, Davidson, Finn, Funk, Knight, Mattoon, McCoy, Mills, Price, Schmidt, Smith, Sweney, Taylor, Wolfe and Woolson—17.

So the previous question was ordered.

The question recurring upon the amendment offered by Senator Deal, it was adopted.

The question recurring on the substitute offered by the Committee on Retrenchment and Reform, as amended, it was adopted.

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform respectfully report that they have examined the concurrent resolution submitted by Senator Mills, and submit as a substitute thereof, the following resolution:

Resolved, That the doorkeeper of the Senate be instructed to detail one of the assistant doorkeepers to assist in the folding and packing room, under the direction of the Secretary of State.

N. F. WEBER, *Ch'm.*

On motion of Senator Mills the resolution was indefinitely postponed.

On motion of Senator Hutchison the Senate took a recess until five minutes before 12 o'clock *m.*

Senate reconvened after the recess.

A committee from the House was received announcing that the House was ready to receive the Senate in joint assembly.

President Hull announced that the hour had arrived for the Senate to meet the House in joint assembly for the purpose of comparing the journals of the Senate and House of Representatives so far as related to the vote for United States Senator, and requested the Senate to accompany him in a body to the House.

The Senate thereupon proceeded to the House.

JOINT ASSEMBLY.

The joint assembly was called to order at 12 o'clock *m.* by Lieutenant Governor John A. T. Hull, who announced that the joint assembly had met in accordance with concurrent resolution passed in both houses, and for the purpose of comparing the journals of the respective bodies on the vote for United States Senator, and ordered that the journals of the two houses relating to the vote for United States Senator be read.

Senator Bolter offered a protest against comparing the journals and declaring the result, which the chair ruled out of order.

The Secretary of the Senate read that part of the journal of the Senate for Tuesday, January 24, 1888, that referred to the vote for United States Senator.

The Clerk of the House read that part of the House journal for Tuesday, January 24, 1888, that referred to said vote.

From the reading of the journal it appeared that upon Tuesday,

C. H. BROCK,
Secretary of the Senate.

The minutes of the joint assembly were read and approved.

On motion of Mr. Riley the joint assembly dissolved.

The Senate re-convened after the joint assembly, and the journal of January 24 was corrected.

On motion of Senator Gatch, Senator Hutchison was authorized to make corrections of clerical errors in report of Committee of Ways and Means and hand them to the State Printer.

Senator Deal offered the following resolution:

Resolved, That the Custodian of the capitol building be requested to place curtains on the east side of the Senate chamber similar to those on the west side of the chamber.

Adopted.

On motion of Senator Sweney the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 26, 1888. }

Senate convened at 2 P. M.

In the absence of Lieutenant Governor Hull the Senate was called to order by C. H. Brock, Secretary.

On motion of Senator McCoy, Senator Caldwell was elected temporary President.

Senators Woolson and Dodge were appointed a committee to conduct the temporary president to the chair.

Prayer by Rev. William M. Bartholomew.

Senator Young offered the following resolution:

Resolved, That the Senate do now proceed to elect a President *pro tem*.

Adopted.

Senator Woolson nominated Senator A. N. Poyneer.

Senator Dodge nominated Senator Bolter.

The roll being called, those voting for Senator Poyneer were:

Senators Bayless, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dond, Dungan, Finn, Gatch, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Vale, Weber, Woolson and Young—28.

Those voting for Senator Bolter were:

Senators Bills, Dodge, Dooley, Groneweg, Kegler, Kelly, Mattoon, Poyneer, Schmidt and Taylor—10.

Absent or not voting:

Senators Barnett, Barrett, Cassatt, Clark, Funk, Garlock, Hanchett, Kent, Knight, Sweney, Weidman and Wolfe—12.

Senator A. N. Poyneer having received a majority of all the votes cast was declared duly elected President *pro tem*.

The chair appointed Senators Bolter and McCoy to conduct Senator Poyneer to the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following:

House File No. 127, with amendments, in which the concurrence of the Senate is asked, making appropriations for the Soldiers' Orphans' Home, at Davenport, Iowa.

D. C. KOLF, *Chief Clerk*.

HOUSE MESSAGES.

Senator Schmidt moved to take up House messages.

Carried.

House File No. 127, a bill for an act making appropriation for a

temporary dining hall and kitchen and for the purchase of supplies for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, and for transferring insurance money of central building, destroyed by fire, to the state treasury, was taken up.

Senator Schmidt moved to refer the bill to the Committee on Appropriations.

Senator Bolter moved to amend by ordering 200 copies printed.

Amendment adopted.

The question recurring on the original motion, as amended, it was carried.

RESOLUTION.

Senator Woolson introduced the following resolution:

Resolved, That Henry O'Connor is hereby appointed file clerk of the Senate, at the same compensation paid committee clerks.

Adopted.

PETITIONS AND REMONSTRANCES.

By Senator Schmidt, from the board of supervisors of Scott county, asking for the passage of Senate File No. 44, in relation to the improvement of highways.

Referred to the Committee on Highways.

By Senator McCoy, from W. H. Minnick and other citizens of Mahaska county, asking for the passage of Senate Files Nos. 32 and 33 and House File No. 10.

Referred to the Committee on Mines and Mining.

By Senator McCoy, from Chas. V. Hoffman and eight hundred other citizens of Mahaska county, remonstrating against the passage of any laws prohibiting spring shooting of water fowl.

Referred to the Committee on Fish and Game.

Senator Dodge offered the following preamble and resolution:

WHEREAS, The railroads of Iowa are now, as in the past, making unjust discriminations against the merchants, manufacturers, shippers and other citizens of the State and in favor of Chicago and other large cities outside of Iowa; therefore,

Be it resolved by the Commercial Club of Burlington, That we recommend to our legislature the passage of transportation laws similar to those of Illinois, whereby our people may be at all times assured of fair, just and equitable freight and passenger rates, so that we may be protected against unjust discriminations.

We hereby certify that the above preamble and resolution was unanimously adopted at the annual meeting of the Commercial Club of Burlington, Iowa, held January 23, 1888.

PHILIP M. CRAPO, *President*.

O. T. CHAPLEN, *Secretary*.

Referred to the Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Caldwell, Senate File No. 102, a bill for an act to pro-

vide for the election of Railway Commissioners, and to repeal section 2 of chapter 77, title 11, laws of the Seventeenth General Assembly, and to enact a substitute therefor.

Read first and second times and referred to the Committee on Railways.

By Senator McCoy, Senate File No. 103, a bill for an act to amend sections 277, 3725 and 3726 of the Code, and to authorize official shorthand reporters to administer oaths and to take depositions.

Read first and second times and referred to the Committee on Judiciary.

By Senator McCoy, Senate File No. 104, a bill for an act to amend chapter 23 of the acts of the Twentieth General Assembly of Iowa.

Read first and second times and referred to the Committee on Ways and Means.

By Senator McCoy, Senate File No. 105, a bill for an act to amend section 3, chapter 211, of the laws of the Eighteenth General Assembly of Iowa.

Read first and second times and referred to the Committee on Insurance.

By Senator McCoy, Senate File No. 106, a bill for an act to empower the Board of Railroad Commissioners to fix freight and passenger rates upon railways within this state, and to prescribe penalties for a violation of the judgment of said Board.

Read first and second times and referred to the Committee on Railways.

By Senator Schmidt, Senate File No. 107, a bill for an act to repeal chapter 6, title 11, of the Code of Iowa of 1878, and all amendments thereto, and to enact in lieu thereof a provision for the levying of a tax upon the occupation of dealing in intoxicating liquors, including ale, wine and beer.

Read first and second times and referred to the Committee on Suppression of Intemperance.

Two hundred extra copies ordered printed.

By Senator Deal, Senate File No. 108, a bill for an act to amend chapter 77, laws of 1878, relating to the duties and establishment of a Board of Railroad Commissioners.

Read first and second times and referred to the Committee on Railways.

By Senator Bayless, Senate File No. 109, a bill for an act fixing the compensation of the deputies of county clerk, county treasurer and county auditor.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Kelly, Senate File No. 110, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund, and for the development of the Institution.

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

By Senator Taylor, Senate File No. 111, a bill for an act to provide for the assessment of railway property by the boards of supervisors.

Read first and second times and referred to the Committee on Ways and Means.

Two hundred extra copies ordered printed.

By Senator Parrott, Senate File No. 112, a bill for an act to amend section 611 of the Code, relating to the hours of opening and closing the polls at all general elections.

Read first and second times and referred to the Committee on Elections.

By Senator Vale, Senate File No. 113, a bill for an act to amend section 4091, Code, relative to the markings of graves in public cemeteries.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Seeds, Senate File No. 114, a bill for an act to amend section 11, and to repeal section 17 and enact a substitute therefor, of chapter 52, of the acts of the Twenty-first General Assembly, providing for the appointment of a State Dairy Commissioner, continuing said act as amended herein and providing an appropriation therefor.

Read first and second times and referred to the Committee on Agriculture.

By Senator Seeds, Senate File No. 115, a bill for an act authorizing the trustees of the Iowa Hospital for the Insane, at Independence, to purchase 180 acres of land adjoining the land now owned by the State.

Read first and second times and referred to the Committee on Charitable Institutions.

By Senator Kegler, Senate File No. 116, a bill for an act to extend the time for paying the indebtedness of the Orphans' Asylum at Andrew, Iowa.

Read first and second times and referred to the Committee on Charitable Institutions.

By Senator Kegler, Senate File No. 117, a bill for an act to amend section 391, title 4, chapter 9 of the Code, in relation to places for election and compensation for the use thereof.

Read first and second times and referred to the Committee on Judiciary.

By Senator Converse, Senate File No. 118, a bill for an act to authorize railway companies to lay a side track or spur along county roads and public highways, and to use and operate such tracks in certain cases.

Read first and second times and referred to the Committee on Railways.

By Senator McVay, Senate File No. 119, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, relating to the State Board of Health.

Read first and second times and referred to the Committee on Public Health.

By Senator Weber, Senate File No. 120, a bill for an act to provide the schools of the State with free text books, and to prevent frequent and unnecessary changes.

Read first and second times and referred to the Committee on Schools.

By Senator Reiniger (by request), Senate File No. 121, a bill for an act to amend and make more effectual the laws of the State of Iowa for the suppression of intemperance.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Young, Senate File No. 122, a bill for an act to regulate the mining and screening of coal, and to fix a basis of wages of coal miners.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Kent, Senate File No. 123, a bill for an act making appropriation for the penitentiary at Fort Madison.

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

By Senator Weidman, Senate File No. 124, a bill for an act making appropriations for the Institution for Feeble-Minded Children.

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

Senator Reiniger offered the following preamble and resolutions from the Farmers' Association of Nashua:

WHEREAS, There are indications that interested parties are laboring and are preparing to bring influences to bear upon our legislature for the repeal or modification of the Iowa State law known as the oleomargarine law; also for the repeal or modification of the internal revenue law, taxing imitation of butter; therefore,

Resolved, First, that it is the sense of this association that those laws are essential to the general interest of all classes and especially to that class of farmers who depend largely on revenue derived from the dairy and stock raising.

Resolved, Second, that we request and shall expect that our delegation in the State legislature and also in the United States Congress will watch diligently and act promptly against a change of those laws, except it be to make them more efficient and their enforcement more sure.

Resolved, That we favor all needed appropriations to enable our State Agricultural College and our State Agricultural and Horticultural Societies and our State Dairy Commission and State Farmers' Institute Association, to do the most efficient work for our agricultural, horticultural and dairying interests.

Referred to Committee on Agriculture and 200 copies ordered printed.

REPORT OF COMMITTEE.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 41, a bill for an act to exempt from taxation the homestead of pensioned soldiers of the union army, when said homesteads were obtained by or with the proceeds of a soldier's pen-

sion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back the Senate with the recommendation that it be referred to the Committee on Ways and Means.

JNO. S. WOOLSON, *Chairman*.

Referred to Committee on Ways and Means.

Senator Parrott, from the Committee on Cities and Towns submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 49, a bill for an act to amend chapter 161, of the acts of the Twenty-first General Assembly, relating to the registration of voters in cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 2 thereof be amended by striking out the following words in the 5th and 6th lines of said section: "and who shall have voted at said election as shall appear from the poll books and registry list of said election." Also that section 5 of said bill be stricken out and the following substituted therefor:

SEC. 5. During the days when the registers are in session they shall, when not actually engaged in registering voters, prepare the alphabetical lists and complete their labors with all reasonable dispatch. They shall receive as compensation \$3.00 per day for all services required of them under the provisions of this act. They shall be paid their compensation by the county. Except that in case of city elections they shall be paid by the city.

Also amending section 6 thereof by striking out the word "township" in the first line and inserting the word "city" instead thereof. Also amending section 7 thereof by striking out the word "township" in the 19th line and inserting the word "city" instead thereof. And that when so amended the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Smith moved that the Senate take up Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relating to the registration of voters in cities.

Carried.

The amendment to section 2 as recommended by the committee was adopted.

Senator Reiniger moved to postpone further consideration until to-morrow at 8 o'clock, and that it be made a special order for that hour.

Carried.

Senator Kegler moved that 200 copies of the bill as amended by the committee be printed for the use of the Senate to-morrow morning.

Carried.

Senator Dodge offered an article, which he gave notice would be presented to-morrow as a proposed amendment to Senate File No. 49, and two hundred copies were ordered printed.

Senator Finn, from the Committee on Schools, submitted the following report.

MR. PRESIDENT—Your Committee on Schools to whom was referred Senate File No. 51, a bill for an act to amend section 1789 of the Code with reference to election in independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to the sale of concentrated lye and potash.

D. C. KOLP, *Chief Clerk*.

Senator Young moved to take up for consideration Senate File No. 51, a bill for an act to amend section 1789 of the Code, with reference to elections in independent school districts.

Carried.

Senator Reiniger offered the following amendment:

SEC. 2 This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader.

Adopted.

Senator Groneweg offered the following amendment:

From the third line strike out the words "12 o'clock *m.*," and insert "9 o'clock *a. m.*"

Lost.

Senator Bolter moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Carried.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Gatch, Groneweg, Hanchett, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor Vale, Weber, Weidman, and Young—38.

The nays were:

Senators Harsh and Woolson—2.

Absent or not voting:

Senators Barrett, Clark, Cassatt, Funk, Garlock, Knight, Schmidt, Smith, Wolfe and Lawrence—10.

So the bill passed and the title was agreed to.

On motion of Senator Young the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 27, 1888. }

Senate convened at 2 o'clock P. M.

President in the chair.

Prayer by Rev. H. O. Breeden.

PETITIONS AND MEMORIALS.

By Senator McVay, a series of resolutions from the Farmers' Alliance of Calhoun county.

Referred to Committee on Retrenchment and Reform.

INTRODUCTION OF BILLS.

By Senator Reiniger, Senate File No. 125, a bill for an act for providing for free school books for the scholars attending the public schools, and for the furnishing of books by the State in specified contingencies.

Read first and second times and referred to the Committee on Schools. Fifty extra copies ordered printed.

By Senator Dungan, Senate File No. 126, a bill for an act to amend section 12, chapter 40, acts of the Nineteenth General Assembly, relating to the idiotic, feeble-minded.

Read first and second times and referred to the Committee on Charitable Institutions.

By Senator Kelly, Senate File No. 127, a bill for an act to amend section 8798, of the Code of Iowa, relating to compensation of county auditors.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Vale, Senate File No. 128, a bill for an act to provide and preserve record evidence of the heirs of intestate decedents.

Read first and second times and referred to the Committee on Judiciary.

By Senator Vale, Senate File No. 129, a bill for an act to provide and preserve record evidence of the title of real estate.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kegler, Senate File No. 130, a bill for an act to repeal section 5, chapter 70, of the laws of Twentieth General Assembly, in relation to domestic animals killed or injured by dogs, and enact the following in lieu thereof.

Read first and second times and referred to the Committee on Judiciary.

By Senator Groneweg, Senate File No. 131, a bill for an act to repeal section 535, chapter 10, title 4, of the Code, and to enact a substitute therefor, relating to the election of city officers of cities of the first class.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Doud, Senate File No. 132, a bill for an act to authorize school districts to obtain uniform and cheap text-books.

Read first and second times and referred to the Committee on Schools.

By Senator Poyneer, Senate File No. 133, a bill for an act to repeal chapter 189, acts of the Twentieth General Assembly, relating to the appointment of a State Veterinary Surgeon, and provide a substitute therefor.

Read first and second times and referred to the Committee on Agriculture.

By Senator Converse, Senate File No. 134, a bill for an act to amend sections 1539 and 1543 of the Code, and chapter 66 of the acts of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Suppression of Intemperance.

AMENDMENT TO STANDING RULES.

Senator Young, for the Committee on Rules, offered the following amendment to the standing rules of the Senate:

Resolutions, including concurrent and joint resolutions, shall not be acted upon by the Senate upon the day the same are introduced or received by the Senate, but shall lie upon the table for one legislative day, if any member object to the immediate consideration thereof. But if no member object, the same may have immediate consideration. Nothing in this rule shall abridge or prevent the usual rights of reference to committees.

Adopted.

CONCURRENT RESOLUTION.

Senator Dungan offered the following concurrent resolution:

WHEREAS, The proper time for the election of United States Senators is uncertain by reason of the ambiguity in the language of section 14, United States Statutes at large, in providing that such elections shall be held "on the second Tuesday after the meeting and organization" of the State Legislature, leaving it uncertain which is intended, the temporary or permanent organization;

Be it therefore resolved by the Senate, the House concurring, That our Senators and Representatives in Congress be and they are hereby requested to introduce and urge the adopting an amendment to said section 14 so that the election of United States Senators shall occur on the second Tuesday after the permanent organization of the two houses of the legislature.

Resolved, That the Secretary of State be and he is hereby instructed to forward duly certified copies of the foregoing preamble and concurrent resolution to each of our Senators and Representatives in Congress.

Adopted.

JOINT RESOLUTION NO. 4.

Senator Taylor offered the following joint resolution No. 4.

Joint resolution and memorial to the Congress of the United States:

Be it Resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress are requested to use their utmost endeavors to secure an amendment to the constitution of the United States providing for the election of United States Senators by direct vote of the people of the several States, instead of by the Legislatures thereof, as now provided, and that the Secretary of State be directed to forward copies of this resolution to our representatives in Congress.

Read first and second times and referred to the Committee on Federal Relations.

RESOLUTION.

Senator Dodge offered the following resolution:

Resolved, That the Secretary of State is hereby directed to supply Senators' desks and reporters' desks with suitable covers for the Senate journal as daily issued, provided the cost does not exceed twenty-five cents each.

Senator Weber moved to refer the resolution to the Committee on Retrenchment and Reform.

Carried.

CONCURRENT RESOLUTION.

Senator Sweney offered the following concurrent resolution:

WHEREAS, Bills are now pending before this General Assembly relating to freight and passenger rates on railroads in Iowa, and also with reference to alleged discriminations by railroads alleged to be harmful to the State and citizens, therefore,

Be it resolved by the Senate, the House concurring, That the Committees on Railroads, acting jointly for the such purpose, are hereby directed to make investigation concerning freight and passenger rates on railroads operated in Iowa, and also with reference to discriminations and inequalities in the operation of said railroads, and to report the facts obtained for the information of the Senate.

That to enable said committee to obtain the facts aforesaid they are requested to bring, by invitation or subpoena, such persons as may be deemed necessary, and to call for papers and books, administer oaths, and have such other powers as are usually granted to such committees; and said committees are, for the purpose aforesaid, authorized to employ a stenographer, for not exceeding six days, in making said investigation, at a cost not exceeding — dollars per day, both for reporting said investigation and writing the same out in long hand.

That when said investigation shall have been completed, and the argument, statement and evidence written out, the same shall be submitted to the Senate for its information.

Senator Sweney moved to make the resolution the special order for 2:30 P. M., January 28.

Carried.

COMMUNICATION ON PRESIDENT'S TABLE.

WHEREAS, The railroads of Iowa are now, as in the past, making unjust discriminations against the merchants, manufacturers, shippers and other citizens of the State and in favor of Chicago and other large cities outside of Iowa; therefore,

Be it resolved by the Commercial Club of Burlington, That we recommend to our legislature the passage of transportation laws similar to those of Illinois, whereby our people may be at all times assured of fair, just and equitable freight and passenger rates, so that we may be protected against unjust discriminations.

We hereby certify that the above preamble and resolution was unanimously adopted at the annual meeting of the Commercial Club of Burlington, Iowa, held January 23, 1888.

PHILIP M. CRAPO, *President.*

O. T. CHAPLEN, *Secretary.*

Read and referred to the Committee on Railroads.

REPORTS OF COMMITTEES.

Senator Gatch from the Committee on Appropriations, submitted the following reports:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 6, a bill for an act for the relief of Adair county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee, with instructions to inquire and report what remedy, if any, Adair county has, or may have, against either Guthrie county or the C., R. I. & P. R'y Co.

C. H. GATCH, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to printing and furnishing the Rules of the Twenty-second General Assembly.

D. C. KOLF, *Chief Clerk.*

Senator Sweney, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa, and to keep the same in good repair, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding thereto section three (3) as follows:

Nothing herein contained shall relieve the said railroad corporations from pecuniary liability arising from the killing or maiming of live stock on said track or right of way by said corporation, that may occur through the negligence of said corporation or its employees.

And that the same do pass as amended.

J. H. SWENEY, *Chairman*.

On motion of Senator McCoy made special order for three o'clock, P. M., to-morrow.

Senator Davidson, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred joint resolution No. 2, relative to the assignment of unoccupied rooms on the basement floor of the capitol, by the custodian of the building, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution do pass.

D. B. DAVIDSON, *Chairman*.

Ordered passed on file.

JOINT RESOLUTION.

On motion of Senator Poyneer, joint resolution No. 2, relating to the assignment of rooms in the capitol, with report of committee recommending that the resolution do pass, was taken up and considered.

Senator Poyneer moved that the rule be suspended and the resolution be considered engrossed, and read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, shall the resolution pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesbro, Clark, Converse, Deal, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Weidman and Young—42.

The nays were none.

Absent or not voting:

Senators Cassatt, Funk, Garlock, Hutchison, Knight, Seeds, Wolfe and Woolson—8.

So the resolution was passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, being Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relating to the registration of voters in cities, it was taken up and considered, the pending question being on the amendments offered by the committee.

On motion of Senator Hutchison the words "\$3 per day" were stricken out of section 5, as recommended by the committee, and the

following words were inserted in lieu thereof: "\$2.50 per day for each calendar day upon which they shall be employed."

The amendments to sections 6 and 7 of the bill, as recommended by the committee, were adopted.

Senator Dodge offered the following amendment to section 7:

A person shall be a legal voter whose name appears on any registry list in the city in which he lives, and who has not moved his permanent place of residence out of the State. No person shall be deprived of the right to vote on day of election whose name does not appear on the registry list of the ward or precinct in which he resides, who shall present to judges of election a statement under oath showing himself to be a legal voter and setting forth his reasons for not appearing before the Board of Registry on any day fixed by law.

Senator Woolson moved that the further consideration of this amendment to section 7 be deferred until that section be reached; and that the bill be considered section by section, beginning with section 1.

Senator Dodge demanded the yeas and nays, which were ordered and were as follows:

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dungan, Gatch, Groneweg, Hanchett, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Weber, Weidman, Woolson and Young—81.

The nays were:

Senators Bayless, Chesebro, Dodge, Dooley, Doud, Harsh, Kegler, Kelly, Kent, Mattoon, Schmidt and Taylor—12.

Absent or not voting:

Senators Cassatt, Finn, Funk, Garlock, Knight, Vale and Wolfe—7.

So the motion prevailed, consideration of the amendment was postponed and the bill was considered by sections.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to automatic or power brakes on freight cars.

Also, joint resolution No. 7, relating to rendering thanks to Col. Jed Lake for his labor in behalf of the people of the State.

D. C. KOLP, *Chief Clerk.*

Senator Hutchison offered the following amendment to section 1:

In line 6, printed bill, strike out "third Tuesday" and insert "second Thursday."

Adopted.

Senator Hutchison offered the following amendment to section 1:

Insert after word "every," in line 6, printed bill, the words "general annual."

Adopted.

Senator Hutchison offered the following amendment:

Insert in line 14, printed bill, section 1, before the word "election," the words "general annual."

Adopted.

Senator Hutchison offered the following amendment:

Strike out of lines 6 and 7, of section 1, printed bill, the words, "general or special for city, township, State or national officers."

Adopted.

Senator Kegler offered the following amendment:

Amend section 1 by adding after the word "therein" in the fifth line, printed bill: "Provided, however, that this act, and the act to which it is amendatory, shall only apply to cities having a population of 5,000 or more, according to the State census of 1885, or to cities which may hereafter have 5,000 or a greater population according to any legally authorized census of the United States or of the State of Iowa, or of the municipality."

Senator McCoy offered the following substitute for the amendment of Senator Kegler:

"Provided, that this act and the acts to which it is amendatory shall not apply to cities having a population of less than 3,400, according to the census of 1885."

Senator Caldwell moved that the Senate adjourn until 9 A. M., January 28, and that the consideration of this bill be made a special order for that hour.

Carried.

SENATE CHAMBER.
DES MOINES, IOWA, Saturday, January 28, 1888. }

Senate met in regular session at nine o'clock A. M.
Lieutenant-Governor Hull in the chair.

SPECIAL ORDER.

The hour having arrived for the special order, it being the consideration of Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relating to the registration of voters in cities, with amendments thereto.

Senator Hutchison moved that the special order be postponed until ten minutes after nine.

Carried.

Two hundred extra copies of Senate File No. 132, a bill for an act to furnish uniform and cheap text-books for schools, were ordered printed.

HOUSE MESSAGES.

House concurrent resolution, relative to having 5,000 copies of the rules printed, was read and referred to the Committee on Printing.

The House concurrent resolution relative to the sale of concentrated lye and potash was read and referred to the Committee on Public Health.

House joint resolution No. 7, extending the thanks of the General Assembly of Iowa to Col. Jed. Lake for his zeal and ability in defending the driven well cases, was read first and second times.

Senator Seeds moved that the rule be suspended, and the resolution read a third time now, which motion prevailed, and the resolution was read a third time.

On the question "shall the resolution pass," the yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Doud, Dooley, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weidman, Wolsen and Young—40.

The nays were none:

Those absent or not voting, were:

Senators Barrett, Cassatt, Dodge, Finn, Groneweg, Kent, Knight, Sweney, Weber and Wolfe—10.

So the resolution was passed and the title was agreed to.

House concurrent resolution, relative to instructing the Board of Railroad Commissioners to recommend the use of automatic or power brakes on freight trains, was read and referred to the Committee on Railways.

SPECIAL ORDER.

The hour for the consideration of the special order, being Senate File No. 49, having arrived, the pending question being the adoption of the substitute offered by Senator McCoy for the amendment offered by Senator Kegler, it was taken up and adopted.

The question recurring on the substituted amendment, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Doud, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, McCoy, Poyneer, Schmidt, Seeds, Taylor and Vale—20.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Lawrence, McVay, Meservey, Mills, Parrott, Price, Reiniger, Smith, Sweney, Weidman, Woolson and Young—25.

Absent or not voting:

Senators Cassatt, Finn, Knight, Weber and Wolfe—5.

So the amendment was lost.

Senator Harsh offered the following amendment to section 2:

After the words, "general annual election," in fifth line, printed bill, insert the words, "except such as have previously removed from the election precinct, or otherwise have become disqualified to vote since the last preceding election."

On this amendment the yeas and nays were demanded and were as follows:

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Groneweg, Hanchett, Harsh, Kent, Mattoon, Schmidt and Taylor—14.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Hutchison, Kelly, Lawrence, McCoy, Meservey, Parrott, Poyneer, Price, Seeds, Smith, Sweney, Vale, Weidman, Woolson and Young—27.

Absent or not voting:

Senators Cassatt, Finn, Kegler, Knight, McVay, Mills, Reiniger, Weber and Wolfe—9.

So the amendment was lost.

Senator Kegler offered the following amendment:

Insert in the second line of printed bill, of section 2 after the word "thereafter," the words, "and the board of registration shall copy from the polling books all such names that have voted at the previous election, and it shall be unnecessary for such voters to appear before such registration board that have voted at the election previous to the setting of said board."

Lost.

Senator Hutchison offered the following amendment to section 7:

Insert in line 3 of section 7, printed bill, after the words, "place convenient to," the words, "but not within one hundred feet of."

Adopted.

Senator Hutchison offered the following amendment:

Insert in line 1 of section 3, printed bill, after the word "other," the words, "general or special."

Adopted.

Senator Hutchison offered the following amendment:

Insert in line 2 of section 3, printed bill, after the word "general," the word "annual."

Adopted.

Senator Hutchison offered the following amendment:

Strike out of line 4 of section 3, printed bill, the words, "the board of."

Adopted.

Senator Hutchison moved to amend by adding at the end of section 3, printed bill, the following:

"Said registers shall meet upon the Saturday preceding every election, whether general or special, township, city, State or National, instead of upon Wednesday, as provided in section 8 of said chapter 161, and except as to said change of meeting from Wednesday to Saturday preceding said election, all of the provisions of said section 8 shall remain unimpaired and in full force."

Adopted.

Senator Hutchison moved to amend line 3 of section 6, printed bill, by inserting the word "them" after the word "destroy."

Carried.

Senator Sweney moved to strike out the word "upon" from line 4 of section 6, printed bill, and to substitute the word "at;" and to strike out the word "records" and substitute the word "elections."

Carried.

The question then being upon the amendment to section 7, offered by Senator Dodge, the yeas and nays were demanded and were as follows:

The yeas were:

Senators Barnett, Bills, Bolter, Chesebro, Dodge, Dooley, Grone-weg, Kegler, Kelly, Kent, Mattoon, Schmidt and Taylor—13.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weidman, Woolson and Young—31.

Absent or not voting:

Senators Bayless, Cassatt, Finn, Knight, Weber and Wolfe—6.

So the amendment was lost.

Senator Bolter offered the following amendment to section 7:

Add after the word "election," in the eighth line thereof the following: "Or an elector who, by reason of sickness or other unavoidable accident, was prevented from appearing before the board of registration and being registered as herein provided."

Senator Hutchison offered the following as a substitute: Insert in line 8 of section 7, after the word "election," the following: "Or to a person whose name was, on the preceding Saturday, and in the absence of such person, stricken from the registry list, and who, on

said day of election, shall prove to the satisfaction of said registers that he is a lawfully qualified elector of said voting precinct."

The substitute was adopted.

The question recurring upon the substitute as an amendment to the bill, it was adopted.

Senator Hutchison offered the following amendment:

Strike out of line 2, section 7, printed bill, the words "to which the law for the registration of voters is applicable."

Adopted.

Senator Hutchison offered the following amendment:

Insert in line 3 of section 7, of the printed bill, after the words "place convenient to," the words "but not within 100 feet of."

Adopted.

Senator Hutchison offered the following amendment:

Strike out of lines 14 and 15 of section 7 of the printed bill the words "and also to the fact of the applicant's absence from the city during all the days for registration as above specified."

Adopted.

Senator Woolson moved to strike out of the first line of section 7, of the printed bill, the words "board of."

Carried.

Senator Hutchison offered the following amendment to section 7: Insert after the word "class," at end of line 15, of said section 7, of the printed bill, the following: "and if the applicant be one whose name was stricken from the registry list said affidavit of such freeholder shall contain the facts showing the right of said applicant to vote in that precinct."

Adopted.

The word "the" was ordered to be inserted after the word "under," in line 18, section 7 printed bill.

Senator Hutchison offered the following amendment to section 8: Insert after the word "registers," in line 5 of section 8, printed bill, the words "and city clerk."

Adopted.

Senator Deal moved to strike section 9 from the bill.

Lost.

Senator Barnett moved to strike the word "county" from the fourth line of section 5, printed bill, and substitute the word "city."

The amendment was ruled out of order, on the ground that it was an amendment to an amendment adopted by the Senate, and that a motion to reconsider would be necessary before it could receive amendment.

Senator Woolson offered the following amendment:

Strike out of section 8, line 5, printed bill, the words "board of," just preceding the word "registers."

Adopted.

Senator Woolson moved to amend by adding the following as section 9, with a view to re-numbering the sections of the bill:

Insert as section 9 of the bill:

Sec. 9. Section 13, of said chapter 161, is hereby amended by inserting in the second line thereof, after the word "cities," the following: "And in any voting precinct made up of the township outside

of the city limits, whose polling place is within the corporate limits of said city, as hereinafter provided."

Adopted.

Senator Woolson moved to re-number the sections of the bill so that sections 9, 10 and 11 of the bill shall become sections 10, 11 and 12.

Carried.

Senator Dungan moved to strike from section 2, line 1, of the printed bill, the words "board of."

Carried.

The word "of" after the word "act" in line 1, section 10, was ordered stricken out and the word "to" substituted therefor.

Senator Woolson moved that the title of the bill be amended so as to read: a bill for an act to amend chapter 161 of the acts of the Twenty first General Assembly, relating to elections held within cities and to registration of voters therein.

Carried.

The question being, shall the bill be engrossed and read a third time to-morrow.

The yeas were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Clark, Converse, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weidman, Woolson and Young—35.

The nays were:

Senators Barnett, Bolter, Chesebro, Dodge, Dooley, Groneweg, Kegler, Kent, Schmidt and Taylor—10.

Absent or not voting:

Senators Cassatt, Davidson, Knight, Wolfe and Weber—5.

So the bill was ordered engrossed.

Senator Dodge offered the following resolution:

Resolved, That the Secretary of the Senate be requested to ascertain why the State Printer or Binder has not complied with the resolution of the Senate requiring him to print and return to this body the bills in the order in which they were introduced.

Senator Deal moved to refer the resolution to the Committee on Printing.

Lost.

The resolution was adopted.

Senator McVay moved that the special orders for to-day be made special orders for corresponding times Monday, January 30.

Carried.

Senator McCoy moved to adjourn until 2 P. M., Monday, January 30.

Carried, and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, January 30, 1888. }

Senate convened at 2 o'clock P. M.
President *pro tem*, Senator Poyneer presiding.
Prayer by Rev. James T. Docking.

PETITIONS.

By Senator McCoy, from citizens of Mahaska county, asking for a law making an appropriation for a geological survey.

Referred to Committee on Mines and Mining.

By Senator Smith, a resolution adopted by L. A. 1885 K. of L. of Cedar Rapids, protesting against the passage of Senate File No. 19.

Referred to Committee on Labor.

By Senator Caldwell, several petitions from citizens of Dallas county, asking for additional legislation on the pharmacy and other liquor laws.

Referred to Committee on Suppression of Intemperance.

By Senator Dungan, a petition signed by fifty citizens of Lucas county, asking for legislation in the interest of live stock men.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Garlock, Senate File No. 135, a bill for an act to provide for a snpervisor of State printing and to provide for letting contracts for doing the State printing.

Read first and second times and referred to the Committee on Printing.

By Senator Smith, Senate File No. 136, a bill for an act providing for the vetoing of ordinances passed in all cities, by the mayor thereof.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Smith, Senate File No. 137, a bill for an act providing for the salary of mayors of cities.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Groneweg, Senate File No. 138, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs.

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

By Senator Reiniger, Senate File No. 139, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly relating to capital punishment.

Read first and second times, and referred to the Committee on Judiciary.

By Senator Lawrence (by request), Senate File No. 140, a bill for an act providing for holding terms of the district court at Correctionville, in the county of Woodbury, in the fourth judicial district of the State of Iowa, and defining the territorial jurisdiction of said court and restricting that of the corresponding court to be held at Sioux City, in said Woodbury county.

Read first and second times and referred to the Committee on Judiciary.

By Senator Weber, Senate File No. 141, a bill for an act to repeal all acts and parts of acts relating to the publication of the reports of State officers and State institutions, and enact a substitute therefor.

Read first and second times and referred to the Committee on Printing.

By Senator Weber, Senate File No. 142, a bill for an act to repeal chapter 45 of the acts of the Seventeenth General Assembly of Iowa, and abolishing the office of the Iowa weather service.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Mattoon, Senate File No. 143, a bill for an act to amend section 3878 of the Code, relating to the use of abusive or obscene language intended to provoke an assault.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dodge, Senate File No. 144, a bill for an act in regard to the publication of proceedings of boards of supervisors and amending section 2, chapter 197, acts Twentieth General Assembly.

Read first and second times and referred to the Committee on Judiciary.

By Senator Seeds, Senate File No. 145, a bill for an act amending section 488 of the Code, relating to temporary sidewalks in incorporated towns and cities.

Read first and second times and referred to the Committee on Cities and and Towns.

By Senator Seeds, Senate File No. 146, a bill for an act to repeal section 1065 of the Code, relating to changing articles of incorporation, and enact a substitute therefor.

Read first and second times and referred to the Committee on Judiciary.

By Senator Seeds, Senate File No. 147, a bill for an act to provide for the payment of the per diem and mileage allowed to the visiting committee to the Hospital for the Insane.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Kegler, Senate File No. 148, a bill for on act to repeal chapter 59 of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines, and to enact the following in lieu thereof.

Read first and second times and referred to the Committee on Ways and Means.

One hundred extra copies ordered printed.

By Senator Gatch, Senate File No. 149, a bill for an act to amend sections 2788 and 4428 of the Code of Iowa, relating to restricting counsel as to time in argument in both civil and criminal cases.

Read first and second times and referred to the Committee on Judiciary.

By Senator Parrott, Senate File No. 150, a bill for an act to amend section 411 of the Code, and providing for the appointment of a special deputy treasurer in certain cases.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Schmidt, by request, Senate File No. 151, a bill for an act to amend chapter 2, title 9, of the Code of 1873, relating to corporations other than for pecuniary profit, and to legalize certain corporate acts.

Read first and second times and referred to the Committee on Judiciary.

By Senator Schmidt, Senate File No. 152, a bill for an act to appropriate funds to furnish buildings, buy lands and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

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

By Senator Funk, Senate File No. 153, a bill for an act to establish a normal school at Algona, Kossuth county, Iowa.

Read first and second times and referred to the Committee on Schools.

By Senator Davidson, by request, Senate File No. 154, a bill for an act to amend chapter 6, title 10, of Code of Iowa of 1873, providing for a maximum charge for transmitting telegraph messages.

Read first and second times and referred to the Committee on Corporations.

By Senator Davidson, by request, Senate File No. 155, a bill for an act to provide for and require the trimming of hedge fences along public highways and upon partition lines.

Read first and second times and referred to the Committee on Highways.

By Senator Woolson, Senate File No. 156, a bill for an act to amend sections 1401 and 1408 of the Code, relative to the confinement of persons found or alleged to be insane.

Read first and second times and referred to the Committee on Charitable Institutions.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 11, a bill for an act to amend sections 1679, 1698

and 1696 of the Code of 1878, relating to the payment of support, etc., for College for Blind and Institution for Deaf and Dumb.

House File No. 14, a bill for an act to amend section 1, of chapter 79, of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine.

House File No. 80, a bill for an act to legalize the acts of John Weighton while acting in the capacity of recorder of the incorporated town of Audubon, Iowa.

D. C. KOLF, *Chief Clerk.*

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being the resolution for investigation of passenger and freight tariffs and discrimination on railroads in Iowa, by standing committees on railways of both houses of this General Assembly, it was taken up and considered.

Senator Woolson moved to strike from second line, printed resolution, of the resolution the word "directed" and insert in lieu thereof the words "authorized and empowered."

Carried.

Senator Sweney moved that the word "Senate" in the first clause of the resolution be stricken out and the words "General Assembly" be substituted; and that the word "Senate" be stricken from the last clause and the words "General Assembly" inserted in lieu thereof.

Carried.

Senator Finn moved to amend section 8 by striking out the word "requested" and inserting the word "empowered."

Carried.

Senator Finn moved to amend by striking out the third section.

The hour having arrived for the special order, it being Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa and keep the same in good repair, Senator Schmidt moved that it be postponed and follow as a special order immediately after the disposal of the special order under consideration.

Carried.

The question recurring on the motion of Senator Finn to strike out section 3 of the resolution it was lost.

The question recurring on the original motion that the resolution be adopted, it was lost.

REPORT OF COMMITTEE.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relating to elections held within cities, and to registration of voters therein, and find the same correctly engrossed.

W. W. DODGE, *Chairman.*

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa, and keep the same in good repair.

Senator Hutchison asked unanimous consent of the Senate for the postponement of the special order for the consideration, third reading and roll call on the passage of Senate File No. 49.

Unanimous consent was given.

Senator Bolter was granted leave of absence indefinitely on account of sickness in his family.

On motion of Senator Hutchison, Senate File No. 49, a bill for an act to amend chapter 161, of the acts of the Twenty first General Assembly, relating to elections held within cities, and to registration of voters therein, was taken up and read a third time.

On the question "shall the bill pass?"

The yeas were:

Senators Barrett, Bayless, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were:

Senators Bills, Chesebro, Dodge, Dooley, Groneweg, Kegler, Kent, Schmidt and Taylor—9.

Absent or not voting:

Senators Barnett, Bolter, Cassatt and Knight—4

So the bill passed and the title was agreed to.

Senator Bayless offered in explanation of his vote the following:

"I have most decided reasons for opposition to the registry law of the Twenty-first General Assembly, and two years ago recorded my vote against it. That law has deprived several legal voters from exercising their constitutional right of franchise in a city in my district. This law is now admitted by its author to be unnecessarily burdensome, and in these amendments he seeks to so modify it that there will be a registration by the voter in person but once in four years, whereas now they have to register for each city and general election. This bill also provides for the sitting of the several boards of registration on the days of election, thus repealing one of the greatest objections to the law. My idea, Mr. President, is, that if I vote against this bill of amendments, that I am indirectly endorsing the old law with all of its oppressive features, but in voting for it, I feel that I am assisting in greatly lessening the burdens of an odious registration law, and in the interest of my constituents."

"I vote ye."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that

the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 8, a bill for an act limiting the time of making claims and bringing suits against municipal corporations.

D. C. KOLP, *Chief Clerk*.

SPECIAL ORDER.

The hour having arrived for the special order, it being the consideration of Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa and keep the same in good repair, it was taken up.

The question being on the adoption of the amendments offered by the committee, they were adopted.

Senator McCoy moved to amend by adding the following to section 8: "and provided further, that nothing in this act shall be construed so as to interfere with the right to open crossings, as now maintained, or with the right of persons to such crossings."

Adopted.

Senator Clark offered the following amendment: to strike out the words "officer, agent, employe, or lessee," in line 1, section 2 of printed bill, and insert in lieu thereof "or any officer, agent or employe of such corporation having authority to comply with the provisions of section 1 hereof shall".

Senator Parrott moved to recommit the bill to the committee with instructions to report to-morrow, and that it be made a special order for 2:30 P. M. to-morrow.

Carried.

INTRODUCTION OF BILLS.

By Senator Clark, Senate File No. 157, a bill for an act to amend section 1895 and 1896, chapter 7, title 11 of the Code, relating to the Institution for the Deaf and Dumb.

Read first and second times and referred to the Committee on Charitable Institutions.

By Senator Deal, Senate File No. 158, a bill for an act declaring express companies operating and doing business in the State common carriers, and providing for their regulation and control by the Railroad Commissioners.

Read first and second times and referred to the Committee on Labor.

By Senator McCoy, Senate File No. 159, a bill for an act to amend section 797 of the Code, and to repeal chapter 97, of the acts of the Twenty-first General Assembly of Iowa, and to enact a substitute therefor, and to exempt from taxation homesteads of soldiers not exceeding in value one thousand dollars (\$1,000).

Read first and second times and referred to the Committee on Ways and Means.

RESOLUTIONS.

Senator Meservey offered the following concurrent resolution:

WHEREAS, Great inconvenience, expense, loss and distress now exist in Northwestern Iowa by reason of the failure and refusal of the railroad companies to furnish to all shipping points in the northwestern part of the State, cars sufficient and necessary to transport to market the products of the country, now awaiting shipment; therefore,

Be it resolved by the Senate, the House concurring, That the Railroad Commissioners of Iowa are hereby requested to immediately demand of all railroad companies operating roads in Northwestern Iowa, to at once, and without delay, furnish sufficient cars to relieve the present urgent demand therefor; and in case of non-compliance, that the Commissioners cause suit to be brought for such discrimination and failure to furnish said cars

Adopted.

COMMUNICATION FROM THE GOVERNOR.

The Governor's Private Secretary appeared and presented a communication in writing.

Placed on the President's table.

CONCURRENT RESOLUTION.

Senator Dooley offered the following preamble and resolution, accompanied by testimonials, and requested that they be referred to the Judiciary Committee, and they were so referred.

WHEREAS, Public indignation has been aroused by the voice of the Iowa press in respect to the manner in which, by the authority of the English syndicate of "Close Brothers," citizens of this State are being evicted from their holdings in O'Brien county; and,

WHEREAS, The records of said county and the attached testimonials, subscribed and sworn to by victims of an alien system of land tenure, are sufficient to justify an indignation a thousand times more intense; and,

WHEREAS, The form of lease hereto attached and identified by an accompanying statement from Hon. D. D. McCallum, is evidence that the said syndicate is endeavoring to propagate upon Iowa soil a system of landlordism as odious as that which has aroused the sympathy of the civilized world for the oppressed tenantry of Great Britain; and,

WHEREAS, The petition attached hereto shows that appeals for relief have been made to D. Magher, President of the Iowa Branch of the Irish National League, by sixty homeless families, evicted as aforesaid; and,

WHEREAS, The title to the land from which these families were thus ejected is a matter of uncertainty, with public opinion in favor of the assertion that these outrages have been committed without warrant of law; and,

WHEREAS, The said syndicate of "Close Brothers" lays claim to thousands of acres of land in Osceola and O'Brien counties, the title

to which is disputed by homesteaders who are being thus evicted; therefore,

Be it resolved by the Senate, the House concurring, That we enter our most emphatic protest against any system that tends to monopolize the land of this State and reduce the tillers of the soil to the condition of tenant farmers.

Resolved, That English landlordism is sufficiently repulsive at a distance from us of 4,000 miles, and that we regard its presence within our borders as a menace to the welfare and happiness of a large class of our most industrious and confiding citizens.

Resolved, That the land tenure policy that has reduced to a condition of serfdom the inhabitants of Ireland, is repugnant to the sentiments and institutions of an American State, and that its importation into Iowa is a public evil that demands and should receive the promptest and most emphatic legislative interference.

And be it further resolved, That proceedings be instituted by this body to determine in whom reposes the legal title to the lands in O'Brien county claimed adversely by the homesteaders thereon and the English syndicate of "Close Brothers;" that the Governor be and he is hereby requested to present to this body whatever information he has respecting the title to said lands; that, if to determine said title, necessity requires information from the Federal Government, the Secretary of State is hereby authorized to confer with the Secretary of the Interior in respect to the terms and conditions of the original grant of said lands, and requested hereby to lay before this body the result of said conference.

Resolved, further, That no time be lost in instituting executive inquiry respecting these alleged outrages in O'Brien county, to the end that the victims of "Close Brothers' Syndicate" may receive a speedy recognition of the rights to which, under the law, they are entitled.

Senator Dooley moved that the usual number of copies be printed.

Senator Barrett moved to amend by making the printing discretionary with the Judiciary Committee.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bills, Caldwell, Clark, Converse, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—30.

The nays were:

Senators Bayless, Chesebro, Davidson, Deal, Dodge, Dooley, Groneweg, Kegler, Kelly, Kent, Mattoon, Schmidt, Taylor and Wolfe—14.

Absent or not voting:

Senators Brower, Barnett, Bolter, Cassatt, Doud, and Knight—6.

So the amendment was adopted. Motion as amended carried.

COMMUNICATION.

The message from the Governor on the President's table was read as follows:

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, JAN. 30, 1888. }

To the Senate and the House of Representatives:

GENTLEMEN—On the 8th day of June, 1886, I received a letter from the Third Auditor of the Treasury requesting that if the State of Iowa possessed additional testimony which it desired to file in support of outstanding differences in the claims of the State against the General Government on account of raising troops for the suppression of the rebellion, the same to be submitted for consideration at as early a day as practicable, inasmuch as it was necessary to settle these claims before the meeting of the next Congress.

Gen. William W. Belknap, of Lee county, who in accordance with a joint resolution of the Twentieth General Assembly, had been appointed by my predecessor agent of the State of Iowa to prosecute to final decision the claims of the State for a refund of the tax paid by the State of Iowa under the provisions of the act of Congress of August 5, 1861, and also for a refund of interest on money advanced by the State during the civil war, offered to prosecute also these suspended claims for a compensation of 25 per cent on the amount actually collected and paid to the State. He stated that the balance of the claims of this State against the General Government on account of enrolling, etc., volunteers for the service of the United States during the late war amounted to \$35,765.65; that nothing had been done by the State for fifteen years toward their further prosecution, and that it would require much labor and close attention to secure their adjustment. I appointed him agent and attorney of the State for the prosecution of these claims in October, 1886, and agreed to recommend that the General Assembly allow him 25 per cent of the amount collected and paid to the State.

In view of the labor of preparing the evidence, briefs and explanations, and the uncertainty of obtaining any great amount of the suspended claims, I consider the compensation reasonable, and suggest the passage of an act authorizing the Governor to arrange for a fee, contingent on recovery, not to exceed 25 per cent of the amount recovered and paid to the State.

WM. LARRABEE.

Referred to Committee on Ways and Means.

REPORTS OF COMMITTEES.

Senator Price presented the report of the committee to visit the Industrial School at Mitchellville, Iowa.

Placed on file and ordered printed.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 28, a bill for an act to amend section 471, chapter 154, laws of 1874, beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the Senate with the recommendation that it be referred to the Committee on Cities and Towns.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 31, a bill for an act to amend sections 401 and 411, title 4, chapter 9 of the Code, in relation to township collectors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Elections.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 84, a bill for an act to regulate the manner of holding courts in the several judicial districts of the State, and to repeal chapter 128 of the laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred House File No. 127, a bill for an act making an appropriation for a temporary dining-hall and kitchen, and for the purchase of supplies for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, and for transferring insurance money of central building destroyed by fire to the State treasury, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be passed.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 2, a bill for an act granting to the Chicago, Burlington & Quincy Railroad Company all the title and interest of the State of Iowa in and to certain grounds on the Des Moines river, in the city of Ottumwa, Wapello county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

On motion of Senator Schmidt, House File No. 127, a bill for an act making an appropriation for a temporary dining-hall and kitchen and for the purchase of supplies for the Soldiers' Orphans' Home and

Home for Indigent Children at Davenport, Iowa, and for transferring insurance money of central building destroyed by fire to the State treasury, with report of committee recommending that the bill be passed, was taken up and considered.

Senator Schmidt moved that the rule be suspended, and the bill be and read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harah, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—48.

The nays were none.

Absent or not voting:

Senators Brower, Bolter, Cassatt, Doud, Knight, Kent and Wolfe—7.

So the bill passed and the title was agreed to.

On motion of Senator Woolson, Senate File No. 1, a bill for an act prohibiting the leasing of convict labor within the State of Iowa, and providing for the employment of such labor, was taken up and referred to the Committee on Penitentiaries and Pardons.

On motion of Senator McVay the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, January 31, 1893. }

The Senate met in regular session at 2 P. M.
President *pro tem*, Senator Poyneer, in the chair.
Prayer by Rev. D. R. Dungan.

LEAVE OF ABSENCE GRANTED.

Senator Woolson was excused until next Friday.

PETITIONS AND MEMORIALS.

By Senator Barnett, a petition from over 200 citizens of Warren county, asking for the repeal of section 9 of chapter 104 of the acts of the Twenty-first General Assembly.

Referred to the Committee on Public Health.

By Senator Barnett, a petition of 200 citizens of Warren county, asking the Twenty-second General Assembly to pass a law prohibiting the sale of tobacco to miners.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Converse, Senate File No. 160, a bill for an act to amend section 1508 of the Code relating to line fences.

Read first and second times and referred to the Committee on Agriculture.

By Senator Funk, Senate File No. 161, a bill for an act providing for the proper interment of the remains of victims of the Spirit Lake massacre, and the erection of a commemorative monument.

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

By Senator Groneweg, Senate File No. 162, a bill for an act to repeal chapter 9 of the acts of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Fish and Game.

By Senator Cassatt, Senate File No. 163, a bill for an act entitled an act to regulate the weighing of coal in mines and to establish a uniform system of weights and measures between the operators of coal mines and their employees.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Meservey, Senate File No. 164, a bill for an act for the relief of John Haidiene, of Webster county, Iowa, and authorizing the the payment of his claim against the State of Iowa.

Read first and second times and referred to the Committee on Claims.

By Senator Chesebro, Senate File No. 165, a bill for an act to further provide for the secrecy of the ballot and prevent undue influence within one hundred feet of voting places.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Weber, Senate File No. 166, a bill for an act making appropriation for the Iowa Industrial School, boys' department at Eldora, Iowa.

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

By Senator Weber, Senate File No. 167, a bill for an act conferring on women the right to vote at municipal and school elections.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

By Senator Seeds, Senate File No. 168, a bill for an act repealing section 981 of the Code, relating to the working of highways and providing a substitute therefor.

Read first and second times and referred to the Committee on Roads and Highways.

By Senator Barrett, Senate File No. 169, a bill for an act to legalize the voting and levy of a depot ground donation tax in the incorporated town of Rock Rapids, Lyon county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senators Barrett, Senate File No. 170, a bill for an act to amend section 3798 of the Code, relating to the compensation of public officers.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Barnett, Senate File No. 171, a bill for an act to make mortgagors and mortgagees joint owners for the purpose of taxation.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Barnett, Senate File No. 172, a bill for an act to prevent the sale or giving tobacco to persons under 18 years of age.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Gatch, Senate File No. 173, a bill for an act to provide for the erection of a memorial tablet to perpetuate the memory of Alexander W. Scott and Harrison Lyon, who donated to the State the grounds on which the present capitol is located.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution:

Relative to fixing the time of election of U. S. Senator.

D. C. KOLP, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Caldwell, by unanimous consent, submitted the report of the visiting committee to the Asylum for the Insane at Mt. Pleasant. Placed on file and ordered printed.

JOINT RESOLUTION NO. 5.

Senator Weidman offered the following joint resolution:

Joint Resolution No. 5, proposing to amend section 5 of article 2 of the Constitution of Iowa:

Be it resolved by the General Assembly of the State of Iowa, That the following amendment to and substitute for section five (5), article two (2), of the Constitution of the State of Iowa, is hereby proposed for adoption:

Section 5. No idiot or insane person or person under the influence of intoxicating liquors, or person convicted of any infamous crime, shall be entitled to the privileges of an elector.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

Senator Dooley offered the following resolution:

Resolved, That a correction be made in the claim of mileage of Senator Kent, and that (\$2.50) two 50-100 dollars be allowed for 50 miles traveled and not allowed in former report.

Adopted.

HOUSE MESSAGES.

House messages were taken up in regular order.

House File No. 8, a bill for an act limiting the time of making claims and bringing suits against municipal corporations.

Read a first and second times.

On motion of Senator Reiniger referred to Committee on Cities and Towns.

House File No. 11, a bill for an act to amend sections 1679, 1693 and 1696 of the Code of 1873, relating to the payment of support, etc., for College for Blind and Institution for Deaf and Dumb.

Read first and second times and on motion of Senator Kelly, referred to the Committee on Appropriations.

House File No. 80, a bill for an act to legalize the acts of John Weighton, while acting in the capacity of recorder of the incorporated town of Audubon, Iowa.

Read first and second times and, on motion of Senator Reiniger, referred to the Committee on Judiciary.

House File No. 14, a bill for an act to amend section 1, of chapter 79, of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine.

Read first and second times and referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Senator Reiniger, from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 56, a bill for an act to amend sections 4413 and 4414 of the Code of Iowa, relating to peremptory challenges of jurors in criminal cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding in the fourth line, after the word "death," the words "or imprisonment for life," and that it do pass as amended.

ROBT. G. REINIGER, *Chairman, pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 66, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuances in criminal cases, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ROBT. G. REINIGER, *Chairman, pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 88, a bill for an act to amend section 2077, Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Commerce.

ROBT. G. REINIGER, *Chairman, pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Joint Resolution No. 3, relative to judgments of federal courts in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution do pass.

ROBT. G. REINIGER, *Chairman, pro tem.*

Ordered passed on file.

SPECIAL ORDER.

The hour having arrived for the special order, it being the consideration of Senate File No. 7, a bill for an act requiring railroad com-

panies to fence their tracks in the State of Iowa, and keep the same in good repair, with amendments; it was taken up and considered.

Senator Sweney, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred back Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa, and to keep the same in good repair, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting after the word "railroads," in line 8 of section 1, the words "or any part thereof"; also, by substituting for section 2 the following: Sec. 2. If any corporation, or officer thereof, or lessee, owning or engaged in the operation of any railroad in this State, neglect or refuse to comply with any provision of section 1 of this act, such corporation, officer or lessee shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding five hundred dollars for each and every offense; and every thirty days' continuance of such refusal or neglect shall constitute a separate and distinct offense within and for the purposes of this act.

And that, as herein amended, the same do pass.

J. H. SWENEY, *Chairman.*

The question being on the amendments offered by the committee, they were adopted.

Senator Weber offered the following amendment: Amend section 1 by adding after the word "State," where it occurs the second time in line 2 of section 1, the following words, "which have not already erected a lawful fence."

Senator Reiniger offered to amend the amendment by inserting the word "board" after the word "lawfull and before the word "fence."

Lost.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Relative to printing the reports of the Visiting Committees.

D. C. KOLF, *Chief Clerk.*

Senator Weidman offered the following amendment to the amendment:

Add the words "sufficient to turn live stock and domestic animals."

Lost.

Senator Groneweg moved the previous question, which was not seconded.

Senator Weber offered the following amendment to his own amendment now under consideration:

Amend section one by adding after the last word in said section, the following: "Provided, when said railroad corporations who

have now their fences built shall, when they rebuild or repair their fences, the same shall be built as provided in this act; *provided further*, that any other fence which in the judgment of the fence viewers is equivalent to the fence herein provided shall be a lawful fence."

The yeas and nays were called for on the amendment to the amendment, and were as follows:

The yeas were:

Senators Barnett, Brower, Caldwell, Converse, Davidson, Deal, Dodge, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kent, Knight, Lawrence, Mattoon, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Taylor, Vale, Weber and Weidman—80.

The nays were:

Senators Barrett, Bayless, Chesebro, Clark, Dooley, Finn, Groneweg, Kelly, McVay, Meservey, Price, Wolfe and Young—13.

Absent or not voting:

Senators Bills, Bolter, Cassatt, McCoy, Seeds, Sweney and Woolson—7.

So the amendment to the amendment was adopted.

The question recurring upon the amendment as amended, the yeas and nays were demanded, and were as follows:

The yeas were:

Senators Barrett, Barnett, Bills, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber and Wolfe—88.

The nays were:

Senators Bayless, Groneweg, McVay, Meservey, Sweney, Weidman and Young—7.

Absent or not voting:

Senators Bolter, Cassatt, McCoy, Knight and Woolson—5.

So the amendment was adopted.

Senator Dungan offered the following amendment:

Add at the end of section 2, "and this penalty shall be in addition to the liability of the corporation for damages to live stock as is now or may hereafter be provided by law."

On this the yeas and nays were demanded, and were as follows:

The yeas were:

Senators Brower, Converse, Deal, Dungan, Poyneer, Weber and Weidman—7.

The nays were:

Senators Barnett, Bayless, Bills, Caldwell, Chesebro, Clark, Davidson, Dodge, Dooley, Doud, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Wolfe and Young—34.

Absent or not voting:

Senators Barrett, Bolter, Cassatt, Kegler, Knight, McCoy, Price, Schmidt and Woolson—9.

So the amendment was lost.

Senator McVay moved that the rule be suspended, and the bill be

considered engrossed and read a third time now, which motion prevailed.

Senator MoVay moved to reconsider the vote by which the rule was suspended and the bill considered engrossed.

Carried.

On motion of Senator MoVay the bill was ordered engrossed and read a third time to-morrow.

On motion of Senator Clark, Senate File No. 46 was withdrawn from the Committee on Charitable Institutions and referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

By consent, the following reports of committees were received:

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred the following resolution:

Resolved, That the Secretary of State is hereby directed to supply Senators' desks and reporters' desks with suitable covers for the Senate journal, as daily issued, provided the cost does not exceed twenty-five cents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. F. WEBER, *Chairman*.

Ordered passed on file.

Senator Davidson, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 94, a bill for an act regulating exit doors of public buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

D. B. DAVIDSON, *Chairman*.

Ordered passed on file.

Senator Reiniger, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 73, a bill for an act to fix the number of jurors, in both civil and criminal cases, at seven, any five of whom may render a verdict, and to repeal certain sections of the Code, relating to the formation of juries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ROBT. G. REINIGER, *Chairman pro tem*.

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seed and other cereals, beg leave to report

that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNTER, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred concurrent resolution relative to the printing of the rules of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said resolution be adopted.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Parrott moved that the resolution be taken up and considered now.

Carried.

The question recurring on the resolution, it was adopted.

Senator Dodge moved to take up resolution relative to procuring covers for the files of the Senate journal on Senators' desks.

Carried.

The resolution was adopted.

PRESENTATION OF PETITIONS.

By unanimous consent, the following petitions were presented:

By Senator Doud, from citizens of Jasper county, asking the Twenty-second General Assembly to pass Senate Files Nos. 32 and 38, and House File No. 10.

Referred to the Committee on Mines and Mining.

By Senator Dooley, from citizens of Keokuk county upon same subject.

Same reference.

By Senator Caldwell, from citizens of the town of Dawson, Dallas county, Iowa, on same subject.

Same reference.

Senator Reiniger presented a resolution from union meeting of the Rockford churches requesting the enactment of laws restricting unnecessary labor on the Sabbath.

Referred to Committee on Railroads.

On motion of Senator Hutchison, Senate File No. 2, a bill for an act granting to the Chicago, Burlington and Quincy Railroad Company all the title and interest of the State of Iowa, in and to certain grounds on the Des Moines river in the city of Ottumwa, Wapello county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Hutchison offered the following amendment:

Amend the preamble to the bill by striking out the word "Court" in line 2 of the first whereas and insert in lieu thereof the word "Marion."

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bills, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Young—88.

The nays were none.

Absent or not voting:

Senators Barnett, Bayless, Bolter, Brower, Cassatt, Doud, Garlock, Gatch, McCoy, Schmidt, Woolson and Wolfe—12.

So the bill passed and the title was agreed to.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 1, 1888. }

The Senate met in regular session at 2 P. M.

Lieutenant-Governor Hull in the chair.

Prayer by Rabbi L. Freudenthal.

PETITIONS AND MEMORIALS.

By Senator Clark, from teachers of Shenandoah, Page county, for a law giving school boards authority to purchase school books and furnish free or at cost to pupils.

Referred to the Committee on Schools.

By Senator Weidman, from Garfield Post No. 57, G. A. R., asking to have a monument, surmounted by an equestrian statue, erected on the public grounds at the capitol.

Referred to the Committee on Military.

By Senator Gatch, from C. Harrah and 160 other citizens of Polk county, asking for the repeal of section 9, chapter 104 of the acts of the Twenty first General Assembly, and the enactment of a law providing for punishment of physicians and surgeons for malpractice.

Referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Dungan, Senate File No. 174, a bill for an act to repeal chapter 115 of the acts of the Nineteenth General Assembly, and enact a substitute therefor, relating to time of holding the general election.

Read first and second times and referred to the Committee on Elections.

By Senator Reiniger, Senate File No. 175, a bill for an act to amend chapter 4, title 5 of the Code of 1873, relating to electors of President and Vice-President of the United States.

Read first and second times and referred to the Committee on Federal Relations.

By Senator Reiniger, Senate File No. 176, a bill for an act to provide for contesting the election of presidential electors, additional to chapter 6, title 5 of the Code of 1873.

Read first and second times and referred to the Committee on Federal Relations.

By Senator Reiniger, Senate File No. 177, a bill for an act providing for a topographic survey of Iowa, and making appropriations therefor.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator McVay, Senate File No. 178, a bill for an act making an appropriation to reimburse the Iowa State Agricultural Society for money expended by said society in the permanent improvement of the State fair grounds, and to pay the indebtedness of said society.

Read first and second times and referred to the Committee on Agriculture.

By Senator Price, Senate File No. 179, a bill for an act to amend certain sections of the Code, relating to juries.

Read first and second times and referred to the Committee on Judiciary.

By Senator Price, Senate File No. 180, a bill for an act to amend sixteen hundred and fifty-three (1653) of the Code, relating to commitments to Industrial schools.

Read first and second times and referred to the Committee on Judiciary.

By Senator Converse, Senate File No. 181, a bill for an act for appropriation for Benedict Home.

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

By Senator Knight, Senate File No. 182, a bill for an act to establish and provide for the government and support of the State libraries and to make appropriations therefor.

Read first and second times and referred to the Committee on Library.

By Senator Knight, Senate File No. 183, a bill for an act prohibiting the leasing of convict labor within the State of Iowa and providing for the employment of such labor.

Read first and second times and referred to the Committee on Penitentiaries and Pardons.

By Senator Lawrence, Senate File No. 184, a bill for an act to legalize, make valid and give effect to the charter and organization of the Iowa Title Insurance Trust and Safe Deposit Company of Sioux City, Woodbury county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Seeds, Senate File No. 185, a bill for an act providing for the use of portions of the tracks of railroads by other railroads being constructed, when, in the opinion of the Railroad Commissioners the same is necessary, and providing compensation therefor.

Read first and second times and referred to the Committee on Railways.

By Senator Funk, Senate File No. 186, a bill for an act for the preservation and perpetuation of government corners in highways.

Read first and second times and referred to the Committee on Highways.

By Senator Weidman, Senate File No. 187, a bill for an act to amend section 990 of the Code and to extend the jurisdiction of road supervisors.

Read first and second times and referred to the Committee on Highways.

CONSIDERATION OF BILLS.

On motion of Senator Price, Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seeds and other cereals, with report of committee recommending that the bill do pass, was taken up and considered.

On motion of Senator McCoy the bill was amended by striking out section 2.

Senator Taylor moved to reconsider the vote by which section 2 was stricken out.

Carried.

The question recurring on the motion to strike out section 2 it was lost.

Senator Finn moved to amend by inserting the words "upon conviction thereof" after the word "shall" and before the word "be" in the 23d line of the printed bill.

Carried.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—40.

The nays were:

Senators Barrett, Cassatt, Doud, Gatch, Groneweg, Hanchett, and Schmidt—7.

Absent or not voting:

Senators Bolter, Clark, and Woolson—3.

So the bill passed and the title was agreed to.

JOINT RESOLUTION NO. 3.

On motion of Senator Reiniger, Joint Resolution No. 3, relative to judgments of Federal Courts in the State of Iowa, with report of committee recommending that it pass, was taken up and considered.

Senator Reiniger moved that the rule be suspended and the resolution be considered engrossed and read a third time now, which motion prevailed, and the resolution was read a third time.

On the question shall the resolution be adopted?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe Young—45.

The nays were none.

Absent or not voting:

Senators Bolter, Clark, Lawrence, Parrott and Woolson—5.

Senator Dungan moved to amend the title by inserting the words "liens of" before the word "judgments;" also the word "rendered" before the words "in the federal courts."

Carried.

So the resolution was adopted and the title as amended was agreed to.

CONCURRENT RESOLUTION.

Senator Knight offered the following concurrent resolution, and moved its adoption, requesting Congress to prohibit the sale of adulterated lard, and requiring statement of actual contents on packages thereof, and to pass the bill now pending for that purpose.

Be it resolved by the Senate, the House concurring, That our Senators and Representatives in Congress be requested to secure legislation that will prohibit the sale of adulterated lard throughout the United States unless, on the packages containing the same, a true statement is given of the actual contents, and of the proportion of genuine lard therein, and that they be further requested to aid in the passage of any bill now before Congress having in view the purpose above indicated.

Adopted.

REMONSTRANCE.

Senator Dodge presented a remonstrance from citizens of North Des Moines, against the passage of Senate File No. 80 and House File No. 153.

Referred to Committee on Judiciary.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa and to keep the same in good repair, and find the same correctly engrossed.

W. W. DORGE, *Chairman.*

Senator Sweney moved that the vote by which Senate File No. 7 was ordered engrossed and read a third time be reconsidered.

Carried.

Senator Wolfe moved to amend by inserting the word "open" before the word "crossing," in the fifth line of section 1 of the printed bill.

On this the yeas and nays were demanded and were as follows:

The yeas were:

Senators Harsh, Knight, Smith, Vale and Wolfe—5.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Clark,

Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weidman, Weber and Young—39.

Absent or not voting:

Senators Barrett, Bolter, Cassatt, Woolson, Kegler and Poyneer—6.

So the amendment was lost.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—46.

The nays were none.

Absent or not voting:

Senators Bolter, Cassatt, Knight and Woolson—4

Senator Kelly moved to amend the title by striking out the word "same" and inserting the word "fences."

Carried.

So the bill passed, and the title as amended was agreed to.

COMMUNICATION ON PRESIDENT'S TABLE.

JANUARY 30, 1888.

To the Senate and House of Representatives:

GENTLEMEN.—I have the honor to transmit herewith a copy of a supplementary report of the Secretary of the State Board of Health, relative to such legislation as the Board deems necessary to better secure the purpose for which it was created.

WM. LARRABEE.

IOWA STATE BOARD OF HEALTH, }
DES MOINES, January 27, 1888. }

Hon. Wm. Larrabee, Governor:

As a supplementary reply to your communication to this office, dated November 15, 1887, in which you refer to certain infectious diseases in the State of Iowa, and request the Board of Health to exercise whatever power the law confers upon it to guard against the further spread of these diseases, I have the honor, in behalf of the Board to call your attention to the fearful loss of life and maiming of human bodies that occur by the methods in use by the railroads in this State for "coupling" and "breaking" cars on freight trains. By reference to page 31 to 36 of the fourth biennial report of the State Board of

Health it will be seen that statistics furnished by the Iowa Railroad Commissioners show a fearful, a criminal loss of life by the use of methods for "coupling" and "breaking" cars that inventive genius has, by most critical tests, shown to be unnecessary. If there were no better means for securing the ends desired, the railway companies would in most cases be excusable, but the repeated successful tests with the automatic or power brake, and the Janney coupler and modifications adopted by the Master Car Builders' Association, show that safe and reliable appliances have been provided whereby the list of casualties can be nearly, if not entirely obviated.

Your attention is called to the further fact that within a few years the beautiful lakes of Iowa have been popular resorts for our people seeking rest, recreation and health. Already complaints are being filed in this office, showing that individuals, companies and corporations having control of these health resorts have provided no adequate means for disposing of the sewage and offal accumulating—that the soil is becoming saturated therewith and foul and poisonous gases are generated that must, in the near future, make these places untenable.

The unfortunate accident on Lake Manawa, near Council Bluffs, last summer, whereby several lives were lost through the sinking of an utterly worthless boat, points to another danger that threatens those who resort to these places. There is no authority of Iowa statutes whereby these vessels can be properly inspected, and their safety certified to by a competent expert. It is stated in many instances boys, and persons with the least superficial knowledge, if any, of engineering, are put in charge of these boats, that ply upon these waters. If these statements are true, and the practices are continued, the consequences are fearful to contemplate. The opportunity should be prohibited by legislative interference.

Chapter 131, laws of the Eighteenth General Assembly, section 2, declares, "The State Board of Health shall have the general supervision of the interest of the health and life of the citizens of the State."

The State Board is striving with all means in its power to exercise this supervision, but by a peculiar construction of the statute, it can do nothing more than make rules and regulations. The Board is nowhere directly vested with the power to enforce them.

The State Board appreciates fully the lively interest you have officially taken in the sanitary conditions of the State, and respectfully ask your official co operation with the present General Assembly in so amending the statute as will enable the Board to require communities, corporations and individuals to comply with such rules and regulations of the State Board of Health as they may make for the preservation of the health and life of the people of the State.

Very respectfully,

J. F. KENNEDY, *Secretary.*

[Signed.]

☐ Read in part, and, on motion of Senator Young, further reading was dispensed with and the message was referred to the Committee on Public Health.

HOUSE MESSAGES.

Concurrent resolution relative to printing three hundred copies of the reports of the visiting committees to the various State institutions, was read.

Senator Bayless moved to amend the resolution by striking out "three hundred" and inserting "five hundred."

Carried.

Resolution as amended adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution:

Relative to railroads being requested to furnish cars in northwestern Iowa.

D. C. KOLP, *Chief Clerk.*

Senator Harsh asked unanimous consent that two hundred copies of Senate File No. 54 be printed.

Objected to by Senator Bayless.

JOINT RESOLUTION.

By leave, Senator Mills introduced the following joint resolution No. 6.

Be it resolved by the Twenty-second General Assembly of the State of Iowa, That our Senators and Representatives in Congress be and are hereby instructed and requested to favor the immediate repeal of that part of the pension law adopted March 3, 1879, known as the "arrear limit;" and, further, we recommend that they use their best endeavors in the future pension legislation to secure the enactment of law granting to all honorably discharged soldiers and sailors of the late war a service pension; and, also, to use their utmost endeavor to secure the immediate adoption of the prisoners of war pension bill. And that the Secretary of State be instructed to furnish each of our Senators and Representatives in Congress with a copy of the memorial resolution.

Senator Mills moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now.

Senator Dooley moved to refer the resolution to the Committee on Federal Relations.

Lost.

Senator Sweney moved that the resolution be referred to the Committee on Military.

Lost.

The question recurring on the motion of Senator Mills it was carried.

On the question shall the resolution be adopted.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Clark, Converse,

Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Vale, Weber, Weidman and Young—36.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Chesebro, Dodge, Knight, Kegler, Kent, McCoy, Woolson, Smith, Sweney, Taylor and Wolfe—14.

So the resolution was passed and the title agreed to.

REPORTS OF COMMITTEES APPOINTED TO VISIT STATE INSTITUTIONS.

Senator Weidman submitted report of committee appointed to visit the Industrial School for Boys at Eldora.

Passed on file and ordered printed.

Senator Bayless presented report of the committee appointed to visit the Hospital for the Insane at Clarinda.

Passed on file and ordered printed.

Senator Mattoon presented report of the committee appointed to visit the Hospital for the Insane at Independence.

Passed on file and ordered printed.

REPORTS OF STANDING COMMITTEES.

Senator Vale, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 83, a bill for an act to amend section 6, chapter 60, laws of Fifteenth General Assembly, relating to banks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendment be made: After the word "business" in said section 1, "but in no case shall a measure be declared carried unless receiving three affirmative votes;" and as so amended that the bill do pass.

B. R. VALE, *Chairman.*

Ordered passed on file.

Senator Lawrence, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred the joint resolution No. 4, and memorial to the Congress of the United States relative to an amendment to the constitution providing for the election of United States Senators by a direct vote of the people, have had the same under consideration, and I am directed to report the same back with the recommendation that it be indefinitely postponed.

JOS. S. LAWRENCE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee to whom was referred the concurrent resolution relative to the election of United States Senators,

have had the same under consideration, and the majority of the committee have directed me to report the same back with the recommendation that the said resolution be not concurred in.

JOS. S. LAWRENCE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee, to whom was referred a joint resolution in reference to postal telegraphy, have had the same under consideration, and have directed me to report the same back to the Senate without recommendation. Your committee in making this report have been actuated by the fact that the entire matter to which this resolution refers is under consideration in the United States Congress in the form of the Cullom bill, and your committee deem it premature at this time for the General Assembly of the State of Iowa to commit itself either for or against this measure.

JOS. S. LAWRENCE, *Chairman.*

Ordered passed on file.

Senator Harsh moved that 200 extra copies of Senate File No. 54 be ordered printed.

Lost.

On motion of Senator Seeds the Senate adjourned.

SENATE CHAMBER.
DES MOINES, IOWA, Thursday, February 2, 1888. }

Senate met in regular session at 2 P. M.
Lieut.-Gov. Hull in the chair.
Prayer by Rev. A. L. Frisbie.

PETITIONS AND MEMORIALS.

By Senator Weidman, a petition from citizens of Mills and Montgomery counties, asking for protection from usurpation on the part on the corporation of Tabor, Fremont county, Iowa.

Referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Parrott, Senate File No. 188, a bill for an act providing for the issue of water-works bonds by cities of the second class.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Parrott, Senate File No. 189, a bill for an act to secure the reduction of the prices of school books and to authorize the electors of district townships and independent districts to vote for the purchase of text books.

Read first and second times and referred to the Committee on Schools.

By Senator Mattoon, Senate File No. 190, a bill for an act to regulate the charges of telegraph companies in the State of Iowa.

Read first and second times and referred to the Committee on Railways.

By Senator Gatch, Senate File No. 191, a bill for an act to authorize cities of the first class to require the erection and construction of viaducts over or under railroads on public streets and to provide compensation to owners of property abutting on such streets.

Read first and second times and referred to the Committee on Corporations.

By Senator Barrett, Senate File No. 192, a bill for an act relating to fire and other insurance on property.

Read first and second times and referred to the Committee on Insurance.

RESOLUTION.

Senator Reiniger offered the following resolution:

Resolved, That the rules of the Senate relating to the correction of the journal be changed so that the correction shall be made as soon

after the convening of the Senate as the distribution of the previous days' proceedings among the members will permit.

Adopted.

REPORTS OF STANDING COMMITTEES.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, having had under consideration the communication from the Governor, bearing date January 30, 1888, which was referred to your committee, and which refers to the adjustment of sundry claims for raising and enrolling troops for the suppression of the Rebellion, said claims aggregating about \$35,765.65, herewith return said communication, and offer with it a bill which your committee believes covers the necessities which are shown to exist by the communication, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

The accompanying bill being Senate File No. 193, a bill for an act authorizing the Governor of the State to arrange with Gen. W. W. Belknap for his service in prosecuting claims of this State against the General Government, on account of raising and enrolling troops for the service of the United States during the war of the rebellion.

Read a first and second time and passed on file.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 71, a bill for an act authorizing the Auditor of State to settle and adjust permanent school fund revenue, insane and other accounts with the several county officers, and providing means for the payment of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it shall be indefinitely postponed, inasmuch as this bill having been introduced by request of the Auditor of State, and he now, on consultation with the committee, considers it unnecessary that such a law should be enacted.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 69, a bill for an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 100, a bill for an act to settle differences between parties, of less than one hundred dollars, by arbitration, the decisions of arbitration to be final, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Sweeney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 9, a bill for an act fixing the rate of passenger fares on railroads, and to repeal section 2, chapter 68, acts of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting immediately after the word "children" in 6th line of section 1, the words "between five and;" also by inserting in 7th line of section 1, immediately after the word "prescribed," the following, "and provided further that all children under the age of five years shall be transported free when accompanied by and in charge any person who pays full fare as herein provided." That section 2, of the original bill be stricken out and that the same be further amended by the addition of section 2 as follows: "all full fare tickets, mileage or otherwise, sold and issued by any railroad company, shall be good until used, and shall be good going in either direction between the points designated in any such ticket." and that as herein amended, the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator McVay, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 115, a bill for an act authorizing the trustees of the Iowa Hospital for the Insane at Independence to purchase 180 acres of land adjoining the land now owned by the State, beg leave to report that they have had the land under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

J. D. McVAY, *Chairman*.

Bill so referred.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 62, a bill for an act to amend sections 6 and 7, chapter 40, acts of the Nineteenth General Assembly, fixing the age at which children shall be admitted to the asylum for the Feeble Minded at Glenwood, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be

amended by striking out "21" in section 1 and inserting "20" in lieu thereof, and when so amended that it do pass.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Senator Deal, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 42, a bill for an act to amend section 10, chapter 151, laws of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have drafted the accompanying substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that it do pass.

JNO. K. DEAL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 36, a bill for an act fixing the per diem of jurors in courts of record, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JNO. K. DEAL, *Chairman*.

Ordered passed on file.

RESOLUTION.

Senator Weber offered the following resolution:

WHEREAS, The consideration and enactment by this General Assembly of a measure which will fix a maximum railway freight tariff, together with the giving of power to the Railway Commissioners to investigate and regulate those rates below such maximum freight tariff, is conceded to be more vital and important to the people of this State than the regulation of the passenger rates; and

WHEREAS, It is urged by all interests of the State, whether farming or commercial, that such enactment should be in the spirit and intent and, as far as practicable, supplementary to the inter-state commerce law; and

WHEREAS, In considering and reporting such a measure it may not be impracticable for the Railway Commissioners to regulate and control railway passenger rates under a maximum rate; therefore,

Be it resolved, That the bill on which there is now a favorable report from the Railway Committee, Senate File No. 9, be re-committed to the committee with the request that that committee first report a measure as contemplated in the foregoing preamble.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that

the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 1, a bill for an act to provide for the formation of independent school districts.

House File No. 64, a bill for an act to amend section 2273 of the Code, in regard to guardians.

Also, that the House has concurred in Senate amendments to House resolution relative to printing the reports of visiting committees.

D. C. KOLP, *Chief Clerk.*

Senator Young offered the following as a substitute:

Resolved, That the Senate is in favor of the two cent fare and the making of the Railway Commission elective by the people, and, further, to confer on said Railroad Commission power to make and unmake rates of freight on all railway lines doing business in this State.

Resolved, further, That Senate File No. 9 be made a special order for 2:30 P. M., Wednesday next, and that the Senate Railway Committee be instructed to report on the freight-control question on or before February 10.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill and joint resolution, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House File No. 127.

Joint resolution No. 7.

D. C. KOLP, *Chief Clerk.*

Senator Woolson offered the following substitute for the substitute:

WHEREAS, The consideration and enactment by this General Assembly of a measure which will fix a maximum freight tariff, together with the giving of power to the Railroad Commissioners to investigate and regulate those rates below such maximum freight tariff, is conceded to be more vital and important to the people of Iowa than the regulation of passenger rates; and

WHEREAS, All the interests of the State, whether farming, manufacturing or commercial, are urging that such enactment should be in the spirit and intent and, as far as practicable, supplementary to the inter-state commerce law; and

WHEREAS, In considering and reporting such a measure it may not be impracticable for the Railroad Commissioners to regulate and control railway passenger rates under a maximum rate; therefore,

Resolved, That the bill on which there is now a favorable report from the Railway Committee, known as Senate File No. 9, together with the resolution offered by Senator Young, be re committed to the Railway Committee with the request that the committee first report, if practicable, a measure as contemplated in the foregoing preamble

The question being upon the adoption of the substitute for the substitute, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Dungan, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kent, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Vale, Weber, Weidman, Wolfe and Woolson—81.

The nays were:

Senators Barnett, Bayless, Bills, Cassatt, Chesebro, Dooley, Finn, Funk, Groneweg, Kelly, Matton, McVay, Meservey, Schmidt, Seeds, Taylor and Young—17.

Absent or not voting:

Senators Bolter and Doud—2.

So the substitute to the substitute was adopted.

Senator Weidman, in voting yea, gave the following explanation:

My reason for opposing the bill under consideration, being Senate File No. 9, is that it does not benefit the producer, the manufacturer or the jobber. Hundreds of farmers of our State do not ride a mile a year and yet ship stock of all kinds over the roads and if they could get the benefit of reduced freight rates, while this act would not benefit them in the least. Let the monied king that takes his annual ride pay his three cents a mile. It will not hurt the farmer, nor the manufacturer or the jobber. Let us have some relief for these people first, that is, give a reduction in freight rates to the farmer, and the poor man on his coal. I am in favor of the home first and the world afterward. I ask this to be spread upon the records.

THOS. WEIDMAN.

The question being upon the adoption of the substitute for the resolution, on this question the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Clarke, Converse, Davidson, Deal, Dodge, Dungan, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kent, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Vale, Weber, Weidman, Wolfe and Woolson—30.

The nays were:

Senators Barnett, Bayless, Bills, Cassatt, Chesebro, Dooley, Finn, Funk, Groneweg, Kegler, Kelly, Mattoon, McVay, Meservey, Schmidt, Seeds, Taylor and Young—18.

Absent or not voting:

Senators Bolter and Doud—2.

So the substitute was adopted.

The question being upon the adoption of the resolution, it was adopted.

Senator Poyneer moved to reconsider the vote by which Senate File No. 47 was passed on yesterday, and direct the Secretary of the Senate to ask the House to return said bill.

Carried.

RESOLUTION.

Senator Finn offered the following resolution:

Resolved, That the Railway Committee of the Senate be instructed to report to this body the following bills to be reported within one week.

One to make the Railway Commission of Iowa elective by the people.

A bill for an act to empower the said railway commission to fix and publish maximum rates of freight for the railroads of Iowa.

Senator Price moved to amend by striking out "one week" and inserting "at the earliest time practicable."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Vale, Weber, Weidman and Woolson—29.

The nays were:

Senators Barnett, Bayless, Bills, Cassatt, Chesebro, Clark, Finn, Funk, Kegler, Kelly, Mattoon, McVay, Meservey, Schmidt, Taylor and Young—16.

Absent or not voting:

Senators Doud, Bolter, Kent, Smith and Wolfe—5.

So the amendment was adopted.

The question being upon the adoption of the resolution as amended, a division of the question was called for.

Senator Weber moved that the Senate adjourn.

On this the yeas and nays were called for:

The yeas were:

Senators Barrett, Bills, Brower, Deal, Dodge, Garlock, Gatch, Groneweg, Hanchett, Kegler, Knight, Mills, Poyneer, Weber, Wolfe and Woolson—16.

The nays were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dooley, Dungan, Finn, Funk, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Price, Reiniger, Schmidt, Seeds, Taylor, Vale, Weidman and Young—29.

Absent or not voting:

Senators Bolter, Doud, Kent, Smith and Sweney—5.

So the motion to adjourn did not prevail.

The question being upon the first part of the resolution.

Senator Dooley moved the previous question, which was seconded.

The question being, shall the main question be put, on this the yeas and nays were called.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Kenler, Kelly, Lawrence, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—37.

The nays were:

Senators Brower, Gatch, Hanchett, Hutchison, Meservey and Woolson—6.

Absent or not voting:

Senators Barrett, Bolter, Deal, Doud, Kent, Knight and Smith—7.

So the main question was ordered.

On the question, shall the first part of the resolution be adopted, instructing the committee.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Cassatt, Chesebro, Dooley, Dungan, Finn, Kegler, Kelly, Mattoon, McVay, Meservey, Schmidt, Seeds, Taylor, Weidman and Young—18.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Sweney, Vale, Weber, Wolfe and Woolson—28.

Absent or not voting:

Senators Bolter, Doud, Kent and Smith—4.

So the first part of the resolution, instructing the committee, was not adopted.

The question being upon the adoption of the first proposition the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Reiniger, Schmidt, Seeds, Taylor, Vale, Weidman, Woolson and Young—34.

The nays were:

Senators Hanchett, Hutchison and Lawrence—3.

Absent or not voting:

Senators Barrett, Bolter, Converse, Doud, Kent, Knight, Parrott, Poyneer, Price, Smith, Sweney, Weber and Wolfe—13.

So the first proposition was adopted.

The question being upon the adoption of the second proposition on this, the yeas and nays were called.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Deal, Dungan, Finn, Funk, Garlock, Groneweg, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Schmidt, Seeds, Taylor, Weber, Weidman, Woolson and Young—33.

The nays were:

Senators Harsh and Lawrence—2.

Absent or not voting:

Senators Bolter, Dodge, Dooley, Doud, Gatch, Hanchett, Kent, Knight, Parrott, Price, Reiniger, Smith, Sweney, Vale, and Wolfe—15.

So the second proposition was adopted.

Senator Converse explained his vote as follows: I vote upon this last proposition by reason of enforcement of rule seven requiring all members present to vote, but not understanding or believing there is any complete proposition or question before the Senate upon which to answer in the affirmative or negative.

S. A. CONVERSE.

PROTEST.

Senator Reiniger presented the following telegram:

NEW HAMPTON, IOWA.

HON. ROBT. G. REINIGER, *Senate*:

New Hampton, Iowa, Divison of the order of Railway Telegraphers of North America, do most earnestly protest against the passage of the Young bill, believing it inimical to the interests of the railway telegraph operators of this State.

E. N. OLMSTEAD,
Assistant Chief Tel. Division No. 18.

Referred to Committee on Railways.

Senator Harsh presented a protest of 300 workmen and citizens of Union, Taylor and Ringgold counties against the passage of Senate File No. 9.

Also:

Protest of Creston Order No. 21 of Railway Conductors.

Also:

Protest of the Order of Telegraph Operators of Creston against the passage of Senate File No. 9.

Also:

Protest of Brotherhood of Locomotive Engineers of Creston.

Senator Gatch filed a motion to reconsider the vote by which the first part of proposition in resolution offered by Senator Finn, instructing committee, was lost.

REPORT OF VISITING COMMITTEE.

Senator Funk presented the report of the joint committee of the Twenty-second General Assembly of the State of Iowa appointed to visit the penitentiary at Fort Madison.

Passed on file and ordered printed.

On motion of Senator Gatch the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, February 8, 1888. }

Senate met in regular session at 2 o'clock P. M.

Lieut.-Gov. Hull in the chair.

Prayer by Rev. Geo. C. Henry.

Senator Young arose to a question of privilege, and sent to the Secretary's desk certain newspapers, with marked paragraphs, to be read, one the State Register, one the Des Moines Leader.

MR. PRESIDENT—I arise to a question of privilege, and send to the Secretary's desk a copy of the Iowa State Register of date February 8, and ask that the paragraph marked be read. (The paragraph here follows):

"One of the Senators said yesterday, after the signal defeat of the attempt to stampede the two-cent bill through: 'Young, Finn and McVay are good fellows, and quite popular personally, but they are killing their influence, and are unjust to themselves, in thinking they can bulldoze and terrify the Senate into their way of thinking. There are fifty of us, and we must all be allowed to have our opinion. The three energetic fellows must allow us to do it. We all have to cast our vote as our judgment prompts, not to be bulldozed by them.'"

I also send to the Secretary's desk a copy of the Des Moines Leader, and ask that the paragraph marked be read. (Paragraph read as follows):

"'Some people will find out,' said a leading Republican Senator last evening, 'that they can't bulldoze the members of this Senate into following their footsteps regardless of where they lead. I am tired of having a club swung over my head by ambitious candidates for higher official honors. I don't propose longer to listen to these fellows who think they have a patent on all anti-monopoly measures yet proposed or likely to be proposed, and who treat everybody else as infringers. The way to do with those fellows is to sit down on them, and I think that is what the Senate did do this afternoon, and that is what it ought to continue to do until they are taught to respect the opinions and rights of others.' And the Senator walked over to the elevator with a serene look upon his face."

Mr. President, the fact that these two paragraphs, of the same import, appear in different papers, on the same day convinces me that some Senator did say something of the kind, as read. Now, what foundation is there for accusing unseemly haste, bulldozing, or an attempt to make political capital, as to Senate File No. 9. The bill was introduced January 12, and referred to the Committee on Railways. The public press gave due notice that it had been introduced. On February 2d—more than three weeks after the bill's introduction, the Railway Committee reported unanimously in favor of the pas-

sage of the bill. When the committee report was filed, I made no effort to secure immediate consideration to it, but gave notice that if allowed to do so, I would move to make the bill a special order for some day, not less than one week ahead. That would have given time and notice to all concerned that they might prepare for the consideration of the measure. It would have given time for petitioners to be heard. But the Senate had the matter called to its immediate attention on the motion offered by the Senator from Wright, recommending the bill to the Railway Committee. The debate was precipitated by the Senator's motion, amended by the Senator from Wapello.

I did not call the matter up. But if I had, would there have been unseemly haste, when we read the history of the only bill of any importance that has so far passed this body? I allude to Senate File No. 49, the bill proposing important changes to the registry law. That bill was introduced by the Senator from Wapello on January 17th, and referred to the Committee on Cities and Towns. The committee reported the bill with amendments, on January 26th, nine days from the date of its introduction. On motion of the Senator from Linn, the bill (Senate File No. 49) was taken up immediately, and the amendments proposed by the committee were adopted. Then the bill was made a special order for the next day at 3 p. m. On that day it was amended in countless forms by the Senator from Wapello. No one accused him—though he was earnest—of coercing or bulldozing anybody. In fact we nearly all helped him perfect his bill. The 27th being Sunday, the bill went over to Monday, January 28th, when it was further amended by the Senator from Wapello, and on that day the bill was ordered engrossed—an act equivalent to its final passage. No one in this chamber or through the public press accused the Senator of exercising undue haste, though his bill was considered and passed within ten legislative days of its first introduction.

It was an important measure. No one inquired whether its consideration or passage would politically help or hinder the Senator from Wapello. Have not all Senators equal rights here? I have supported such bills as I endorsed, no matter what Senator introduced them. I have gone into my party caucus and have agreed to support such bills as were thought proper, and never inquired the authorship of such measures, nor have I ever accused any Senator of trying to make a "record" by attempting to get their favorite measures adopted. In view of the history of the only two important bills that have so far had consideration at the hands of this Senate, I want to again inquire what ground there is to send broadcast over this State the assertion by insinuation or intimation that there has been undue haste in regard to the two-cent fare bill? That there is ground for the belief that the bill is a good one, and that petitions offered here against it, are not truly representative of public sentiment, I ask to have the letter read, which I now send to the Secretary's desk:

The letter read as follows:

———, Iowa, Feb. 2, 188 .

Hon. ———, Des Moines, Iowa:

SIR: As you are representative from this district I take the liberty

of addressing you a few lines in order to give you a correct idea of what happened at the railroad house this morning, after which you can make your own conclusion. The men were all summoned to master-mechanic office and asked to sign a remonstrance to the "Young" bill, to reduce railroad fare. Some of them asked to see the heading of the petition, which was denied by saying *they* would read it. My husband says one could plainly see that a large majority did not sign it without reluctance. Not knowing what might follow a refusal, they all walked up like "cattle to a trough" and signed. Oh! that our statesmen could understand the condition of those who are dependent upon a soulless corporation for the means of supporting wife and little ones, who are more dear to them than their country, and are hemmed in on all sides by oppression. A grinding monopoly in front of them and stern privation, want and poverty at their backs. There is much that might be said in this connection, but I will not take up your time, and trusting in your ability, push and energy to accomplish *much*, I am

Yours respectfully,

A MECHANIC'S WIFE.

In regard to Senate File No. 9, I will say that it has been in this body nearly one month. Its purpose has not been kept secret. It is of reasonable, not unusual, importance. The Senate singled it out as one of special importance, and re-committed it to a committee that had unanimously endorsed it, and each member of which said in the Senate that he intended to support it. This is the true history of Senate File No. 9, and I desire these facts spread upon the record. I maintain that there is no need to charge that there has been an effort on my part to bull doze or terrify any Senator; nor has there been an effort beyond a reasonable attention which a Senator is expected to give to a measure he introduces and endorses. I have ever respected my associates here; have treated them with every consideration, and only as to be not misquoted, misjudged nor misunderstood.

PRESENTATION OF PETITIONS..

Senator Poyneer presented a petition signed by the employes of the Belle Plaine railroad shops, against the reduction of passenger fares by law.

Referred to the Committee on Railwas.

Also:

A petition from Belle Plaine Lodge, No. 311, B. of L. F., on the same subject.

Same reference.

Senator Dooley presented a petition from citizens of Keokuk county, requesting the passage of Senate Files Nos. 82 and 83 and House File No. 10.

Referred to the Committee on Mines and Mining.

Senator Smith presented a petition from Valley City Division No. 58, of the Order of Railway Conductors, against the enactment of laws reduoing passenger fares.

Referred to the Committee on Railways.

Also:

From Division No. 1, Order of Railway Telegraphers, on same subject.

Same reference.

Senator Poyneer presented a petition of Division No. 20, Order of Railway Telegraphers of North America, on same subject.

Referred to the Committee on Railways.

Senator Sweney presented petition of the Brotherhood of Railway Section Foremen against reducing fares to two cents a mile.

Referred to the Committee on Railways.

Also:

From telegraph fraternity of Iowa on same subject.

Same reference.

Also:

From A. D. Thurston, Grand Chief Telegrapher of the Order of Telegraphers of North America, on same subject.

Same reference.

Also:

From Wm. P. Daniels, Grand Secretary of Order of Railway Conductors, same subject.

Same reference.

Senator Parrott presented a protest of Railway Telegraphers of Iowa, against the passage of Senate File No. 9.

Same reference.

Senator Harsh presented a protest of the following citizens of Decatur county, against the passage of any law reducing passenger rates: R. W. Micoon, J. D. Brown, L. P. Sigler, Francis Varga, Stephen Varga, W. A. Boone, M. Mayer, J. Hoffinsie, C. W. Beck, S. K. Carmean, John Bell, W. A. Brown.

Same reference.

Senator Dodge presented remonstrance of 85 members of Star Division, No. 81, Order of Railway Conductors, of Burlington, Iowa, same subject.

Same reference.

Also:

Remonstrance of 80 members of the Orchard City Division, No. 47, Order of Railway Telegraphers, same subject.

Same reference.

Also:

Remonstrance of 27 members of Division No. 88, Yardmasters' Mutual Benefit Association of the United States, same subject.

Same reference.

Also:

Remonstrance of 56 members of Herald Lodge, No. 161, of Locomotive Firemen, on same subject.

Same reference.

Also:

Remonstrance of 100 brakemen of Burlington, Iowa, same subject.

Same reference.

Also:

Remonstrance of Geo. A. Duncan and other citizens and business men of Des Moines county, Iowa, same subject.

Same reference.

Also:

Remonstrance of the Switchmen's Mutual Aid Association Lodge, Burlington, Iowa, on same subject.

Same reference.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill without amendments:

Senate File No. 51, a bill for an act to amend section 1789 of the Code, with reference to elections in independent school districts.

Also, the House has concurred in Senate concurrent resolution requesting Congress to prohibit the sale of adulterated lard.

Also, the House has concurred in Senate Joint Resolution No. 3, relative to liens of judgments of Federal courts rendered in the State of Iowa.

D. C. KOLP, *Chief Clerk.*

Senator Gatch presented the petition of P. H. Martin and numerous other citizens of Polk county asking the passage of Senate Files Nos. 32 and 33 and House File No. 10.

Referred to the Committee on Mines and Mining.

Senator Weber presented remonstrance of the Order of Railway Telegraphers in Hardin county against the passage of the Young bill.

Referred to the Committee on Railways.

Senator Finn presented remonstrances from Taylor and Adams counties against the passage of Senate File No. 9.

Same reference.

Senator Young presented remonstrance from citizens of Massena, Iowa, against the two cent railroad fare bill.

Same reference.

Also, remonstrance from citizens of Cumberland, Iowa, on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Caldwell, Senate File No. 194, a bill for an act to provide for the greater safety of passengers on board all sail and steamboats on the inland waters of the State of Iowa.

Read first and second times and referred to the Committee on Railways.

By Senator Garlok, Senate File No. 195, a bill for an act to amend section three (3), chapter 100, laws of the Sixteenth General Assembly, relating to mechanics' liens.

Read first and second times and referred to the Committee on Judiciary.

By Senator Parrott, Senate File No. 196, a bill for an act authorizing and empowering cities and incorporated towns to borrow money and issue bonds, and to provide for the levy of taxes for the payment thereof, and to prescribe a penalty for the diversion of said taxes.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Kegler, Senate File No. 197, a bill for an act to prohibit fire insurance companies from pooling or using joint rates.

Read first and second times and referred to the Committee on Insurance.

By Senator Poyneer, Senate File No. 198, a bill for an act giving legislative assent to the purposes of the congressional act of March 2, 1887, in regard to the establishment of agricultural experiment stations in connection with the Agricultural Colleges.

Read first and second times and referred to the Committee on Agriculture.

By Senator Barrett, Senate File No. 199, a bill for an act amending sections 2655 and 2665, of the Code of 1873, in relation to pleading.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dodge, Senate File No. 200, a bill for an act to relieve disabled firemen belonging to the Iowa Firemen's Association, and to provide for funeral expenses.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Gatch, Senate File No. 201, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for preparing, publishing and distributing 5,000 copies of "Iowa Resources and Industries," at the World's Fair in 1885.

Read first and second times and referred to the Committee on Claims.

By Senator Gatch, Senate File No. 202, a bill for an act imposing a tax on corporate franchises and shares of stock.

Read first and second times and referred to the Committee on Corporations.

By Senator Kent, Senate File No. 203, a bill for an act to provide for the appointment of policemen in cities organized under special charters.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Kent, Senate File No. 204, a bill for an act to authorize cities organized under special charters to provide for the construction of sewers.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Kent, Senate File No. 205, a bill for an act relating to selection of jurors (additional to section 2772 of the Code of 1873.)

Read first and second times and referred to the Committee on Judiciary.

By Senator Sweney, Senate File No. 206, a bill for an act to amend chapter 184 of the acts of the Twenty-first General Assembly, and providing for three terms of court per year in each county, instead of four.

Read first and second times and referred to the Committee on Judiciary.

By Senator McCoy, Senate File No. 207, a bill for an act to provide that administrators, executors and referees may pay certain money to the clerk of the district court, and making the clerk liable therefor.

Read first and second times and referred to the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 21, a bill for an act to amend sections 766 and 3784 of the Code, and section 1, chapter 184, laws of the Eighteenth General Assembly, relating to the clerk of the district court, the employment of deputies and the compensation of such officers.

D. C. KOLP, *Chief Clerk.*

Journal of yesterday read and approved.

JOINT RESOLUTION NO. 7.

Senator Price offered the following resolution by request:

Joint resolution No. 7, proposing to amend article two (2) section one (1) of the constitution of the State of Iowa:

Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the State be and the same is hereby proposed:

Section 1. Strike out the word "sixty" in the fourth line of section one (1), article two (2), and insert the word "thirty."

Section 2. *Resolved further*, That the foregoing proposed amendment to the constitution of the State of Iowa be and the same is hereby referred to the Legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three months previous to the day of such election in two weekly newspapers in each congressional district in the State as provided by law.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

HOUSE MESSAGES.

House messages were then taken up.

House File No. 1, a bill for an act to provide for the formation of independent school districts.

Read first and second times and referred to the Committee on Schools.

House File No. 64, a bill to amend section 2273 of the Code in regard to guardians.

Read first and second times and referred to the Committee on Judiciary.

House File No. 21, a bill for an act to amend sections 766 and 3784 of the Code, and section 1, chapter 184, laws Eighteenth General Assembly, relating to the clerk of the district court, the employment of deputies and the compensation of such officers.

Read first and second times and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 80, a bill for an act to legalize the act of John Weighton, while acting in the capacity of recorder, in the incorporated town of Audubon, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 28, a bill for an act to amend section 2584, of the Code of 1873, relating to where insurance companies shall bring certain actions beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Amend the title by striking out the words "2584" and all of the title after the word "Code," and insert "2581." Amend section 1, by striking out "2584" and insert "2581." Amend by striking out all after the word "following" in the fourth line of said section and by inserting the following: "Provided that no personal action for the collection of any note or other evidence of indebtedness taken by any insurance company for a premium or premiums for insurance shall be begun or maintained in any county, excepting where the maker resides at the time of bringing suit," and strike out the publication clause, and as amended that it do pass.

BEN. MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 105, a bill for an act to amend section 3, chapter 211, acts of the Eighteenth General Assembly of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BEN. MCCOY, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 131, a bill for an act to repeal section 535, chapter 10, title 4, of the Code, and to enact a substitute therefor, relating to the election of city officers of cities of the first class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass

MATT PARROTT, Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 85, a bill for an act to amend chapter 93 of the laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "and" wherever the same appears in the third line thereof; also by adding the words "auditor" and "city attorney" after the word "collector" in the fourth line; also by adding thereto a publication clause as follows:

Sec. 8. This act being deemed of immediate importance shall be of force and effect from and after its publication in the Daily Iowa State Register and Daily Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

And that when so amended the bill do pass.

MATT PARROTT, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 8, a bill for an act limiting the time of making claims and bringing suits against municipal corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, Chairman.

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 82, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee for the purpose of obtaining its opinion of the constitutionality of such bill, and particularly as to the power of the legislature to determine the mode of weighing, screening and paying for coal mined, and to annul contracts

made with miners in violation thereof, and affix penalty for such violation.

WARREN S. DUNGAN, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 14, a bill for an act to regulate payment to miners for mining coal by mine operators, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee for the purpose of obtaining its opinion of the constitutionality of such bill, and particularly as to the power of the legislature to compel mine owners to pay the miners on the basis of all merchantable coal mined, and that each payment shall be *pro rata* according to its market value and the stated times of such payment.

WARREN S. DUNGAN, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 122, a bill for an act to regulate the mining and screening of coal and to fix a basis for wages of coal miners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee for the purpose of obtaining its opinion of the constitutionality of such bill, and particularly as to the power of the legislature to fix a standard screen for coal and regulate the screening of coal and fix the compensation of miners in mining coal.

WARREN S. DUNGAN, *Chairman*.

So referred.

Senator Mills, from the Committee on Roads and Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Roads and Highways, to whom was referred Senate File No. 25, a bill for an act to amend section 982 of Code, in reference to highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. D. MILLS, *Chairman*.

Ordered passed on file.

RESOLUTION.

Senator Caldwell presented the following resolution:

Resolved, That the Secretary of the Senate be instructed to prepare and have printed one hundred copies, for the use of the Senate, of a daily calender, containing a list of all bills on third reading and of special orders.

Adopted.

REPORTS OF VISITING COMMITTEES.

Senator McVay presented report from the committee appointed to visit the Institution for Feeble Minded at Glenwood.

Passed on file and ordered printed.

Senator Mills presented report of the visiting committee to the College for the Blind at Vinton.

Placed on file and ordered printed.

BILLS ON SECOND READING.

Joint resolution No. 4, relative to amendment to Constitution of the United States regarding the election of United States Senator, with report of committee recommending indefinite postponement, was taken up and considered.

The question being, shall the report of the committee be adopted, the yeas and nays were called.

The yeas were:

Senators Barrett, Clark, Dungan, Funk, Gatch, Harsh, Hutchison, Knight, Meservey, Parrott, Poyneer, Price, Smith, Sweney, Vale, Weber, Weidman and Woolson—18.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Dodge, Dooley, Finn, Groneweg, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Reiniger, Schmidt, Seeds, Taylor and Young—21.

Absent or not voting:

Senators Bolter, Cassatt, Converse, Davidson, Deal, Doud, Garlock, Hanchett, McCoy, Mills and Wolfe—11.

So the report of the committee was not adopted.

The question being shall the joint resolution be engrossed and read a third time to-morrow?

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Cassatt, Chesebro, Clark, Dodge, Dooley, Dungan, Finn, Groneweg, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Reiniger, Schmidt, Seeds, Taylor and Young—28.

The nays were:

Senators Barrett, Converse, Funk, Gatch, Harsh, Hutchison, Knight, Lawrence, Meservey, Mills, Parrott, Poyneer, Price, Smith, Sweney, Vale, Weber, Weidman and Woolson—19.

Absent or not voting:

Senators Bolter, Brower, Davidson, Deal, Doud, Hanchett, Wolfe and Garlock—8.

So the joint resolution was ordered engrossed and read a third time to-morrow.

HOUSE CONCURRENT RESOLUTION.

Relative to the passage of postal telegraph law by Congress, with report of committee without recommendation, was taken up and considered.

Senator Reiniger moved to amend by inserting after the word "telegraphy" "on a non-partisan basis."

Adopted.

Senator Woolson offered the following as a substitute for the House resolution.

Resolved, That our Senators and Representatives in Congress are hereby requested to use their influence in the passage of a law which shall place telegraph companies and telegraph charges under government regulation and control.

Substitute adopted.

On the question shall the resolution be adopted the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutohison, Kegler, Knight, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—39.

The nays were:

Senator Chesebro—1.

Absent or not voting:

Senators Bayless, Bolter, Cassatt, Doud, Hanchett, Kelly, Kent, McVay, Schmidt and Wolfe—10.

So the resolution was adopted.

BILLS ON SECOND READING.

Senate File No. 38, a bill for an act to amend section 3077, code of Iowa, with report of committee recommending that it be referred to the Committee on Commerce, was taken up, considered, and the report of the committee was adopted.

Senate File No. 56, a bill for an act to amend sections 4413 and 4414 of the Code of Iowa, relating to peremptory challenges of jurors in criminal cases, with report of committee recommending amendments and do pass, was taken up and considered, and the amendments of the committee were adopted.

Senator Price moved to strike out the word "ten" and insert the word "five" in the fourth line, and all after the word challenges" down to and including the word "each," in the fifth line of printed bill.

Senator McCoy moved to postpone the further consideration of the bill until February 14, at 2:30 P. M.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

Mr. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House Joint Resolution No. 4, in which the concurrence of the Senate is asked:

Relative to arrears of pensions bills in Congress.

Also:

That the House has passed Senate File No. 49 with the following amendments: Strike out the abbreviation "Sec." and figure "4" in line three of section one of printed bill.

Also, amend section one, line four, by striking out the words "the last preceding."

Also, by inserting in line four after the word "section" the figure and words following three of the act of which this is amendatory.

Also, amend section seven by striking out of line fifteen the words "if the applicant be of that class."

Also, amend section eight by striking out all after the word "hereof" in line three.

Also, that the following section be added as section twelve: Sec. 12. That section 7, of chapter 6, acts of the Twenty first General Assembly, be amended by striking out the word "aforesaid" in the second line thereof and inserting in lieu thereof the words "for each general annual election."

Also, that section three of said act be amended by inserting after the word "State" in line first thereof the following words: "having a population of 3,500 or more as determined by the last preceding State or national census."

Also, that section twelve of the bill as engrossed be numbered thirteen.

D. C. KOLP, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined

JOINT RESOLUTION NO. 7 (HOUSE).

Joint resolution extending the thanks of the General Assembly to Colonel Jed Lake for his zeal and ability in defending the driven well cases, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 127, an act making an appropriation for a temporary dining hall and kitchen, and for the purchase of supplies for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa, and to transfer insurance money from trustees to the Treasurer of State, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Deal, from the Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Joint Resolution No. 7.

JOINT RESOLUTION.

Extending the thanks of the General Assembly of Iowa to Col. Jed Lake for his zeal and ability in defending the driven well cases.

JNO. DEAL, *Chairman*.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 127, an act making an appropriation for a temporary dining hall and kitchen, and for the purchase of supplies for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, and to transfer insurance money from trustees to the Treasurer of the State.

JNO. K. DEAL, *Chairman*.

PETITION.

Senator Weidman presented a petition from the citizens of Mills county, asking to be released from the corporate control of the town of Tabor, Fremont county.

Referred to the Committee on Judiciary.

BILLS ON SECOND READING.

Senate File No. 66, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuance in criminal cases, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

THIRD READING OF BILLS.

Senator Hutchison moved to take up third reading of bills.
Carried.

Senate File No. 49, a bill for an act to amend chapter 161, of the acts of the Twenty-first General Assembly, relating to elections held within cities, and to registration of voters therein, with House amendments, was taken up and considered.

Senator Converse moved that the Senate do now adjourn.

Lost.

The question being upon concurring in all the House amendments, except amendment number 6, the yeas and nays were as follows:

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—45.

The nays were none.

Absent or not voting:

Senators Bolter, Doud, Hanchett, Knight and Wolfe—5.

So the amendments were adopted, except amendment number 6.

The question being upon the adoption of the House amendment No. 6, as follows:

And that section 8 of said act be amended by inserting after the word "State" in the first line thereof, the following words: "Having a population of 3,500 or more, as determined by the last preceding State or National census."

The yeas and nays were as follows:

The yeas were:

Senators Barnett, Bayless, Bills, Cassatt, Chesebro, Davidson, Dodge, Dooley, Groneweg, Kegler, Kelly, Kent, Mattoon, McCoy, Schmidt, Seeds, Taylor and Vale—18.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Deal, Dungan, Finn, Funk, Garlock, Gatch, Harsh, Hutchison, Lawrence, Mo-Vay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Weber, Weidman, Woolson and Young—27.

Absent or not voting:

Senators Bolter, Doud, Hanchett, Knight and Wolfe—5.

So the House amendment No. 6 was not concurred in.

On motion of Senator Garlock the Senate adjourned.

SENATE CHAMBER.
DES MOINES, IOWA, Saturday, February 4, 1888. }

Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. Ida C. Hultin, minister of Unitarian Church.

PETITIONS AND MEMORIALS.

Senator Lawrence presented a memorial from the jobbers and manufacturers of Sioux City, as follows:

To the Honorable Senate and House of Representatives of the State of Iowa:

GENTLEMEN—The Jobbers' and Manufacturers' Association of the city of Sioux City, an organization of wholesale dealers, manufacturers and representatives of other leading industries and business enterprises of their city, respectfully submit to the legislature of Iowa the following considerations:

That they, your petitioners, representing a large proportion of the active capital of their city, are commercially and financially identified with the business interest and general welfare of an extensive region covering the whole northwest section of the State of Iowa and portions of Nebraska, Minnesota and Dakota, that the highest interest of your petitioners depend upon the prosperity of the people generally.

That they keenly appreciate to what great extent the general welfare of the people is dependent upon the great railway corporations of the State, and are fully conscious how far the agricultural, manufacturing and commercial industries and these great corporations are mutually dependent on each other.

Keeping these considerations in view, we notice with solicitude and interest the efforts of the present legislature of Iowa to deal with the question of transportation.

Neither the agricultural, manufacturing nor commercial classes of our great State can afford to profit by injustice nor reap the fruits of an injustice born of an unreasonable radicalism or ill-considered reform.

With the fullest confidence in the wisdom and justice of our legislators, we humbly submit that, deeply desiring the spirit of friendship and mutual interest to abide between the railway corporations and the people, and that every measure calculated to deal with charges for freight and passage shall be considered in no spirit of antagonism to the carrying trade, but in a spirit of fairness to all concerned, with calm and mature consideration of every right involved, and with due regard to the golden maxim, "Live and let live."

We, of course, with our fellow citizens of every part of the State,

are selfishly interested in obtaining transportation for freight and passengers at the lowest possible rates; but we are at the same time not unmindful of the incalculable benefit which our State has in the past derived from the construction and operation of railways; and we are deeply desirous that our State, still young and awaiting still further development, shall not antagonize nor repel the friendly advances of aggregated capital.

We respectfully request the Senator and Representative of Woodbury county in the Legislature to present this memorial to their respective houses.

H. A. JANDT, *President*,
T. P. GERR, *First Vice-President*,
JAS. F. PEAVEY, *Second Vice-President*,
E. H. STONE, *Treasurer*,
JAS. V. MAHONEY, *Secretary*.

JAS. F. PEAVEY,
JOHN HORNICK,
O. O. TOLBERTON,

Transportation Committee.

Referred to the Committee on Railways.

Senator Young presented petition from citizens of Massena and vicinity against the passage of the bill for a law to reduce passenger fare to two cents a mile.

Referred to the Committee on Railways.

Also:

From citizens of Cumberland and vicinity, on same subject.

Same reference.

Also:

From citizens of Audubon county, Iowa, in favor of a statute reducing the present tariff on passenger and freight rates within the State of Iowa, and for laws to prevent discriminations against or for particular localities.

Referred to the Committee on Railways.

Senator Dooley presented a petition from citizens of Keokuk county, in favor of the passage of Senate Files Nos. 32 and 33.

Referred to the Committee on Mines and Mining.

Senator Sweney presented petition of C. G. W. Clausen and 45 other citizens of Mitchell county, for the repeal of section 9, chapter 4, acts of Twenty-first General Assembly.

Referred to the Committee on Public Health.

Senator Caldwell presented a petition from the Brotherhood of Locomotive Engineers and Firemen of Stuart, Iowa, against the pending two cent fare bill.

Referred to the Committee on Railways.

Senator Bills presented a petition from employes of the Chicago, Milwaukee & St. Paul Railway, of Oxford Junction and vicinity, against the enactment of laws for the reduction of passenger and freight rates.

Referred to the Committee on Railways.

Senator Groneweg presented petition of citizens of Council Bluffs, against reducing the fare to two cents a mile.

Referred to the Committee on Railways.

Senator Gatch presented a petition from citizens of Polk county, Iowa, to repeal section 9, of chapter 104, of the acts of the Twenty-first General Assembly.

Referred to the Committee on Judiciary.

Senator Hutchison presented a petition of citizens of Eddyville, Wapello county, Iowa, asking for a repeal of section 9, of chapter 104, of the acts of the Twenty-first General Assembly.

Referred to the Committee on Public Health.

Senator Reiniger presented a petition from the citizens of Floyd county.

Same subject and same reference.

Senator Finn presented a memorial from citizens of Excelsior Grange No. 888, in Plate township, Taylor county, Iowa, in favor of legislation in regard to railways.

Also:

In favor of the State printing school books.

Also:

In favor of an enactment for the destruction of the English sparrow.

Referred to the Committee on Railways.

Senator Brower presented a petition from A. E. Manchester, foreman of railroad shops at Mason City, Iowa, in behalf of the railway employes of that city, against the enactment of laws to reduce railway fares and rates.

Referred to the Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Dungan, Senate File No. 208, a bill for an act to provide for holding persons to answer for criminal offenses upon information when so ordered by the judge of the court.

Read first and second times and referred to the Committee on Judiciary.

Two hundred extra copies ordered printed.

By Senator Seeds, Senate File No. 209, a bill for an act to amend sections 8 and 9, of chapter 104, of the laws of the Twenty-first General Assembly, relating to the practice of medicine.

Read first and second times and referred to the Committee on Public Health.

By Senator Reiniger, Senate File No. 210, a bill for an act to amend section 3, of chapter 161, of the Twenty-first General Assembly, relating to the registration of voters in cities.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Dooley, Senate File No. 211, a bill for an act to prevent deductions from the wages of workingmen, and for the payment of lawful money to employes.

Read first and second times and referred to the Committee on Labor.

By Senator Garlock, Senate File No. 212, a bill for an act providing for the appointment of a public examiner of accounts, and defining his duties.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Woolson, Senate File No. 213, a bill for an act relating to the Supreme Court and to the terms thereof.

Read first and second times and referred to the Committee on Judiciary.

By Senator Schmidt, Senate File No. 214, a bill for an act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees.

Read first and second times and referred to the Committee on Agriculture.

By Senator Davidson, Senate File No. 215, a bill for an act to making appropriations for the Iowa State Agricultural College.

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

By Senator Davidson, Senate File No. 216, a bill for an act requiring all goods put up in packages for sale by the package to have the exact weight of the contents put on each package.

Read first and second times and referred to the Committee on Retrenchment and Reform.

Senator Woolson moved that the Committee on Rules be instructed to take the printed journal and compare it with the original journal and report on the same.

Carried.

HOUSE MESSAGES.

Resolution in relation to arrears of pensions.

Read first and second times and referred to the Committee on Military.

REPORTS OF STANDING COMMITTEES.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 104, a bill for an act to amend chapter 28 of the acts of the Twentieth General Assembly of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Woolson moved to reconsider the vote by which Senate File No. 66, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuance in criminal cases was ordered indefinitely postponed.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Clark, Converse, Doud, Funk, Garlock, Gatch, Hutchison, Kelly, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Vale and Weidman—19.

The nays were:

Senators Bayless, Brower, Chesebro, Davidson, Dodge, Dooley, Groneweg, Harsh, Kegler, Lawrence, Mattoon, Schmidt, Sweney, Woolson and Young—15.

Absent or not voting:

Senators Bolter, Caldwell, Cassatt, Deal, Dungan, Finn, Hanchett, Kent, Knight, McCoy, McVay, Parrott, Smith, Taylor, Weber and Wolfe—16.

So the vote was reconsidered.

The question being, shall the bill be indefinitely postponed, on this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Brower, Chesebro, Clark, Davidson, Dodge, Dooley, Groneweg, Kegler, Lawrence, Mattoon, Schmidt, Sweney, Taylor, Woolson and Young—16.

The nays were:

Senators Barnett, Barrett, Bills, Caldwell, Converse, Deal, Doud, Funk, Garlock, Gatch, Harsh, Hutchison, Kelly, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Vale and Weidman—23.

Absent or not voting:

Senators Bolter, Cassatt, Dungan, Finn, Hanchett, Kent, Knight, McCoy, Parrott, Weber and Wolfe—11.

So the bill was not indefinitely postponed.

The question being shall the bill be engrossed and read a third time to-morrow.

Senator Reiniger moved to amend by striking out all after the word "continuance," in the third line, down to and including the word "side" in the fourth line, printed bill.

Carried.

The question being shall the bill be engrossed and read a third time to-morrow.

On this the yeas and nays were demanded:

The yeas were:

Senators Barnett, Barrett, Bills, Caldwell, Clark, Converse, Deal, Doud, Funk, Garlock, Gatch, Harsh, Hutchison, Kelly, Meservey, Reiniger, Seeds, Smith, Vale and Weidman—20.

The nays were:

Senators Chesebro, Davidson, Dodge, Dooley, Finn, Lawrence, Mattoon, Sweney, Taylor, Woolson and Young—11.

Absent or not voting:

Senators Bayless, Bolter, Brower, Cassatt, Dungan, Groneweg, Hanchett, Kegler, Kent, Knight, McCoy, McVay, Mills, Parrott, Poyneer, Price, Schmidt, Weber and Wolfe—19.

So the bill was ordered engrossed and read a third time to-morrow.

LEAVE OF ABSENCE.

Senators Kent, Poyneer, Hanchet, Dungan and Weber were excused until Monday, February 6.

REPORTS OF COMMITTEES.

Senator Caldwell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred a resolution for immediate relief to the merchants and grocery-men of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the State Board of Pharmacy have only complied with the law in making the regulations complained of relating to the sale of concentrated lye and potash.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report.

MR. PRESIDENT—Your Committee on Schools to whom was referred Senate File No. 153, a bill for an act to establish a Normal School at Algona, Kossuth county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Educational Institutions.

FINN, *Chairman*.

So referred.

Senator Brower presented a report from the committee appointed to visit the Iowa State University at Iowa City.

Passed on file and ordered printed.

Senators Sweney, Lawrence, Young and Vale, asked leave to have until Monday, February 6th, in which to make reports of their respective visiting committees.

Granted.

Senator Young moved the Senate do now adjourn.

Carried.

Senate adjourned until 2 P. M. Monday, February 6.

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, February 6, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieut. Gov. J. A. T. Hull, in the chair.
Prayer by Rev. Will H. Johnson.

REPORT OF COMMITTEE.

Senator Young, from the Committee on Rules, presented the following report:

MR. PRESIDENT—Your Committee on Rules, charged with the duty of comparing and correcting the printed journal of last Friday, have instructed me to report that they have discharged their duty, and have handed to the State Printer the revised and corrected sheets.

We found the journal as kept by the Secretaries to be correct.

The printed journal committed to our hands was found to be in very imperfect and bungling shape, due largely, if not entirely, to the carelessness of the clerk employed to prepare the copy for the printer; and we recommend that the matter of preparing and printing of the journal be placed in charge of the First and Second Assistant Secretaries, thus in a measure relieving the Secretary, whose duties will rapidly increase from this time until the close of the session.

We also recommend that all committee clerks, when not otherwise engaged, be subject to detail by the First and Second Assistant Secretaries, to assist in comparing the copy before it is sent to the printer, and in comparing the first printed sheets with the original, before the final printing of the sheets for the bound volumes.

We also recommend that when the First and Second Assistant Secretaries find that the copyist employed to transcribe the journal has become careless, indolent or incompetent, that they shall recommend to the Secretary the discharge of such person.

Respectfully submitted.

L. YOUNG, *Chairman.*

Adopted.

LEAVE OF ABSENCE GRANTED.

Senator Mills was excused until Tuesday evening, February 7th.
Senators Parrott, Kent, Lawrence and Schmidt, excused.

PETITIONS AND MEMORIALS.

Senator Barnett presented a petition from Lincoln Alliance No. 497, in favor of the election of the Railroad Commissioners by the

people, in favor of making their term of office three years, and in favor of making their decisions as decisive as those of the Supreme Court.

Referred to the Committee on Railways.

Senator Price presented petition from citizens of Madison county, in favor of making poor-farms pay their proportionate share of road and school taxes.

Referred to Committee on Agriculture.

Senator Groneweg presented petition of employes of the Chicago, Milwaukee & St. Paul Railway, at Council Bluffs, against reduction of freight and passenger rates.

Referred to the Committee on Railways.

Senator Harsh presented a petition from 180 citizens of Decatur county, irrespective of political affiliations, in favor of passing the Young bill.

Referred to the Committee on Railways.

Senator Dungan presented a petition from citizens of Lucas county in favor of a reduction of freight rates at the hands of the Railroad Commissioners, to make Railroad Commissioners elective, and for a uniform system of text-books.

Referred to the Committee on Railways.

Senator Dooley presented a petition from citizens of Keokuk county in favor of Senate Files Nos. 82 and 83.

Referred to the Committee on Mines and Mining.

Senator Dodge (by request) presented the petition of Ad. Richter, of Burlington, Iowa, in favor of modification of the exemption laws.

Referred to Committee on Judiciary.

Senator Davidson presented a petition from T. Reed, of the Reed Milling company of Boone, Iowa, in favor of legislation against freight discriminations.

Referred to the Committee on Railways.

Senator Seeds presented a petition from Torrence Post No. 2, G. A. R. of Keokuk, Iowa, in favor of the passage of Senate File No. 5.

Referred to the Committee on Military.

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 217, a bill for an act to amend chapter 15 of title 17 of the code, and to require residents of the State to give bond to secure payment of costs in suits brought by them in any county of which they are not residents.

Read first and second times and referred to the Committee on Judiciary.

By Senator Groneweg, Senate File No. 218, a bill for an act granting additional powers to certain cities of the first-class, in the construction of sewers, and to provide for the payment of the costs of the same, and to repeal a part of section 10, of chapter 25 of the acts of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Groneweg, Senate File No. 219, a bill for an act au-

thorizing certain cities of the first class to appoint assessors of property within their limits for taxation for all revenue purposes.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Groneweg, Senate File No. 220, a bill for an act granting additional authority to certain cities of the first class, relating to the improvement of public places, street, highway, avenue and alley intersections, and to provide a system of payment therefor.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Groneweg, Senate File No. 221, a bill for an act giving to cities of the first class power to provide the manner in which fronting and abutting property owners may be served with notice for making special assessments against private property.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Sweney, Senate File No. 222, a bill for an act to repeal section 1452 of the code as amended by chapter 70, of the acts of the Fifteenth General Assembly, and by chapter 188, of the acts of the Eighteenth General Assembly, and enacting a substitute therefor.

Read first and second times and referred to the Committee on Agriculture.

By Senator Garlock, Senate File No. 223, a bill for an act to provide a reformatory for prisoners, and for the further regulation of prisons.

Read first and second times and referred to the Committee on Penitentiary and Pardons.

By Senator Garlock, Senate File No. 224, a bill for an act to change the burden of proof in actions grounded upon negligence of corporations.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kelly, Senate File No. 225, a bill for an act to amend section 2959 of the Code of 1873 relating to attachment bonds.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, Senate File No. 226, a bill for an act to amend chapter 104, of the acts of the Twenty first General Assembly.

Read first and second times and referred to the Committee on Public Health.

Senator Reiniger presented the following resolution:

Resolved, by the Senate, the House concurring, That the Committee on Appropriations are instructed that in reporting extraordinary appropriations, the aggregate amount thereof shall not exceed the surplus revenue of the State, after subtracting the ordinary expenditures and the amount of the outstanding warrants.

Passed over until to-morrow under the rule.

REPORTS OF STANDING COMMITTEES.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate File No. 24, a bill for an act repealing section 1, of chapter 211, acts of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate File No. 78, a bill for an act to amend section 1146, of the code of 1873, relating to insurance notes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 77, a bill for an act relating to evidence in insurance cases, beg leave to report that they have had the same under consideration and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 52, a bill for an act defining and regulating insurance contracts, beg leave to report that they have had the same under consideration and by a majority vote have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate File No. 66, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuances in criminal cases, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have have examined Senate joint resolution No. 4, joint resolution and memorial to the Congress of the United States and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

Senator Caldwell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 119, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, relating to the State Board of Health, beg leave to report that they have had the same under consideration and have prepared a substitute, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that the bill do pass.

T. J. CALDWELL, Chairman.

Ordered passed on file.

Substitute ordered printed.

Senator Young, from the committee selected to visit Soldiers' Home at Marshalltown, presented a report.

Ordered passed on file, and ordered printed.

Senator Sweney asked for one day additional time in which to make report of committee to visit the Soldiers' Orphans' Home.

Granted.

BILLS ON THIRD READING.

Joint resolution No. 4, joint resolution and memorial to the Congress of the United States relative to the enactment of a law for the election of a United States Senator by direct vote of the people, was taken up and read a third time.

On the question, shall the joint resolution be adopted?

The yeas and nays were as follows:

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Chesebro, Davidson, Dodge, Dooley, Dungan, Finn, Groneweg, Kelly, Mattoon, Reiniger, Seeds, Taylor, Weidman and Young—18.

The nays were:

Senators Barrett, Brower, Clark, Converse, Deal, Doud, Funk, Garlock, Gatch, Harsh, Hutchison, McVay, Meservey, Poyneer, Price, Smith, Sweney, Vale, Weber and Woolson—20.

Absent or not voting:

Senators Bolter, Cassatt, Hanchett, Kegler, Kent, Knight, Lawrence, McCoy, Mills, Parrott, Schmidt and Wolfe—12.

So the joint resolution was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File, No. 46, a bill for an act to amend section 1160, chapter 4, title 9, of the Code of Iowa, relating to mutual insurance companies.

D. C. KOLB, Chief Clerk.

Senator Gatch moved to postpone order of third reading of bills until to-morrow at 2:30 o'clock P. M., and made special order for that time.

Carried.

BILLS ON SECOND READING.

House concurrent resolution relative to the election of United States Senators by direct vote of the people, with report of committee recommending that it be not concurred in, was taken up.

Senator Taylor moved that the resolution be made a special order for to-morrow at 2 P. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Cassatt, Chesebro, Davidson, Dooley, Doud, Dungan, Finn, Funk, Gatch, Hutchison, Kelly, Mattoon, Meservey, Poyneer, Reiniger, Seeds, Smith, Taylor, Vale, Weidman and Young—25.

The nays were:

Senators Brower, Clarke, Converse, Deal, Garlock, Groneweg, Harsh, Sweney, Weber and Woolson—10.

Absent or not voting:

Senators Bolter, Caldwell, Dodge, Hanchett, Kegler, Kent, Knight, Lawrence, McCoy, McVay, Mills, Parrott, Price, Schmidt, and Wolfe—15.

So the motion was carried, and the resolution was made special order for 3 P. M., February 7th.

Senate File No. 73, a bill for an act to fix the number of jurors, both civil and criminal cases at seven, any five of whom may render a verdict, and to repeal certain sections of the code relating to the formation of juries, with report of Committee on Judiciary, recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 83, a bill for an act to amend section 6, chapter 60, laws of the Fifteenth General Assembly, relating to banks, with report of committee recommending amendments, and as amended do pass, was taken up, considered, and the amendment recommended by the committee was adopted.

The bill was ordered engrossed and read a third time to-morrow.

Senate File No. 94, a bill for an act regulating exit doors of public buildings, with report of committee recommending that it do pass, was taken up and considered.

Senator Caldwell moved to amend by striking out the word "he" in second line of section two of printed bill, and inserting in lieu thereof the words "such person, company or corporation."

Adopted.

Senator Converse moved to amend by inserting after the word "amusement" in the second line of section 1 the words "or public gatherings."

Carried.

Senator Dungan moved to amend as follows: Insert after the word

"and" in the second line of section 2 of the printed bill the words "upon conviction thereof shall."

Adopted.

Senator Barnett moved to amend as follows: Add as section 3:

Sec. 3. Provided that this shall not apply to one-story school buildings containing one school.

Lost.

Senator Reiniger moved to amend by inserting in the third line of section 1, before the word "hereafter" the words "that are now or may be."

Lost.

Senator Harsh offered the following amendment:

Add as section 3: And in case of opera houses or public halls of seating capacity of more than 100 there shall be at least two outer exits.

Senator Poyneer moved to recommit bill with proposed amendment to the Committee on Public Buildings.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

Mr. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendment to Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relating to the registration of voters in cities.

Also asks for the appointment of a conference committee on the same.

D. C. KOLF, *Chief Clerk.*

HOUSE MESSAGES.

On motion of Senator Hutchison House messages were taken up.

House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9, of the Code of Iowa, relating to mutual insurance companies, was taken up, read first and second times, and referred to Committee on Insurance.

Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relating to the elections held within cities and to registration of voters therein.

The President appointed Senators Hutchison, Clark and Bayless as a conference committee on the part of the Senate to comply with a similar committee from the House relative to Senate File No. 49.

Senate File No. 193, by Committee on Ways and Means, a bill for an act authorizing the Governor of the State to arrange with General W. W. Belknap for his services in prosecuting the claims of this State against the general government, on account of raising and enrolling troops for the service of the United States during the war of the rebellion, with report of committee recommending that it do pass.

On motion of Senator Woolson the consideration of the report was passed on file until to-morrow.

Senate File No. 71, a bill for an act authorizing the auditor of State to settle and adjust permanent school fund, revenue, insane and other accounts with the several county officers, and providing means for the payment of the same, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 69, a bill for an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and on motion it was made the special order for 3:15 p. m. February 7.

Senate File No. 100, a bill for an act to settle differences between parties of less than one hundred dollars by arbitration, the decision of arbitration to be final, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed by the House to return to this Senate as requested by your honorable body, Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seed, and cereals.

D. C. KOLP, *Chief Clerk.*

Senate File No. 62, a bill for an act to amend sections 6 and 7, chapter 40, acts of the Nineteenth General Assembly, fixing the age at which children shall be admitted to the asylum for the Feeble-Minded at Glenwood, with report of committee, recommending amendments and when so amended that it do pass, was taken up, considered, and the amendment recommended by the committee was adopted.

The question being shall the bill be engrossed and read a third time to morrow on this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Caldwell, Dodge, Dooley, Dungan, Funk, McVay, Meservey, Poyneer, Taylor, Weber, Weidman, Woolson and Young—14.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Cassatt, Chesebro, Converse, Davidson, Doud, Garlock, Gatch, Harsh, Hutchison, Kelly, Parrott, Price, Reiniger, Seeds, Smith, Sweney and Vale—21.

Absent or not voting:

Senators Bolter, Clark, Deal, Finn, Groneweg, Hanchett, Kegler, Kent, Knight, Lawrence, Mattoon, McCoy, Mills, Schmidt and Wolfe—15

So the bill was lost on engrossment.

Senator Poyneer moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seeds and other cereals, was taken up.

The question being to reconsider the vote by which the bill passed the Senate, it was carried.

Senator Poyneer moved to reconsider the vote by which the bill was ordered to a third reading.

Carried.

On motion, the bill was re-committed to the Committee on Agriculture.

Senate File No. 36, a bill for an act fixing the per diem of jurors in courts of record, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

Senator Weidman moved to amend by inserting after the word "jurors," in the first line, section 1, printed bill, the words "of the regular panel."

Adopted.

The question being, shall the bill be indefinitely postponed?

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Cassatt, Chesebro, Converse, Deal, Dodge, Dooley, Doud, Dungan, Garlock, Gatch, Groneweg, Kelly, Mattoon, McVay, Meservey, Parrott, Poyneer, Price, Seeds, Smith, Taylor, Vale, Weber, and Woolson—26.

The nays were:

Senators Barrett, Caldwell, Davidson, Funk, Harsh, Weidman and Young—7.

Absent or not voting:

Senators Bayless, Bolter, Brower, Clark, Finn, Hanchett, Hutchison, Kegler, Kent, Knight, Lawrence, McCoy, Mills, Reiniger, Schmidt, Sweney and Wolfe—17.

So the bill was indefinitely postponed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to appointing a joint committee to ascertain and report the amount of mileage and expenses of the visiting committees.

D. C. KOLP, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator McVay presented a petition of 968 employes of the Chicago & Northwestern railway against any reduction of railway rates, either freight or passenger.

Referred to the Committee on Railways.

Senator Deal presented a petition of P. Scanlin and others against the reduction of the average receipts of railway companies.

Referred to the Committee on Railways.

Senator Groneweg presented petitions of many railway employes of Council Bluffs and vicinity against the reduction of railway receipts.

Referred to the Committee on Railways.

Senator Davidson presented sundry petitions of railway employes against any reduction of freight or passenger fares.

Referred to the Committee on Railways.

REPORTS OF COMMITTEES.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Joint Resolution No. 3, relative to liens of judgments of federal courts rendered in the State of Iowa, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 51, an act to amend section 1789 of the code, with reference to elections in independent school districts, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Concurrent Resolution requesting Congress to prohibit the sale of adulterated lard, and require statement of actual contents on package thereof, and to pass the bill now pending for that purpose, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Lawrence was granted further time, on account of sickness, in which to file report from committee to visit Institution for the Deaf and Dumb at Council Bluffs.

Senator Weber moved that Senate File No. 28, a bill for an act to amend section 2584 of the Code of 1873, relating to where insurance companies shall bring certain actions, be withdrawn from the files and recommitted to Committee on Insurance.

Carried.

CORRECTED MESSAGE.

Senator Caldwell from the Committee on Public Health presented the following corrected message from the Governor, and requested that it be printed in the Journal, there having been errors in the original copy, as shown in Journal of February 1st.

JANUARY 30, 1888.

To the Senate and House of Representatives:

GENTLEMEN—I have the honor to transmit herewith a copy of a supplementary report of the Secretary of the State Board of Health,

relative to such legislation as the Board deems necessary to better secure the purpose for which it was created.

WM. LARRABEE.

IOWA STATE BOARD OF HEALTH, }
DES MOINES, Jan. 27, 1898. }

Hon. William Larrabee, Governor:

As a supplementary reply to your communication to this office, dated November 15, 1887, in which you refer to certain infectious diseases in the State of Iowa, and request the Board of Health "to exercise whatever power the law confers upon it to guard against the further spread of these diseases," I have the honor, in behalf of the Board to call your attention to the fearful loss of life and maiming of human bodies that occur by the methods in use by the railroads in this State for "coupling" and "braking" cars on freight trains. By reference to pages 31 to 36 of the fourth biennial report of the State Board of Health it will be seen that statistics furnished by the Iowa Railroad Commissioners show a fearful, a criminal, loss of life by the use of methods for "coupling" and "braking" cars that inventive genius has, by the most crucial tests, shown to be unnecessary. If there were no better means for securing the ends desired, the railway companies would in most cases be excusable, but the repeated successful tests with the automatic or power brake, and the Master Car Builders' standard coupler and its modifications, show that safe and reliable appliances have been provided whereby this list of casualties can be nearly, if not entirely, obviated.

Your attention is called to the further fact that within a few years the beautiful lakes of Iowa have become popular resorts for our people seeking rest, recreation and health. Already complaints are being filed in this office, showing that individuals, companies and corporations having control of these health resorts have provided no adequate means for disposing of the sewage and offal accumulating—that the soil is becoming saturated therewith and foul and poisonous gases are generated that must, in the near future, make these places untenable.

The unfortunate accident on Lake Manawa, near Council Bluffs, last summer, whereby several lives were lost through the sinking of an utterly worthless boat, points to another danger that threatens those who resort to these places. There is no authority of Iowa statutes whereby these vessels can be properly inspected, and their safety certified to by a competent expert. It is stated that in many instances boys, and persons with but the least superficial knowledge, if any, of engineering, are put in charge of these boats that ply upon these waters. If these statements are true, and the practices are continued, the consequences are fearful to contemplate. The opportunity should be prohibited by legislative interference.

Chapter 131, laws of the Eighteenth General Assembly, section 2, declares, "The State Board of Health shall have the general supervision of the interest of the health and life of the citizens of the State."

The State Board is striving by all means in its power to exercise

this general supervision, but by a peculiar construction of the statute it can do nothing more than make rules and regulations. The Board is nowhere directly vested with the power to enforce them.

The State Board appreciates fully the lively interest you have officially taken in the sanitary conditions of the State, and respectfully ask your official co-operation with the present General Assembly in so amending the statute as will enable the Board to require communities, corporations and individuals to comply with such rules and regulations of the State Board of Health as they may make for the preservation of the health and life of the people of the State.

Very respectfully,

[Signed]

J. F. KENNEDY, *Secretary.*

So ordered.

Senator McVay moved that the Senate adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, February 7, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieut.-Gov. Hull in the chair.
Prayer by Rev. Mr. Kephart.

PETITIONS AND REMONSTRANCES.

Senator Caldwell presented a petition of 225 employes of the Chicago, Milwaukee & St. Paul Railway Company, against any reduction of passenger or freight rates.

Referred to the Committee on Railways.

Also:

A petition of 276 employes of the Chicago, Rock Island & Pacific Railway Company, against the reduction of passenger rates.

Same reference.

Also:

Petition and resolution from Redfield Post No. 26, G. A. R., in favor of the passage of House File No. 41.

Referred to the Committee on Military.

Senator Reiniger presented petition of Chicago, Milwaukee & St. Paul Railway Company employes of Iowa, against reduction of railway rates.

Referred to the Committee on Railways.

Also:

Petition from the business men of Floyd county, against proposed railway legislation.

Referred to the Committee on Railways.

Senator Parrott presented petition from the Board of Trade of Waterloo, against radical railway legislation, and in favor of careful, conservative action.

Referred to the Committee on Railways.

Also:

From business men and citizens of LaPorte City and vicinity, against the passage of Senate File No. 9.

Same reference.

Senator Bills presented petition of the members of the Brotherhood of Locomotive Engineers, against any reduction of freight or passenger rates.

Same reference.

Also:

From employes of Chicago, Milwaukee & St. Paul Railway. Same subject.

Same reference.

Also:

From farmers, railway employes, and others. Same subject.

Same reference.

Senator Brower presented petition of 489 employes of the Chicago, Milwaukee & St. Paul Railway Company, against any laws reducing passenger or freight rates.

Referred to the Committee on Railways.

Senator Kent presented petition from citizens of Lee county, in favor of the passage of the two cent fare bill.

Same reference.

Also:

A remonstrance of citizens of Lee county against the passage of the bill.

Same reference.

Also:

Remonstrance of 63 citizens of Lee county against the passage of the two cent fare bill.

Same reference.

Also:

A petition of members of the Brotherhood of Locomotive Engineers, against any reduction of railway rates.

Same reference.

Senator Poyneer presented petition from citizens of Montezuma, Iowa, against the passage of Senate File No. 9.

Referred to the Committee on Railways.

Senator Weidman presented a petition from the business men of Red Oak, Iowa, asking that the Railroad Commissioners be appointed by the Governor with the consent of the Senate, with power to fix rates and enforce the same.

Referred to the Committee on Railways.

Senator Smith presented memorial from the Board of Trade of Marion, Iowa, urging careful action and no radical changes in existing passenger or freight rates.

Referred to the Committee on Railways.

Also:

One from 325 employes of the Chicago, Milwaukee & St. Paul Railway. Same subject.

Same reference.

Also:

From Brotherhood of Locomotive Engineers at Cedar Rapids. Same subject.

Same reference.

Senator Harsh presented protest of 97 railroad employes, of Creston, against the passage of laws to reduce railroad earnings.

Referred to Committee on Railways.

Senator Mattoon presented petition signed by John Cook and 91 others, citizens of West Union, Fayette county, Iowa, against the passage of laws reducing railway rates.

Referred to the Committee on Railways.

Also:

Petition from employes of the Chicago, Milwaukee & St. Paul

Railway, of North McGregor, against the passage of laws to reduce railway rates.

Referred to the Committee on Railways.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being the third reading of bills:

Senator Gatch moved that the special order be postponed for fifteen minutes, for the purpose of receiving the report of the Conference Committee, appointed to consider House Amendment No. 6 to Senate File No. 49.

Carried.

The committee presented the following report:

REPORT OF COMMITTEE.

Mr. President and Mr. Speaker:

Your Conference Committee, appointed to consider House Amendment No. 6 to Senate File No. 49, being "a bill for an act to amend chapter 161, of the acts of the Twenty-first General Assembly, relating to elections held within cities, and to registration of voters therein," in which amendment the Senate refused to concur, respectfully report that they have considered the same, and unanimously recommend the adoption of the following in lieu of and as a substitute for said House Amendment No. 6: "And that section 3 of said act be amended by inserting after the word 'State,' in the first line thereof, the following words: 'having a population of twenty-five hundred (2500) or more, as determined by the last preceding State or National census.'"

J. G. HUTCHISON,

F. D. BAYLESS,

T. E. CLARK,

Senate Committee.

A. B. CUMMINS,

L. A. RILEY,

H. L. BYERS,

House Committee.

The question being shall the amendment recommended by the committee be adopted?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kent, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Vale, Weber, Weidman, Wolfe, Woolson and Young—36.

The nays were:

Senators Chesebro, Dooley, Kelly and Taylor—4.

Absent or not voting:

Senators Bolter, Cassatt, Finn, Groneweg, Hanchett, Kegler, Knight, Lawrence, McCoy and Schmidt—10.

So the amendment recommended by the committee was adopted.

PETITIONS AND REMONSTRANCES.

Senator Dooley presented a petition from citizens of Grinnell and others, farmers, railway employes and others against the reduction of railway rates.

Referred to the Committee on Railways.

Senator Funk presented a series of resolutions from Algona Grange endorsing the utterances of Gov. Larrabee on railway rates, in favor of the election of railway commissioners, in favor of the repeal of all laws authorizing the voting of aid for railroads and in favor of reducing rates by law and other subjects.

Referred to Committees on Railways, Schools, Agriculture and Retrenchment and Reform.

Senator Price introduced petition of members of the Brotherhood of Locomotive Engineers against the reduction of railway rates.

Referred to Committee on Railways.

Also petition of citizens of Adair and Guthrie counties in favor of reducing railway rates.

Same reference.

Senator Davidson presented a petition from members of the Brotherhood of Locomotive Engineers of Boone county against the reduction of railway rates.

Referred to the Committees on Railways.

Senator Kelly presented petition of the employes of the Chicago, Rock Island & Pacific Railway, of Johnson county, against the passage of laws reducing railway rates.

Referred to Committee on Railways.

Senator Barnett presented a petition from citizens of Warren county in favor of a series of anti-monopoly measures.

Referred to Committee on Railways.

Senator Clark presented a petition of citizens of Shenandoah, Page county, against the repeal of the law requiring the effects of alcohol taught in the schools and praying that the sales of tobacco to minors be prohibited.

Referred to the Committee on Suppression of Intemperance.

Senator Woolson presented petition of Michael Kelleber and 318 others signing as railroad employes against a reduction of railway rates.

Referred to Committee on Railways.

Senator Kelly presented four petitions from railroad employes, business men, farmers and others of Parnell, Williamsburg and from Iowa county, against a reduction of railway rates.

Referred to Committee on Railways.

Senator Mills presented remonstrance of members of the Brotherhood of Locomotive Engineers of Marshalltown, against reduction of railway rates.

Referred to Committee on Railways.

Senator Wolfe presented three petitions from members of the

Brotherhood of Locomotive Engineers, against reduction of railway rates.

Referred to Committee on Railways.

Also, a communication from the Executive Committee of the Legislative Board of the Brotherhood of Locomotive Engineers, against reduction of railway rates.

Referred to Committee on Railways.

SPECIAL ORDER.

The time having arrived for the consideration of special order, it being bills on third reading, Senator Gatch moved to pass the special order until the petitions and memorials were presented.

Carried.

Senator Clark presented petitions from Pottawattamie, Shelby and Adair counties, to the Twenty-second General Assembly, asking the amendment of pharmacy law, and such other measures for the better enforcement of our prohibitory law.

Referred to Committee on Suppression of Intemperance.

Also, petition addressed to Hon. O. M. Barrett from all the leading secret organizations of the inhabited world, against the enactment of any laws to prohibit any kind of discrimination whatever, with instructions to act accordingly. Signed by Richard Roe.

Referred to Committee on Railways.

Senator Gatch presented remonstrances of G. A. Gould and 122 other citizens of Iowa, against the proposed reduction of railroad passenger rates to two cents a mile.

Referred to Committee on Railways.

Also, remonstrance of D. A. Robinson and twenty-five other members of the Brotherhood of Locomotive Engineers, against the proposed reduction by law of railroad passenger rates.

Referred to Committee on Railways.

Also, remonstrance of R. M. Shackelford and seventy-two other citizens of Iowa, against the passage of a law reducing passenger fares to two cents per mile.

Referred to Committee on Railways.

Also, remonstrance of J. C. Jones and thirty-two other citizens of Iowa, against the passage of a law reducing passenger rates to two cents per mile.

Referred to Committee on Railways.

Senator Poyneer presented remonstrance of P. H. McLane and 300 other citizens of Benton county against reduction of railway rates.

Referred to Committee on Railways.

Senator Meservey presented a letter from the agent of the C. & N. W. R'y Co. at Dayton, Iowa, protesting against reduction of railway rates.

Referred to Committee on Railways.

Senator Chesebro presented petitions of railroad employes of Altona, Wilton and West Liberty, Iowa, against reduction of railroad rates.

Referred to Committee on Railways.

Senator Doud introduced a petition from C., R. I. & P. R'y employees against the reduction of freight and passenger rates.

Referred to Committee on Railways.

SPECIAL ORDER.

The Senate proceeded to take up special order, it being third reading of bills.

Senate File No. 86, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuances in criminal cases, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weidman, Wolfe and Young—34.

The nays were:

Senators Dodge, Dooley, Kent, Weber and Woolson—5.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Doud, Finn, Groneweg, Hanbrett, Kegler, Knight, Lawrence, McCoy, Schmidt and Sweney—13.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Price, Senate File No. 227, a bill for an act to amend section seven hundred and ninety-seven (797) of the Code, relating to property exempt from taxation.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Sweney, Senate File No. 228, a bill for a act to repeal section 1112 of the Code, and to enact a substitute therefor in relation county and district agricultural societies and providing for holding farmers' institutes.

Read first and second times and referred to the Committee on Agriculture.

The hour having arrived for the consideration of special order, it being the House concurrent resolution, relative to the election of United States Senators by direct vote of the people, with report of committee recommending that it be not concurred in was taken up and considered.

On the question shall the report of the committee be adopted?

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Clark, Converse, Deal, Funk, Garlock, Gatch, Harsh, Hutchison, McVay, Meservey, Mills, Parrott, Poyneer, Price, Smith, Sweney, Vale, Weber and Woolson—21.

The nays were:

Senators Barnett, Bayless, Bills, Caldwell, Cassatt, Chesebro, David-

son, Dodge, Dooley, Doud, Dungan, Kelly, Kent, Mattoon, Reiniger, Seeds, Taylor, Weidman, Wolfe and Young—20.

Absent or not voting:

Senators Bolter, Finn, Groneweg, Hanchett, Kegler, Knight, Lawrence, McCoy and Schmidt—9.

So the report of the committee was adopted.

Senator Doud moved to re-consider the vote by which the report of the committee was adopted.

Senator Sweney moved to lay the motion to re-consider on the table.

On this the yeas and nays were demanded, and were as follows:

The yeas were:

Senators Barrett, Brower, Clark, Converse, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, McVay, Meservy, Mills, Parrott, Poyneer, Price, Smith, Sweney, Vale, Weber, Weidman and Woolson—23.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Cassatt, Chesebro, Davidson, Dodge, Dooley, Finn, Kelly, Kent, Mattoon, Reiniger, Seeds, Taylor, Wolfe and Young—18.

Absent or not voting:

Senators Bolter, Deal, Groneweg, Hanchett, Kegler, Knight, Lawrence, McCoy and Schmidt—9.

So the motion to lay on the table was carried.

INTRODUCTION OF BILLS.

By Senator McVay, Senate File No. 229, a bill for an act creating a State Board of School-Book Commissioners, with authority to adopt a uniform series of text-books for use in the public schools of the State.

Read first and second times and referred to the Committee on Schools; 200 extra copies ordered printed.

By Senator Funk, Senate File No. 230, a bill for an act to authorize the Railroad Commissioners to change the name of railway stations in certain cases.

Read first and second times and referred to the Committee on Railways.

By Senator Barnett, Senate File No. 231, a bill for an act to amend sections 1 and 3 of section 1863 and 1864 of chapter 12 of the acts of the Eighteenth General Assembly.

Read first and second times and referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 41, a bill for an act to provide for the relief of

Union soldiers, sailors, marines and the indigent wives, widows and minor children of same.

House File No. 27, a bill for an act to provide for having the report of the State Oil Inspector made to the Governor.

House File No. 16, a bill for an act amendatory and additional to chapter 8, title 9, of the Code of 1873, in relation to mutual building associations.

Also, that the House has adopted the report of the conference committee on House amendment No. 6 to Senate File No. 49, a bill for an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relative to elections held within cities and to registration of voters therein, and herewith return Senate File No. 49.

D. C. KOLF, *Chief Clerk*.

The hour having arrived for the consideration of the special order, it being Senate File No. 89, a bill for an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

Senator Dungan moved that the bill be engrossed and read a third time to-morrow.

On this the yeas and nays were demanded, and were as follows:

The yeas were:

Senators Barnett, Bayless, Bills, Cassatt, Caldwell, Chesebro, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Kelly, McVay, Meservey, Poyneer, Price, Taylor, Vale, Weidman and Young—23.

The nays were:

Senators Clark, Dodge, Dooley, Gatch, Hutchison, Kent, Mattoon, Parrott, Reiniger, Seeds, Sweney, Weber, Wolfe and Woolson—14.

Absent or not voting:

Senators Barrett, Bolter, Brower, Groneweg, Hanchett, Harsh, Kegler, Knight, Lawrence, McCoy, Mills, Schmidt and Smith—13.

So the bill was ordered engrossed and read a third time to-morrow.

REPORTS OF COMMITTEES.

Senator Dodge from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 83, a bill for an act to amend section 6, chapter 60, laws of the Fifteenth General Assembly, relating to banks, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

INTRODUCTION OF BILLS.

By Senator Davidson, Senate File No. 232, a bill for an act amending section 506, chapter 10, title 4 of the Code.

Read first and second times and referred to the Committee on Judiciary.

By Senator Meservey, Senate File No. 233, a bill for an act to re-

sume and reconvey to the United States all lands and rights to lands granted to the State of Iowa, by the act of Congress entitled "an act for the grant of land to the State of Iowa in alternate sections, to aid in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act.

Read first and second times and referred to the Committee on Public Lands.

By Senator Finn, by request, Senate File No. 234, a bill for an act to regulate the charges of the owners of telephones and telephone lines for the use of such instruments.

Read first and second times and referred to the Committee on Corporations.

By Senator Finn, by request, Senate File No. 235, a bill for an act to amend chapter 1, title 9 of the Code, to repeal section 1050 thereof, and to enact section 2 of this act in lieu thereof.

Read first and second times and referred to the Committee on Corporations.

By Senator Doud, Senate File No. 236, a bill for an act for the preservation and protection of fish and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of chapter 50, laws of the Fifteenth General Assembly; chapter 70, laws of the Sixteenth General Assembly; sections 5 and 6, chapter 80, Seventeenth General Assembly; chapter 92, Eighteenth General Assembly; chapter 9, Twentieth General Assembly.

Read first and second times and referred to the Committee on Fish and Game.

RESOLUTIONS.

Senator Parrott offered the following resolution:

Resolved, That the Committee on Retrenchment and Reform be instructed to inquire into the amount of support funds given the different institutions of the State under existing laws, with a view of ascertaining whether any reduction can be made in any case without interfering or impairing the efficiency of the public service of any institution.

Senator Parrott moved that the resolution be adopted.

Carried.

Senator Weber offered the following resolution:

Resolved, That the superintendents of the following State Institutions, namely: Hospitals for the Insane at Mt. Pleasant and at Independence, Asylum for the Deaf and Dumb at Council Bluffs, College for the Blind at Vinton, Institution for the Feeble-minded at Glenwood, Industrial School for Boys at Eldora, Soldiers' Orphans Home at Davenport, also the Industrial School for Girls at Mitchellville be instructed to furnish as soon as possible, without cost to the State, to this Senate for its information, the facts and exact data with reference to the following subjects, to-wit:

First. The number of inmates, if any, not county or State patients and which are maintained at the expense of other States or by private individuals.

Second. The number of inmates not county charges but which are

maintained by the State, the counties from which they are committed, and the number from each county.

Third. The name, number and residence of such inmates, if any, whose residence is now known.

Fourth. The average cost per capita per week of the following items of expense:

a. Provisions, excluding the products of the farm and garden, if any.

b. Products of farm and garden, if any.

c. Fuel and light.

d. Officers and employees, including attendants.

e. Medicines.

f. Clothing.

The amount, if any, of the support fund which has in the last biennial period been used in making repairs and improvements upon buildings or grounds.

Sixth. The number and age of the criminal insane attending the hospitals for the insane, and the counties they are from.

Laid over under the rule.

Senator Vale presented a report of the committee appointed to visit the Agricultural College and Farm.

Passed on file and ordered printed.

HOUSE MESSAGES.

House concurrent resolution relative to appointing a committee to ascertain the mileage of visiting committees was taken up and concurred in.

Senator Weber moved that Senate File No. 70, a bill for an act in relation to underground insurance, and to provide means for the suppression of the same, with report of committee, be withdrawn from the files and recommitted to the Committee on Insurance, and the committee report of yesterday on said bill be stricken from the record.

Carried.

RESOLUTION.

Senator Deal offered a resolution as follows:

Resolved, That Senate Rule No 29, on page 19 of the printed rules of the Twenty First General Assembly be amended by adding to said rule the following: "Provided this rule shall not apply to the reports of enrolled and engrossed bills."

Referred to the Committee on Rules.

HOUSE MESSAGES.

House File No. 27, a bill for an act to provide for having the report of the State Oil Inspector made to the Governor.

Read first and second times and referred to the Committee on Public Health.

House File No. 16, a bill for an act amendatory and additional to chapter 6, title 9 of the Code of 1873, in relation to mutual building associations.

Read first and second times and referred to the Committee on Corporations.

On motion of Senator Sweney Senate adjourned until to-morrow, February 8th, at 2 o'clock P. M.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, Feb. 8, 1888. }

Senate met in regular session at 2 o'clock P. M.

Lieut.-Gov. Hull in the chair.

Prayer by Rev. A. D. Kinzer.

PETITIONS AND MEMORIALS.

Senator Lawrence presented ten petitions from the employes of the Chicago, Milwaukee & St. Paul Railway Company against the enactment of laws to reduce railway rates.

Referred to Committee on Railways.

Senator Schmidt presented petition from 500 railroad employes on same subject.

Also, memorial from forty business men of Davenport protesting against extreme railway legislation.

Same reference.

Senator Mattoon presented petitions from employes of the Chicago, Milwaukee & St. Paul Railway Company against reduction of railway rates.

Referred to Committee on Railways.

Also, presented remonstrance from citizens of Elgin, Iowa, against passage of Senate File No. 9.

Referred to Committee on Railways.

Senator Chesebro presented petition from citizens of Louisa county, Iowa, for repeal of section 9, chapter 104, acts of Twenty-first General Assembly.

Referred to Committee on Public Health.

Senator Bills presented petition from 112 electors of Durant, Cedar county, asking for a reduction of freight rates and passenger fares, and against pooling, trusts, etc.

Referred to Committee on Railways.

Senator Gatch presented petition from John W. Morrison and thirty-four others, asking careful investigation and consideration of railroad passenger rates before taking action thereon.

Referred to the Committee on Railways.

Senator Seeds presented petition from eighty citizens of Manchester on same subject.

Same reference.

Also petitions from citizens of Independence in favor of House File No. 19 and Senate File No. 48.

Same reference.

Senator Poyneer presented remonstrance of sixty-one citizens of Benton county against reduction of railway rates.

Referred to the Committee on Railways.

Senator Poyneer presented petition from citizens of Van Horn, Iowa, against reduction of railway fares.

Referred to the Committee on Railways.

Also memorial from Jackson Assembly of Grinnell, Iowa, under seal of Assembly, urging fulfillment of party pledges, accompanied by copy of petition which they represent that railway companies are endeavoring to influence their men to sign.

Same reference.

Also petition of S. H. Watson and twenty citizens of Vinton against reduction of passenger rates.

Same reference.

Senator Hutchison presented petition of Jos. Sloan and 177 other employes of Chicago, Milwaukee & St. Paul railway company on same subject.

Same reference.

Also, another from Senator Hutchison, same subject.

Same reference.

Senator Converse presented a petition from citizens of Lime Springs, Iowa, on same subject.

Same reference.

Senator McVay presented a petition from members of Brotherhood of Locomotive Engineers on same subject.

Same reference.

Senator Poyneer, for Senator Hutchison, presented petition of A. W. Alford and sixteen others of Brotherhood of Locomotive Firemen on same subject.

Same reference.

Also, from L. W. Webb and twelve others of Hedrick, Iowa, on same subject.

Same reference.

Also, from citizens of Highland on same subject.

Same reference.

Senator Meservey presented remonstrance from members of the order of Railway Conductors on same subject.

Referred to Committee on Railways.

Senator Kent presented petitions from railway employes on same subject.

Same reference.

Also, from citizens of Lee county on same subject.

Same reference.

Also, from Keokuk Division No. 56 of Brotherhood Locomotive Engineers.

Referred to Committee on Railways.

Senator Smith presented memorials from citizens of Cedar Rapids on same subject.

Referred to Committee on Railways.

Senator Groneweg presented three petitions from the employes of the O. M. & St. P. R'y Co. on same subject.

Referred to Committee on Railways.

Senator Harsh presented petitions from thirty-nine business men of Afton asking passage of House File No. 19 and Senate File No. 48.

Same reference.

Also, from citizens of Taylor county against State publication of school books.

Referred to the Committee on Schools.

Also, protest of thirty-six farmers of Union county against passage of 2 cent fare bill.

Referred to Committee on Railways.

Senator Caldwell presented a petition from citizens of Iowa, against reduction of railway rates.

Referred to the Committee on Railways.

Also, petition of members of Brotherhood of Railway Brakemen on same subject.

Referred to the Committee on Railways.

Senator Parrott presented remonstrance from citizens and business men of La Porte City, on same subject.

Same reference.

Also, protest of citizens and business men of Cedar Falls.

Same subject.

Referred to the Committee on Railways.

Senator Barnett presented a petition from citizens of Clark county favoring a reduction of freight rates and enlarging the powers of the Railroad Commission.

Referred to the Committee on Railways.

Senator Woolson presented a petition from W. S. Williams and 330 other business men of Riverside, against passage of the two cent fare bill.

Referred to the Committee on Railways.

Also, petition of Robert Jackson, and forty other citizens of Rome, Henry county, same subject.

Referred to the Committee on Railways.

Senator Dodge presented petitions from members of the Order of Railway Conductors on the same subject.

Same reference.

Also, from citizens of Des Moines county, same subject.

Same reference.

Also, from citizens of Danville township, same subject.

Referred to the Committee on Railways.

Senator Bayless presented remonstrance from citizens of Strawberry Point, same subject.

Referred to the Committee on Railways.

Senator Cassatt presented two petitions from employes of railways in Iowa, same subject.

Same reference.

Senator McVay presented petitions from railway employes, same subject.

Same reference.

Also, from members of Brotherhood of Railway Brakemen, same subject.

Same reference.

Also, from citizens of Webster county, in favor of passage of Senate File No. 48, and House File No. 19.

Referred to the Committee on Railways.

Senator Price presented remonstrance from residents of Fontanelle, against reduction of railway rates.

Referred to the Committee on Railways.

Senator Kelly presented petition against passage of laws to reduce railroad rates.

Referred to the Committee on Railways.

Senator Schmidt presented a petition from the Davenport Business Men's Association favoring enlargement of the powers of the Railroad Commissioners, and in favor of the enactment of legislation in harmony with the interstate commerce law.

Referred to the Committee on Railways.

Senator Young presented petition from citizens of Anita, Iowa, against reduction of railway fares.

Referred to the Committee on Railways.

Also, petition from 98 citizens of Cumberland and vicinity in favor of the passage of Senate File No. 26.

Referred to the Committee on Railways.

Senator Bayless presented telegram directed to Senator McVay from T. W. McCrary.

Referred to the Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Dooley, Senate File No. 237, a bill for an act to control the operation of telegraphy by railroad companies.

Read first and second times and referred to the Committee on Railways.

By Senator Funk, Senate File No. 238, a bill for an act to amend section 1955 of chapter 6, title 13 of the Code, designating officers who may take acknowledgements of conveyances of real estate.

Read first and second times and referred to the Committee on Judiciary.

By Senator Weidman, Senate File No. 239, a bill for an act appropriating money to George Bennett wrongfully confined in the penitentiary.

Read first and second times and referred to the Committee on Penitentiary and Pardons.

By Senator Davidson, by request, Senate File No. 240, a bill for an act to provide for the adoption and purchase of school books in the State of Iowa.

Read first and second times and referred to the Committee on Schools.

By Senator Schmidt, Senate File No. 241, a bill for an act to provide for the care of certain children who are without salutary parental control.

Read a first and second time and referred to the Committee on Charitable Institutions.

By Senator Schmidt, Senate File No. 242, a bill for an act author-

izing cities organized under special charters to remove snow and ice from sidewalks, and to levy special taxes to pay for the same.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Schmidt, by request, Senate File No. 243, a bill for an act appropriating three thousand dollars to reimburse Dr. C. T. Lindley for loss of collection of natural history at the burning of the main building of the Orphans' Home, at Davenport, Iowa.

Read first and second times and referred to the Committee on Claims.

By Senator Kelly, Senate File No. 244, a bill for an act to amend section 303 of the Code of 1873, empowering the county boards of supervisors to offer a reward or bounty for the discovery of coal in their respective counties.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Price, Senate File No. 245, a bill for an act to protect electors and polling places in incorporated towns and cities.

Read first and second times and referred to the Committee on Cities and Towns.

JOINT RESOLUTION NO. 8.

Senator Sweney, by request, presented the following joint resolution and memorial, No. 8, of the General Assembly of the State of Iowa, for the enactment of a law providing for the licensing of conductors on certain railways within the United States:

WHEREAS, It is believed that a system of examination and license by United States Government would result in increased competency and efficiency of those who are employed as conductors on railway trains; and,

WHEREAS, There have been introduced in the Congress of the United States two certain bills, being Senate No. 874 and House Representatives No. 4289, said bills providing for such a system of examination and license by the United States of all persons engaged as conductors on all trains engaged in what is known as Inter-State Commerce, similar to the laws now governing the examination and licensing of marine pilots and engineers; therefore,

Be it resolved by the General Assembly of Iowa, That our Senators be instructed and our Representatives requested to vote for the enactment of a law providing for the examination and licensing of conductors on railways engaged in inter-State commerce by United States Government.

Resolved, That the Secretary of State is hereby instructed to promptly forward to each of our Senators and Representatives in Congress a properly attested copy of this resolution.

Read first and second times and referred to the Committee on Railways.

Senator Parrott presented the following resolution:

Resolved, That the daily sessions of the Senate shall hereafter com-

mence at 9 o'clock, A. M. and that the afternoon sessions, unless otherwise ordered, be devoted to committee work.

Passed over under the rule.

Senator Lawrence presented report of committee to visit the Institution for Deaf and Dumb at Council Bluffs, Iowa.

Passed on file and ordered printed.

Senator Dooley offered the following resolution:

Resolved, That a room in the basement of the capitol be assigned to the Committee on Railways, for the purpose of preserving the petitions on railroad legislation for the benefit of future generations.

Referred to Committee on Public Buildings.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 10, a bill for an act to amend section 4, chapter 140 of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the laws of the Twentieth General Assembly relative to State Mine Inspectors, their duties and manner of appointment.

House File No. 26, a bill for an act to amend paragraph 7, section 2077 of the Code of Iowa, relating to rate of interest on written contracts.

Substitute for House File No. 58, a bill for an act to repeal section 2788 of the Code of Iowa, and to enact a substitute therefor, relating to the restriction of arguments before courts and juries.

Substitute for House File No. 67, a bill for an act to prohibit the selling of tobacco in any of its forms to minors under the age of sixteen years.

House File No. 105, a bill for an act to repeal chapter 123, acts of the Sixteenth General Assembly. Also, chapter 173, acts of the Seventeenth General Assembly, relating to voting aid to railroads.

House File No. 117, a bill for an act to compel owners of hedges along public highways to keep them within certain bounds.

D. C. KOLF, *Chief Clerk*.

HOUSE MESSAGES.

House File No. 41, a bill for an act to provide for the relief of Union soldiers, sailors and marines and the indigent wives, widows and minor children of indigent deceased Union soldiers, sailors and marines.

Read first and second times and referred to the Committee on Military.

House File No. 10, a bill for an act to amend section 4, chapter 140 of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the Twentieth General Assembly, relative to State Mine Inspectors, their duties and manner of appointment.

Read first and second times and referred to the Committee on Mines and Mining.

House File No. 26, a bill for an act to amend paragraph 7, section

2077 of the Code of Iowa, relating to rate of interest upon written contracts.

Read first and second times and referred to the Committee on Judiciary.

Substitute for House File No. 58, a bill for an act to repeal section 2783 of the Code of Iowa and to enact a substitute therefor, relating to the restriction of arguments before courts and juries.

Read first and second times and referred to the Committee on Judiciary.

House File No. 67, a bill for an act to prohibit the selling, giving or furnishing of tobacco in any of its forms to minors under the age of sixteen years.

Read first and second times and referred to the Committee on Suppression of Intemperance.

House File No. 105, a bill for an act to repeal chapter 123, acts of the Sixteenth General Assembly; also chapter 173, acts of the Seventeenth General Assembly, relating to voting tax and bond aid to railroads.

Read first and second times and referred to the Committee on Railways.

House File No. 117, a bill for act to compel the owners of hedges along public highways to keep them within certain bounds.

Read first and second times and referred to the Committee on Highways.

REPORTS OF COMMITTEES.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate File No. 69, a bill for an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

Senator Hutchison, from the Committee on Ways and Means submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred concurrent resolution in reference to limiting the appropriations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the resolution be amended by adding to it the words "provided it shall be found practicable to do so," and that the amendment be adopted, and that so adopted the resolution do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Sweney, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 55, a bill for an act to regulate fencing of rail-

roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a similar bill has already passed the Senate.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 19, a bill for an act to merge the Bureau of Labor Statistics with the office of Secretary of State, and to abolish the office of Commissioner of Labor Statistics, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. YOUNG, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS.

Senate File No. 83, a bill for an act to amend section 6, chapter 60, of the laws of the Fifteenth General Assembly, relating to banks, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe and Young—88.

The nays were none.

Absent or not voting:

Senators Davidson, Deal, Dodge, Dooley, Hanchett, Hutchison, Kegler, Knight, McCoy, Reiniger, Schmidt, and Woolson—12.

So the bill passed and the title was agreed to.

Senate File No. 89, a bill for an act to amend section 2114 of the Code relating to negotiable paper obtained by fraud, was taken up.

Senator Dungan moved to reconsider the vote by which the bill was ordered to a third reading.

Carried.

Senator Dungan moved to strike out the words "without either" in line 4, printed bill, and insert in lieu thereof the word "with." Also strike out the word "or" in same line, and insert the word "and."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Kent, Lawrence, Meservey, Mills, Parrott, Poyneer, Seeds, Smith, Sweeney, Taylor, Weber, Weidman and Wolf—28.

The nays were:

Senators Barnett, Bills, Converse, Davidson, Harsh, Kelly, Mattoon, McVay, Price, Schmidt, Vale and Young—12.

Absent or not voting:

Senators Deal, Dodge, Dooley, Finn, Hutchison, Kegler, Knight, McCoy, Reiniger and Woolson—10.

So the amendment was adopted.

Senator Price moved to amend by striking out all after the word "thereon" in the third line printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Converse, Davidson, Harsh, McVay and Price—6.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Kelly, Mattoon, Meservey, Mills, Parrott, Poyneer, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—30.

Absent or not voting:

Senators Barrett, Bills, Deal, Dodge, Dooley, Finn, Hutchison, Kegler, Kent, Knight, Lawrence, McCoy, Reiniger and Woolson—14.

So the amendment was lost

Senator Price moved to amend by striking out the words "interest and" in fourth line of printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Converse, Davidson, Harsh, Mattoon, McVay, Mills, Price and Vale—10.

The nays were:

Senators Barrett, Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Kelly, Meservey, Parrott, Poyneer, Seeds, Smith, Sweney, Taylor, Weber, Weidman and Young—25.

Absent or not voting:

Senators Cassatt, Deal, Dodge, Dooley, Finn, Hutchison, Kegler, Kent, Knight, Lawrence, McCoy, Reiniger, Schmidt, Wolfe and Woolson—15.

So the amendment was lost.

LEAVE OF ABSENCE.

Senators Reiniger, Doud, Knight and Dodge were excused.

Senator Deal was excused on account of work upon Committee on Enrolled Bills.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Brower, Caldwell, Chesebro, Converse, Davidson, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Price, Smith, Taylor, Vale, Weber, Weidman and Young—29.

The nays were:

Senators Bills, Bolter, Cassatt, Clark, Dooley, Groneweg, Lawrence, Poyneer, Schmidt, Seeds, Sweney, Wolfe and Woolson—13.

Absent or not voting:

Senators Deal, Dodge, Hutchison, Kegler, Kent, Knight, McCoy and Reiniger—8.

So the bill passed and the title was agreed to.

Senator Deal, from the Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 49, an act to amend chapter 161, of the acts of the Twenty-first General Assembly, relating to elections held within cities, and to registration of voters therein, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature Senate bill No. 49, which has passed both Houses of this General Assembly, has been duly enrolled and signed by the Speaker of the House.

D. C. KOLP, *Chief Clerk.*

BILLS ON SECOND READING.

Senate File No. 42, a bill for an act to amend section 10, chapter 151, laws of the Eighteenth General Assembly, with report of Committee recommending a substitute that when adopted it do pass, was taken up and considered.

Senator Caldwell moved that further consideration of the bill be dispensed with and that it be made a special order for Friday, February 10, at 3 o'clock P. M.

Carried.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval, Senate File No. 49, an act to amend chapter 161, of the acts of the Twenty-first General Assembly, relating to elections held within cities, and to registration of voters therein.

JNO. K. DEAL, *Chairman.*

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 6, a bill for an act for the relief of Adair County, which was referred to this committee to inquire and report remedy, if any, Adair County has or may have against either Guthrie County or the C. R. I. & P. R. R. Co., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that in the judgment of the committee, Adair County has, on the facts submitted, no remedy against either Guthrie County or the C. R. I. & P. R.

R. Co., and this committee respectfully ask to be discharged from the further consideration thereof.

JNO. S. WOOLSON, *Chairman*.

Senator Price moved that the bill and report of committee be referred to the Committee on Appropriations.

Carried.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred the "petition of J. O. Sherwood and 84 other citizens of Polk County, asking the repeal of section 9, of chapter 104, Acts of the Twenty-first General Assembly, and that a law be enacted, providing for the punishment of all persons practicing physic or surgery, who are guilty of malpractice," beg leave to report that they have had the same under their consideration, and have instructed me to report the same back to the Senate with the recommendation that the petition be referred to the Committee on Public Health.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred petition of Ad. Richter, of Burlington, in favor of a modification of the exemption laws, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Labor, that committee having under consideration a bill relating to matters included in said petitions.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 17, a bill for an act to repeal section 2521, of chapter 1, of title 17, of the Code, relating to actions upon judgments rendered in this State, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: In line 10, original bill, by striking out the word "fifteen" and inserting the word "nine." Also, in lines 22-26, inclusive, by striking out the clause beginning with the words "when it is alleged," and ending with the words "a non resident of this State," and inserting in lieu thereof the words "when the petition is duly verified and contains any one of the grounds authorizing an attachment as provided by law."

And your committee recommend that as amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Dungan excused for to-day's session.

SECOND READING OF BILLS.

House File No. 80, a bill for an act to legalize the acts of John Weighton, while acting in the capacity of recorder of the incorpor-

ated town of Audubon, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dooley, Funk, Garlock, Gatch, Groneweg, Hanchett, Kelly, Lawrence, Mattoon, McVay, Meservey, Parrott, Poyneer, Price, Schmidt, Seeds, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Cassatt, Dodge, Doud, Dungan, Finn, Harsh, Hutchison, Kegler, Kent, Knight, Mattoon, McCoy, Mills, Reiniger, Smith and Sweeney—15.

So the bill passed and the title was agreed to.

Senate File No. 105, a bill for an act to amend section 3, chapter 211, laws of the Eighteenth General Assembly of Iowa, with report of committee recommending that it do pass was taken up, considered.

Senator Smith moved to amend by inserting the word "such" before the word "notice" in the fourth line printed bill.

Carried.

On motion of Senator Weber, the bill was passed on file.

Senate File No. 131, a bill for an act to repeal section 535, chapter 10, title 4, of the Code, and to enact a substitute therefor, relating to the election of city officers of cities of the first-class, with report of committee recommending that it do pass was taken up, considered, and the report of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dooley, Finn, Garlock, Groneweg, Hanchett, Kelly, Lawrence, Mattoon, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—35.

The nays were:

Senator Gatch—1.

Absent or not voting:

Senators Cassatt, Clark, Dodge, Doud, Dungan, Funk, Harsh, Hutchison, Kegler, Kent, Knight, McCoy, McVay and Reiniger—14.

So the bill passed and the title was agreed to.

Senator Clark excused for to day's session.

Senate File No. 85. A bill for an act to amend chapter 93, of the laws of the Twenty-first General Assembly with report of Committee recommending amendments and when so amended do pass was taken up, considered, and the report of the Committee was adopted.

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

On the question, Shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dooley, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kelly, Lawrence, Mattoon, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—34.

The nays were none.

Absent, or not voting:

Senators Bayless, Brower, Cassatt, Clark, Deal, Dodge, Doud, Dungan, Hutchison, Kegler, Kent, Knight, McCoy, McVay, Reiniger and Schmidt—16.

Senator Woolson moved to amend the title by adding "relating to elections of officers in cities under special charter."

Carried.

So the bill passed and the title as amended was agreed to.

Senator Young moved that the Senate adjourn.

Carried.

So the Senate adjourned until to-morrow at 2 o'clock P. M.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 9, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieut. Gov. Hull in the chair.
Prayer by Rev. F. L. Litzrodt.

PRESENTATION OF PETITIONS.

Senator Dooley presented petition of residents of Keokuk county, in favor of the passage of Senate Files Nos. 32 and 33, and House File No. 10.

Referred to Committee on Mines and Mining.

Also:

From citizens of Keokuk county, against the two cent fare bill.

Referred to Committee on Railways.

Senator Kegler presented petition of 74 employes and citizens of Jackson county, against the passage of the two cent fare bill.

Same reference.

Also:

From 45 citizens of Preston. Same subject.

Same reference.

Senator Funk presented petition of farmers and business men of Emmettburg, Iowa. Same subject.

Same reference.

Also:

From employes of Iowa Falls Division of Burlington, Cedar Rapids & Northern Railway. Same subject.

Same reference.

Senator Mattoon presented petition of 76 citizens of Clermont, against the passage of the two cent fare bill.

Same reference.

Also:

Petition of citizens of Fayette county, asking for the passage of the Gatch and Cummins bills.

Same reference.

Senator Weidman presented petition from A. Bicknell and others, of Montgomery county, asking that the reduction of passenger fares shall not interfere with reduction of freight rates.

Same reference.

Senator Barrett presented petition of citizens of Hartley, Iowa, against the passage of the two cent fare bill.

Same reference.

Senator Brower presented memorial from Farmers' Institute of

Cerro Gordo county, relating to relief from unequal taxation, and State Agricultural College and other matters.

Referred to Committee on Agriculture.

Senator Dodge presented petition of citizens of Des Moines county against reduction of passenger rates.

Referred to Committee on Railways.

Senator Hutchison presented petition of 300 citizens of Wapello county, members of the Order of Railway Conductors, business men and farmers, against the passage of laws reducing railway rates.

Same reference.

Also:

Four petitions from citizens of Ottumwa, Iowa, and from railroad employes, and from members of the Order of Railway Conductors, and from citizens of Wapello county, on same subject.

Same reference.

Senator Sweney presented a petition from the Order of Railway Section Foremen of North America remonstrating against the passage of two-cent passenger rate.

Same reference.

Senator Weber presented a petition from farmers and business men of Wright county in favor of the passage of the Gatch Senate bill and the Cummins House bill.

Also, from business men and farmers of Wright county, protesting against the enactment of a law reducing the railway passenger fare to 2 cents per mile.

Same reference.

Also, a protest from employes of Mason City & Ft. Dodge Railway Co. against the passage of laws to reduce rates on railways.

Same reference.

Also, from L. O. Bliss and other citizens of Hardin county on same subject.

Same reference.

Senator Converse presented a petition from Conover, Iowa, on same subject.

Same reference.

Senator Price presented a petition signed by twenty-five citizens from Madison county in favor of the enactment of laws respecting negotiable paper, that contracts for printing be let to the lowest bidder, and in favor of reducing both passenger and freight rates.

Referred to the Committee on Judiciary.

Senator Davidson presented a petition from citizens of Iowa against reduction of railroad rates.

Referred to Committee on Railways.

Senator Schmidt presented a petition of Iowa telegraph operators on same subject.

Same reference.

Senator Gatch presented a petition from Edward Lundberg and numerous other citizens of Polk county, praying for the passage of Senate Files Nos. 82 and 83, and House File No. 10.

Referred to the Committee on Mines and Mining.

Also, remonstrance of Thos. Kidd and thirty-nine others, railway employes, against reduction of railway passenger rates.

Referred to the Committee on Railways.

Senator Harsh presented a protest of forty-two citizens of Adair county against State uniformity of school text-books.

Referred to the Committee on Schools.

Also, a protest of forty-two farmers of Union and Adams counties against action on passenger rates until freight rates have been considered.

Referred to the Committee on Railways.

Also, petition of 200 citizens of Union county asking the passage of Senate File No 54.

Referred to the Committee on Schools.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 112, a bill for an act to amend sections 3639 of the Code in relation to evidence.

House File No. 133, a bill for an act to legalize certain acts of the council of the town of Rock Rapids, Iowa.

House File No. 213, a bill for an act to prescribe the terms and form of promissory notes given for certain property, and to prescribe a penalty for the violation of this act.

House File No. 328, a bill for an act providing for the issue of water works bonds by cities of the second class.

Also, I herewith present for your signature the following resolutions and bill, which have passed both houses of the General Assembly, been duly enrolled and signed by the Speaker of the House.

Concurrent resolution relative to the sale of adulterated lard.

Joint resolution No. 3.

Senate File No. 51.

D. C. KOLF, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Seeds, Senate File No. 246, a bill for an act to amend section 3829 of the Code of 1873 relating to the pay of attorneys appointed by justices of the peace.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Seeds, Senate File No. 247, a bill for an act to amend section 3125 of the Code of 1873, relating to the time of placing sheriff's deed upon record.

Read first and second times and referred to the Committee on Judiciary.

By Senator Smith, Senate File No. 248, a bill for an act providing a plan whereby independent or township school districts may furnish books to pupils at actual wholesale prices, or free, as the electors of said district may direct.

Read first and second times and referred to the Committee on Schools.

By Senator Converse, by request, Senate File No. 249, a bill for an act amendatory of chapter 66 of the acts of the Twenty-first General Assembly, relating to intoxicating liquors.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Brower, by request, Senate File No. 250, a bill for an act in relation to the duties of county surveyors.

Read first and second times and referred to the Committee on Judiciary.

By Senator Parrott, Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding, and the publication and distribution of the public documents and journals of the two houses.

Read first and second times and referred to the Committee on Printing.

By Senator Young, Senate File No. 252, a bill for an act to amend chapter 36, acts of the Nineteenth General Assembly, concerning the education and qualification of dentists.

Read first and second times and referred to the Committee on Public Health.

By Senator Kelly, Senate File No. 253, a bill for an act to amend section 3508, of the Code of 1873, relating to Justices of the Peace.

Read first and second times and referred to the Committee on Judiciary.

By Senator Weber, Senate File No. 254, a bill for act to relinquish all right and title of the State of Iowa, to the United States, in the so called River Lands.

Read first and second times and referred to the Committee on Federal Relations.

By Senator Weber, Senate File No. 255, a bill for an act to regulate the runs made by train men on passenger and freight trains.

Read first and second times and referred to the Committee on Railways.

By Senator Parrott, Senate File No. 256, a bill for an act to amend section 1144, of chapter 4, title 9, of the Code of Iowa, relating to foreign fire insurance companies.

Read first and second times and referred to the Committee on Insurance.

The Journal of yesterday was corrected and approved.

RESOLUTIONS.

The Senate took up resolution of Senator Parrott, relative to the daily sessions of the Senate, introduced yesterday.

The resolution was lost.

The Senate took up resolution introduced by Senator Weber, February 7, relating to asking the superintendents of certain State institutions to furnish information relative to the inmates and expenses of their institutions.

The resolution was adopted.

The Senate took up the concurrent resolution presented by Senator Reiniger February 6, relative to appropriations.

The resolution was laid over until the report of the Committee on Ways and Means be received.

CONCURRENT RESOLUTION.

Senator Weber presented the following resolution:

WHEREAS, There is now pending in Congress a bill introduced by Senator Wilson of Iowa for the relief of the so-called river land settlers; therefore,

Be it resolved by the Senate, the House concurring, That our Senators and members of the House of Representatives in Congress be requested to vote for said bill and do all in their power to cause the same to become a law. Laid over under the rule.

HOUSE MESSAGES.

House File No. 213, a bill for an act to prescribe the terms and form of promissory notes give for certain property, and to prescribe a penalty for the violation of this act.

Read first and second times and referred to the Committee on Judiciary.

House File No. 133, a bill for an act to legalize certain ordinances of the town of Rock Rapids, Lyon county, Iowa, and acts done thereunder.

Read first and second times and referred to the Committee on Judiciary.

House File No. 112, a bill for an act to amend section 3639 of the Code, in relation to evidence.

Read first and second times and referred to the Committee on Judiciary.

COMMUNICATION ON PRESIDENT'S TABLE.

A petition submitted by the President relative to and against reduction of railway rates, and it was referred to the Committee on Railways.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, FEB. 9, 1888. }

MR. PRESIDENT.—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, Senate File No. 49, an act to amend chapter 161 of the acts of the Twenty-first General Assembly, relating to elections held within cities and to registration of voters therein.

FRED. W. HOSSFELDT, *Private Secretary*

REPORTS OF STANDING COMMITTEES.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 95, a bill for an act to repeal section 857, section 865 and section 866, as amended by chapter 194 of the acts of the Twentieth General Assembly, in regard to the semi annual collection of taxes, and to enact the following in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill shall be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 130, a bill for an act to repeal section 5, of chapter 70, of the laws of the Twentieth General Assembly, in relation to domestic animals killed or injured by dogs, and enact the following in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to Committee on Agriculture.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred petition of C. Hanah and 160 other citizens of Polk county, asking the repeal of section 9, chapter 104, of the acts of the Twenty-first General Assembly, and for the enactment of a law providing for the punishment of all physicians and surgeons who are guilty of malpractice, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the petition be referred to the Committee on Public Health.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 146, a bill for an act repealing section 1065 of the Code of 1873, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting in the sixth line of section 1, after the word "any" the word "annual," and after the word "stockholders," in the same line, inserting the words "or special meeting."

And your committee recommend that the bill do pass as amended.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 179, a bill for an act to amend certain sections of the Code, relating to jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Sweney from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 91, a bill for an act to repeal chapter 123, acts of the Sixteenth General Assembly; also, chapter 173, acts of the Seventeenth General Assembly, relating to voting tax and bonds to aid railroads, beg leave to report that they have had the same under consideration, and the majority have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman*.

Senator McVay, dissents.

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seed and other cereals, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 of said bill be amended by striking the word "twice" from the 7th, 11th and 23d lines, and the word "double" from the 19th line and in lieu of each of said words insert the words four times; also by striking from the 24th line the words "nor less than one year."

POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 133, a bill for an act to repeal chapter 189, acts of the Twentieth General Assembly, relating to the appointment of a State Veterinary Surgeon, and provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said bill be amended as follows: Amend section 6 by inserting in the 5th line after the word "twenty" the words "or more than one hundred." Amend section 7 by inserting at the end of the 4th line the following words, "and said township trustee or the local board of health may immediately require any suspected animal to be isolated and kept separate from all other animals until released by order of the State Veterinary Surgeon or deputy surgeon." Amend section 12 by inserting in the second line after the

word form the words "under oath," and that said bill when so amended do pass.

POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 198, a bill for an act giving legislative assent to the purposes of the congressional act of March 2, 1887, in regard to the establishment of agricultural experiment stations in connection with agricultural colleges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to said bill the words "as provided in said act of Congress," and that when so amended it do pass.

POYNEER, *Chairman*.

Ordered passed on file.

Senator T. J. Caldwell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 101, a bill for an act to amend section 9 of chapter 104, acts of the Twenty-first General Assembly, as to physicians, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass, for the reason that the subject matter of the bill is covered by Senate File No. 119.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules, to whom was referred a resolution proposing to amend Rule 29, by adding the words "provided that the rule shall not apply to the reports of Committees on Enrolled and Engrossed Bills", beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, and that the rules be so amended.

L. YOUNG, *Chairman*.

Senator Young moved that the report be considered now.

Carried.

The report of the committee was adopted.

Senator Sweney presented the report of the committee appointed to visit the Soldiers' Orphans' Home and Home for Indigent Children located at Davenport.

Placed on file and ordered printed.

BILLS ON SECOND READING.

House File No. 8, a bill for an act limiting the time of making claims and bringing suits against municipal corporations with report of committee recommending that it do pass, was taken up and considered.

Senator Schmidt moved to amend as follows:

Amend by adding after section 1: Section 2, all the provisions of this act shall be applicable to all cities in this State, now organized under special charter.

Adopted.

Senator Sweney moved to amend section 1, as follows:

Insert after line 6, "unless the person injured shall have been physically or mentally incapacitated from serving such notice during said time."

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Converse, Davidson, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—43.

The nays were:

Senator Doud—1.

Absent or not voting:

Senators Clark, Deal, Dodge, Knight, McCoy and McVay—6.

Senator Schmidt moved to amend the title as follows: Add to end of same the words "including cities organized under special charters."

Carried.

So the bill passed and the title as amended was agreed to.

Senate File No. 25, a bill for an act to amend section 982, of the Code, relating to highways, with report of committee recommending that it do pass, was taken up and considered.

Senator Poyneer offered the following: amend by adding at the end of section 1, also that said section 982 be further amended by inserting after the word "treasurer" in 3d line the following: "And which shall not have been expended by the supervisors prior to October 1st of that year as provided in this chapter."

Adopted.

On the question shall the bill be engrossed and read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Chesebro, Clark, Davidson, Funk, Garlock, Gatch, Hutchison, Kelly, Kent, Lawrence, Mills, Parrott, Poyneer, Price, Reiniger, Wolfe, Woolson and Young—21.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Cassatt, Converse, Dooley, Doud, Dungan, Groneweg, Hanchett, Harsh, Kegler, Mattoon, McVay, Meservey, Seeds, Sweney, Taylor, Vale, Weber and Weidman—22.

Absent or not voting:

Senators Deal, Dodge, Finn, Knight, McCoy, Schmidt and Smith
—7.

So the bill was lost on engrossment.

Senate File No. 194 a bill for an act to amend chapter 23 of the acts of the Twentieth General Assembly of Iowa, with report of committee recommending that it be indefinitely postponed, was taken up.

Senator Hutchison moved that the bill be re-referred to the Committee on Ways and Means.

Carried.

House concurrent resolution, for immediate relief to the merchants and groccerymen of the State of Iowa, with report of committee recommending that it be indefinitely postponed was taken up.

Senator Doud moved that the further consideration of the resolution be postponed until to-morrow at 2:30 o'clock P. M., and that it be special order for that time.

Carried.

Senate File No. 34, a bill for an act to regulate the manner of holding courts in the several judicial districts of the State, and to repeal chapter 128 of the laws of the Twenty-first General Assembly, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate File No. 24, a bill for an act repealing section 1 of chapter 211, of the acts of the Eighteenth General Assembly, and enacting a substitute therefor, relating to insurance companies, with report of committee recommending that it be indefinitely postponed, was taken up, and the report of the committee was adopted.

Senate File No. 52, a bill for an act defining and regulating insurance contracts, with report of committee recommending that it be indefinitely postponed, was taken up.

Senator Smith moved that the bill be recommitted to the Committee on Insurance, and the committee be required to report the bill back to the Senate on Tuesday, February 14th, and that the bill be made special order for 3 o'clock P. M. of that day.

Adopted.

Senator Young moved that the Senate do now adjourn.

Carried.

Senate adjourned until to-morrow at 2 o'clock P. M.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 10, 1893. }

The Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. T. A. Shaw.

LEAVE OF ABSENCE.

Senator Brower excused until to-morrow.

Senator Barrett excused until next Wednesday.

Senator Deal was excused from all sessions of the Senate when called out as chairman of the Committee on Enrolled Bills.

PRESENTATION OF PETITIONS AND MEMORIALS.

Senator Bills presented petition of R. W. Hinkhouse and twenty-seven other citizens of Cedar county for low freight rates to and from intermediate points in Iowa.

Also remonstrance against the petitions of railroad companies signed by their employes.

Referred to Committee on Railways.

Senator Funk presented petition of business men and shippers of Estherville, Emmet county, against reduction of railroad rates.

Same reference.

Senator Hutchison presented petition signed by numerous citizens of Wapello county, asking for the repeal of section 9, chapter 104, acts of the Twentieth General Assembly.

Referred to the Committee on Public Health.

Senator Mattoon presented petition of Jacob W. Rodgers and 196 others on same subject.

Same reference.

Senator Smith presented petition of capitalists and business men of Cedar Rapids against the two cent railroad fare bill.

Referred to Committee on Railways.

Senator Sweney presented petition of Penny Bros. and others of Mona, Iowa, asking for the passage of Senate File No. 48 and House File No. 19, known as the Cummins and Gatch bills.

Same reference.

Senator Groneweg presented petition of citizens of Council Bluffs asking to modify or repeal chapter 104 of the acts of the Twenty-first General Assembly.

Referred to the Committee on Public Health.

Also of citizens of Macedonia, Iowa, in regard to reduction of railroad rates.

Referred to the Committee on Railways.

Senator Young presented petition of citizens of Elsworth, Iowa, asking for a reduction of passenger rates to two cents per mile, and also a reduction on all freight rates on all roads in Iowa.

Same reference.

Also:

Petition of the State Assembly of Knights of Labor in favor of the passage of Senate File Nos. 32 and 33, and House File No. 10.

Referred to Committee on Labor.

Also:

Petition of A. Roob and others in favor of laws to abolish the railway pass, and to prohibit all discriminations in favor of places or persons.

Referred to Committee on Railways.

Also:

Petition of Charles W. Keplar and 120 citizens of Mount Vernon in favor of the enactment of laws to reduce railway rates in Iowa.

Same reference.

Senator Mills presented petition of 192 citizens of Marshall county in favor of repeal of section 9, chapter 104, acts of the Twenty-first General Assembly.

Referred to Committee on Public Health.

Senator Cassatt presented petition of R. S. Wilson and seventy-four other citizens of Albia against reduction of railroad rates.

Referred to the Committee on Railways.

Also:

Senator Weidman presented petition of Mrs. S. M. Bennett and 53 others asking the repeal of section 9, chapter 104, acts of the Twenty-first General Assembly, and to provide in lieu thereof for the punishment of all persons practicing physic or surgery who are guilty of malpractice or inability in their profession.

Referred to the Committee on Public Health.

Also:

Petition of T. J. McCormick and 46 other citizens of Montgomery county praying relief from excessive freight charges.

Referred to the Committee on Railways.

Also:

Petition of Peter Peterson and twenty other citizens of Montgomery county asking relief from excessive railway freight charges.

Same reference.

Also:

Petition of citizens of Montgomery county praying for the enactment of Senate File No. 48 and House File No. 19, bills pertaining to the manner of appointment and powers of the Board of Railway Commissioners.

Same reference.

Also:

Petition of J. A. McDill and 23 other citizens of Mills county asking the enactment of a law giving Railway Commissioners pow-

er to regulate freight rates, and that passenger rates be considered at the same time so as not to endanger a reduction in freight rates.
Same reference.

Also :

A statement from four shippers of Malvern showing the reduction in rates on live stock and grain between Malvern and Chicago during the past ten years.

Same reference.

Also:

Statement of three firms of Elliott, Iowa, showing the reduction in rates on live stock and grain between Elliott and Chicago during the existence of Elliott station for seven years.

Same reference.

Senator Mills presented a protest against the manner by which a petition was circulated and names obtained thereto by a few railroad magistrates and their attorney at a meeting held on Sunday, February 5, 1888, in Marshalltown, Iowa.

Same reference.

Also:

Presented a memorial from the shippers of Marshalltown praying for relief from discriminating and unjust freight charges.

Same reference.

Senator Converse presented petition of E. W. D. Holway and other citizens of Iowa against the reduction of railway rates.

Referred to the Committee on Railways.

Senator Deal presented two petitions on same subject.

Same reference.

Senator Dooley presented petition of railway employes of Harper, Iowa, Keokuk county, same subject.

Same reference.

Senator Clark presented petition of citizens of Essex, Iowa, in favor of the enactment of laws to reduce both railway and passenger rates.

Referred to the Committee on Railways.

Also, presented memorial from shippers of Northboro, giving statement of freight rates from Northboro to Chicago, showing that the rates are sufficiently low, and no discriminations shown any one.

Referred to the Committee on Railways.

Also, petition from shippers of Farragut, same subject.

Same reference.

Also, petition shippers of Essex, same subject.

Same reference.

Senator Kelly presented petition of eleven Iowa county business men against Senate File No. 9.

Referred to the Committee on Railways.

Senator Harsh, petition of 300 farmers of Ringgold county, asking for the passage of Senate File No. 9, known as the Young bill.

Same reference.

Also, petition and letters of county school superintendents asking favorable action on Senate File No. 54, known as Harsh School Text Book Bill.

Referred to the Committee on Schools.

Also, memorial of Central Iowa Railway employes, relating to railway legislation.

Referred to the Committee on Railways.

Senator Gatch presented a petition of the mayor and 341 other citizens of Des Moines for passage of the bill to authorize certain cities to require railway companies to build viaducts.

Referred to the Committee on Railways.

Also, a petition of E. G. Van Cott and 208 other citizens of Polk county, praying for the repeal of section 9, chapter 104 of the acts of the Twenty first General Assembly.

Referred to Committee on Public Health.

Senator Woolson presented remonstrance of S. F. Welch and 98 other citizens of Henry county, against passing 2 cent passenger rate.

Referred to the Committee on Railways.

Also, remonstrance of Reuben Broadwell and 13 other citizens of Henry county, against passage of 2 cent passenger rate law.

Same reference.

Senator Vale presented a petition of J. J. Kintzler and other citizens of Jefferson county, asking postponement of 2 cent fare bill until the matter of freight charges, pools and discriminations be fully investigated and legislated upon.

Referred to the Committee on Railways.

Also, petition of E. Turney and others of Jefferson county on same subject.

Same reference.

Also, petition of D. W. Garber and other citizens of same county on same subject.

Same reference.

Also, petition of Geo. P. Israel and other citizens of same county on same subject.

Same reference.

Also, petition of John Mahon and others of same county on same subject.

Same reference.

Senator Price presented memorial from shippers of Fontanelle giving statement of freight rates from Fontanelle to Chicago, showing that the rates are sufficiently low now, and that no discrimination is shown to any one.

Same reference.

Also, petition from citizens of Orient on same subject.

Same reference.

Also, petition from shippers of Greenfield on same subject.

Same reference.

Senator Young presented statement of shippers of Massena and Cumberland, showing reduction in freight rates to Chicago, and that no discriminations are shown.

Referred to Committee on Railways.

Senator Barnett presented statement of shippers of Osceola, showing reduction in freight rates to Chicago, and that no discriminations are shown.

Referred to Committee on Railways.

Senator Hersh presented petition of 300 farmers, laborers and busi-

ness men of Ringgold county, asking for the passage of the Young 2-cent bill.

Also, statement of Kent and Creston shippers showing reduction of freight rates to Chicago, and that there is no discrimination to any one.

Referred to Committee on Railways.

Senator Cassatt presented two petitions of citizens of Marion county against passage of bill cutting down railway fare rates.

Referred to the Committee on Railways.

Senator Finn presented statements of shippers of Lenox and Prescott showing reduction of freight rates to Chicago, and that there is no discrimination shown for or against any one.

Referred to Committee on Railways.

The Journal of yesterday was corrected and approved.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being House concurrent resolution for immediate relief to the merchants and grocerymen of the State of Iowa, with report of committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File 33, a bill for an act to amend sections 2623 and 2624, of the Code, relating to services of notice of suit upon unknown defendants.

House File 44, a bill for an act granting additional powers to cities organized under special charters, with reference to the improvements of streets, highways, avenues or alleys, and to provide a system for the payment therefor.

House File 78, a bill for an act to amend section 3327 of the Code, relating to cancellation of mortgages.

House File 142, a bill for an act to amend section 1, chapter 9, laws of the Twentieth General Assembly.

House File 145, a bill for an act to amend chapter 111, of the acts of the Sixteenth General Assembly, by adding section 3 thereto, in regard to the construction of cattle ways across the public highways.

House File 196, a bill for an act to amend chapter 22, of the acts of the Twenty-first General Assembly, relating to the bonding of county indebtedness.

House File 238, a bill for an act to legalize the ordinances of the town of Corning, Adams county, Iowa.

Also, Joint Resolution No. 12, relative to the equalization of the pay of the Union soldiers with that of the bondholders.

Also, Concurrent Resolution relative to a joint convention for the

election of Regents of the State University and trustees and directors of the various institutions of the State.

D. C. KOLP, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Doud, Senate File No. 257, a bill for an act to amend chapter 83, laws of the Twenty first General Assembly, relating to the sale of poisons.

Read a first and second time.

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

On the question, Shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Hutchison, Kegler, Kelly, Kent, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—42.

The nays were none.

Absent or not voting:

Senators Barrett, Brower, Clark, Groneweg, Knight, Mattoon, McCoy and Harsh—8.

So the bill passed and the title was agreed to.

By Senator Bayless, Senate File No. 258, a bill for an act to amend section 1, chapter 137, laws of Nineteenth General Assembly, relating to registered pharmacists.

Read first and second times and referred to the Committee on Public Health.

Senator Meservey filed a motion to reconsider the vote by which House File No. 8, a bill for an act limiting the time of making claims and bringing suits against municipal corporations passed the Senate yesterday, and also to reconsider the vote by which the bill was ordered to a third reading, and also to reconsider the vote by which the amendment to section 1 of the bill was adopted; and moved to instruct the Secretary to request the immediate return of said bill from the House.

Pending which the hour arrived for the consideration of the special order, it being Senate File No. 42, a bill for an act to amend section 10, chapter 151, laws of the Eighteenth General Assembly.

Senator Caldwell moved that the consideration of the special order be postponed until the motion of Senator Meservey was disposed of.

Carried.

The question recurring upon the motion of Senator Meservey to instruct the Secretary to request the House to return to the Senate House File No. 8.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Chesebro, Clark, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hanchett, Hutch-

ison, Kegler, Kelly, Kent, Lawrence, McVay, Meservey, Mills, Poyneer, Seeds, Smith, Vale, Weidman, Woolson and Young—30.

The nays were:

Senators Barnett, Caldwell, Cassatt, Converse, Davidson, Dooley, Parrott, Price, Reiniger, Sweney, Taylor, Weber and Wolfe—13.

Absent or not voting:

Senators Barrett, Bills, Brower, Knight, Mattoon, McCoy and Schmidt—7

So the motion prevailed and the Secretary was so instructed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith return to your honorable body House File No. 8, as requested by the Senate.

D. C. KOLP, *Chief Clerk.*

The Senate now proceeded to take up the special order, it being Senate File No. 42, a bill for an act to amend section 10, chapter 151, laws of the Eighteenth General Assembly, with report of committee recommending a substitute, and that when adopted the substitute do pass.

Senator Converse moved to amend as follows: Strike out "Eighteen hundred" and insert "sixteen hundred."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Converse, Dooley, Doud, Funk, Kegler, Kelly, Lawrence, Mattoon, McVay, Parrott, Price, Seeds, Taylor, Vale, Weidman and Wolfe—21.

The nays were:

Senators Chesebro, Clark, Davidson, Dungan, Finn, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Meservey, Mills, Poyneer, Schmidt, Smith, Weber, Woolson and Young—20.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Deal, Dodge, Knight, McCoy, Reiniger and Sweney—9.

So the amendment was adopted.

On the adoption of the substitute as amended the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Caldwell, Cassatt, Clark, Converse, Doud, Funk, Gatch, Hutchison, Kelly, Lawrence, Mattoon, McVay, Parrott, Poyneer, Reiniger, Smith, Vale, Woolson and Young—21.

The nays were:

Senators Barnett, Bolter, Chesebro, Davidson, Dodge, Dooley, Dungan, Finn, Garlock, Groneweg, Hanchett, Harsh, Kegler, Kent, Meservey, Mills, Price, Schmidt, Seeds, Taylor, Weber, Weidman and Wolfe—23.

Absent or not voting:

Senators Barrett, Brower, Deal, Knight, McCoy, and Sweney—6.

So the substitute was not adopted.

Senator Caldwell moved to amend by striking out the words "not

exceeding \$1,200 per annum," and inserting the words "not exceeding \$1,500 per annum" in lieu thereof.

Senator Dooley moved to amend the amendment by striking out the words "\$1,500," and inserting the words "\$1,300."

Senator Schmidt called for the previous question and it was seconded.

On the question shall the main question be now put, the vote was in the affirmative.

The question being the amendment to the amendment, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bolter, Cassatt, Chesebro, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Garlock, Groneweg, Kegler, Meservy, Schmidt, Seeds, Taylor, Weidman and Wolfe—19.

The nays were:

Senators Bayless, Bills, Caldwell, Clark, Converse, Doud, Funk, Gatch, Hanchett, Hutchison, Kelly, Lawrence, Mattoon, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Vale, Weber, Woolson and Young—25.

Absent or not voting:

Senators Barrett, Brower, Harsh, Kent, Knight and McCoy—6.

So the amendment to the amendment was lost.

The question being on the amendment of Senator Caldwell, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Caldwell, Clark, Doud, Funk, Gatch, Hanchett, Hutchison, Kelly, Lawrence, Mattoon, McVay, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Vale, Woolson and Young—22.

The nays were:

Senators Barnett, Bolter, Cassatt, Chesebro, Dodge, Dooley, Dungan, Finn, Garlock, Groneweg, Harsh, Kegler, Meservy, Mills, Schmidt, Seeds, Taylor, Weber, Weidman and Wolfe—20.

Absent or not voting:

Senators Barrett, Brower, Converse, Davidson, Deal, Kent, Knight and McCoy—8.

So the amendment was adopted.

The question being, shall the bill be engrossed and read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Caldwell, Clark, Deal, Doud, Funk, Gatch, Hanchett, Hutchison, Kelley, Lawrence, Mattoon, McVay, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Vale, Woolson and Young—23.

The nays were:

Senators Barnett, Bolter, Cassatt, Chesebro, Davidson, Dodge, Dooley, Dungan, Finn, Garlock, Groneweg, Harsh, Kegler, Meservy, Mills, Schmidt, Seeds, Taylor, Weber, Weidman and Wolfe—21.

Absent or not voting:

Senators Barrett, Brower, Converse, Kent, Knight and McCoy—6.

So the bill was ordered engrossed and read a third time to-morrow.

INTRODUCTION OF BILLS.

By Senator McVay, Senate File No. 259, a bill for an act to tax mineral estates when the surface and such mineral estates are owned by different parties.

Read first and second times and referred to the Committee on Judiciary.

By Senator Wolfe, Senate File No. 260, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

Read first and second times and referred to the Committee on Schools.

By Senator Clark, Senate File No. 261, a bill for an act entitled an act to repeal section 1526, 1527, 1528, 1529, 1530, 1531, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143, Twentieth General Assembly, and section 2, chapter 83, of the acts of the Twenty-first General Assembly, except the first five lines thereof, and to provide for and regulate the sale of intoxicating liquors.

Read first and second times and referred to the Committee on Suppression of Intemperance.

200 extra copies ordered printed.

By Senator Vale, Senate File No. 262, a bill for an act to amend chapter 143, laws of the Seventeenth General Assembly, relating to the examination of teachers.

Read first and second times and referred to the Committee on Schools.

By Senator Sweney, Senate File No. 263, a bill for an act providing for greater safety of railroad crossings, and to repeal chapter 165, acts of the Twentieth General Assembly, relating to railroads.

Read first and second times and referred to the Committee on Railways.

Senator Mattoon moved that Senate File No. 190 be taken from the Committee on Railways and be referred to the Committee on Corporations.

Carried.

RESOLUTIONS.

Senator Woolson offered the following resolution:

Resolved, That the President of the Senate is hereby authorized to appoint two additional members of the Judiciary Committee for this session.

Adopted.

Senator Poyneer moved that the Senate take up Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seed and other cereals, with report of committee, out of its order, and consider it now.

Carried.

The question being on the amendments offered by the committee they were adopted.

Senator Poyneer moved that the rules be suspended, the bill be considered engrossed and read a third time now.

The yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Clark, Converse, Davidson, Dooley, Dungan, Funk, Garlock, Hanchett, Hutchison, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman and Young—30.

The nays were:

Senators Bolter, Cassatt, Chesebro, Doud, Gatch, Groneweg, Harsh, Kent, Schmidt and Wolfe—10.

Absent or not voting:

Senators Barrett, Brower, Deal, Dodge, Finn, Kegler, Knight, McCoy, Smith and Woolson—10.

So the motion prevailed.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Clark, Converse, Davidson, Deal, Dooley, Dungan, Funk, Garlock, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weber, Weidman, Wolfe and Young—32.

The nays were:

Senators Bolter, Cassatt, Chesebro, Doud, Gatch, Groneweg, Hanchett, Kent and Schmidt—9.

Absent or not voting:

Senators Barrett, Brower, Dodge, Finn, Knight, McCoy, Poyneer, Sweney and Woolson—9.

So the bill passed and the title was agreed to.

Resolution of Senator Weber relative to suggestions to Congress on the Des Moines River land bill now before that body, offered yesterday and laid over under the rules, was taken up.

On motion of Senator Weber further consideration was postponed and the resolution was made a special order for 2:30 p. m. Monday, February 13.

Senator Deal, from the Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 80, an act to legalize the acts of John Weghton while acting in the capacity of recorder of the incorporated town of Audubon, Iowa, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 26, a bill for an act to amend paragraph

7, section 2077 of the Code of Iowa, relating to rate of interest upon written contracts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Commerce.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 97, a bill for an act to amend chapter 1 of title 11 of the Code, in reference to the relief of the poor and manner of obtaining the same, and providing criminal punishment for the violation of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section 3 by striking out all after the word "undeserving" in the fifth line of the printed bill. Amend section 7 by filling blank in the 4th line with the word "seller," and strike out all of section 7 after the word "felony" in sixth line, and add "and upon conviction thereof shall be punished by imprisonment in the penitentiary for a term not exceeding one year, or by a fine not exceeding \$500," and that the bill do pass as amended.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 225, a bill for an act to amend section 2959 of the Code of 1873, relating to attachment bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 203, a bill for an act to provide for the appointment of police in cities organized under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding thereto a publication clause as follows: Section 2. This act being deemed of importance shall take effect and be in force from and after its publication in the Des Moines Leader and Iowa State Register, newspapers published at Des Moines, Iowa, and that when so amended the bill do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred Senate File No. 99, a bill for act conferring certain powers upon cities of the first-class including cities organized under

special charters, and amending such charters pertaining to live stock and meat inspection beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 113, a bill for an act to amend section 4021 of the Code, with reference to the markings and decorations of graves in public cemeteries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 23, a bill for an act to amend section 471, chapter 154, laws of 1874, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking the three last words of the sixth line from the same and that when so amended the bill do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Senator Seeds, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 234, a bill for an act to regulate the charges of the owners of telephones and telephone lines for the use of such instruments and lines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 165, a bill for an act to further provide for the secrecy of the ballot and prevent undue influence within one hundred feet of voting places, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. F. WEBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 216, a bill for an act requiring all goods put up in packages, for sale by the package, to have the

exact weight of the contents put on each package, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

N. F. WEBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 142, a bill for an act to repeal chapter 45 of the acts of the Seventeenth General Assembly of Iowa, abolishing the office of the Iowa Weather Service, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

N. F. WEBER, *Chairman*.

Ordered passed on file.

HOUSE MESSAGES.

House File No. 238, a bill for an act to legalize the ordinances of the town of Corning, Adams county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

House File No. 328, a bill for an act providing for the issue of water works bonds by cities of the second class.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 145, a bill for an act to amend chapter 111 of the acts of the Sixteenth General Assembly, by adding section 3 thereto, in regard to the construction of cattle ways and across the public highways.

Read first and second times and referred to the Committee on Highways.

House File No. 142, a bill for an act to amend section 1, chapter 9, laws of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Fish and Game.

House File No. 78, a bill for an act to amend section 3327 of the Code relating to cancellation of mortgages.

Read first and second times and referred to the Committee on Judiciary.

House File No. 44, a bill for an act granting additional powers to cities organized under special charters with reference to the improvement of streets and highways, avenues or alleys and to provide a system of payment therefor.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 196, a bill for an act to amend chapter 22 of the acts of the Twenty-first General Assembly, relating to the bonding of county indebtedness.

Read first and second times and referred to the Committee on Ways and Means.

House File No. 33, a bill for an act to amend sections 2623 and 2624 of the Code, relating to service of notice of suit upon unknown defendants.

Read first and second times and referred to the Committee on Judiciary.

Concurrent resolution relative to election of trustees of the State institutions, by joint convention on Thursday, February 23, at 8 P. M., was taken up.

On motion of Senator Woolson the resolution was considered.

The question being on the adoption of the resolution it was adopted.

House concurrent resolution relative to memorializing Congress in favor of the passage of a law looking to the payment of the wages of the soldiers of the late war on a gold basis.

On motion of Senator Sweney it was referred to the Committee on Military.

On motion of Senator Kegler the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 11, 1898. }

Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. D. McPherson.

LEAVE OF ABSENCE.

Senators Hanchett, Davidson and Weber, excused until next Tuesday.

PRESENTATION OF PETITIONS AND MEMORIALS.

Senator Wolfe for Senator Knight, presented three petitions of the citizens of Dubuque against proposed railway legislation.

Referred to Committee on Railways.

Also, two remonstrances of employes of Chicago, Milwaukee & St. Paul Railway Company at Dubuque on same subject.

Same reference.

Senator Parrott, presented a protest from business men of Waterloo, against the reduction of passenger rates, and against party railroad legislation.

Referred to Committee on Railways.

Also, the remonstrance of 138 employes of the Dubuque & Sioux City and Cedar Falls & Minnesota railways against the reduction of passenger and freight rates.

Senator Bills presented petition of N. B. Anthony and 66 other citizens of Cedar county, Iowa, asking for a reduction of freight and passenger rates.

Same reference.

Senator Bayless presented a protest of ten members of the Brotherhood of Locomotive Engineers, against the passage of any bill looking to the reduction of passenger or freight rates.

Same reference.

Senator Weidman presented a petition of Iddings and Crawford and 133 other citizens of Montgomery county, praying that the Railroad Commissioners be given power to regulate rates and for a reduction of freight tariffs, and that the 2 cent passenger rate be considered at the same time.

Same reference.

Also, presented statements of M. C. Harner and 8 other shippers of Henderson, Iowa, and of W. W. Ellis and 3 other shippers of Valisca, Iowa, showing the reduction in freight rates on live stock and grain to Chicago.

Same reference.

Senator Dungan presented petition of B. F. Jared and 73 other citizens of Wayne county, expressing the opinion that the regulation of

freights is more important than that of fares, and we urge those members of the General Assembly to consider both questions together.

Referred to Committee on Railways.

Senator Converse presented petition of citizens of Howard county in favor of the passage of House File No. 182, or some similar measure.

Referred to Committee on Schools.

Senator Mattoon presented petition of John Jamison and 39 others, citizens of Oelwein, against reduction of fares on railways.

Referred to Committee on Railways.

Senator Harsh presented statement of shippers of Afton, showing reduction of rates to Chicago, and that no discrimination is shown for or against any one.

Same reference.

Also presented a resolution of the Board of Education of Creston, asking for the passage of Senate File 54.

Referred to Committee on Schools.

Senator Young presented petition of citizens near Atlantic, asking that laws be passed to abolish the pass, to prohibit all discriminations in favor of places and persons, and to reduce freight rates.

Referred to Committee on Railways.

Senator Barnett presented statement of shippers of Woodburn and of Murray, Iowa, showing reduction of freight rates to Chicago, and that no discrimination is shown in favor of or against any one.

Same reference.

Senator Finn presented petition from farmers and business men of Taylor county, asking that freight rates be cut down, and that the office of Railroad Commissioners be made elective.

Same reference.

Also presented statements of shippers of Corning and of Brooks, Iowa, showing reductions in freight rates to Chicago, and that no discrimination is shown in favor of or against any one.

Same reference.

Senator Clark presented petition of citizens of Fremont county, asking for a consideration of freight and passenger rates, to the end that freight rates may be reduced; and also that the office of Railroad Commissioners be elective.

Referred to Committee on Railways.

Also presented statements of shippers of Sidney, Shenandoah and Hepburn, Iowa, showing reductions of freight rates to Chicago, and that no discrimination is shown in favor of or against any one.

Same reference.

Senator McVay presented petition of citizens of Calhoun county, asking for laws that shall regulate passenger and freight rates.

Same reference.

Also presented petition of business men of Manson, Iowa, and farmers of Calhoun and Pocahontas counties, asking for reduction of passenger and freight rates.

Same reference.

Senator Woolson presented petition of J. A. Bergainst and 28

other citizens of Washington county against the passage of the two cent a mile passenger tariff.

Same reference.

Also, petition of Wm. Harrison and 25 other citizens of Henry county asking for the passage of a law to protect the owners of stallions.

Referred to Committee on Agriculture.

Senator Dodge presented petition of citizens and business men of Burlington, and also of Prescott, in favor of the passage of the Gatch Senate bill and the Cummins House bill.

Referred to Committee on Railways.

Also, petition from citizens of Mediapolis, Iowa, in favor of a reduction of railway charges, both passenger and freight rates, unless the railway companies can show that such a reduction would not allow them a reasonable profit.

Same reference.

The Journal of yesterday was corrected and approved.

The President announced as the additional members of the Judiciary Committee, Senators Meservey and Schmidt.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 205, a bill for an act to repeal section 3370 of the Code of 1873, relating to fines and forfeitures and enact a substitute therefor.

House File No. 215, a bill for an act to amend section 976 of the Code, relating to payment of taxes to township clerks.

House File No. 222, a bill for an act to amend chapter 35 of the acts of Nineteenth General Assembly, being a substitute for section 2742 of the Code, as amended by chapter 145 of the Seventeenth General Assembly, relating to the trial of equitable actions.

Also:

Joint Resolution No. 1, relative to the combination of capital for the limiting of the production and control of the price of the necessities of life.

Joint Resolution No. 2, relative to a constitutional amendment to prohibit ownership of land by aliens.

Joint Resolution No. 5, relative to liens of judgments in Federal Courts.

Joint resolution No. 9, requesting our Senators and Representatives in Congress to endeavor to secure the enactment of a law requiring railway companies to become incorporated in each state in which they have lines of railway.

Joint Resolution No. 11, relative to using the surplus in the United States Treasury, for pensions to Union Soldiers.

Also:

I herewith present for your signature the following bill which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

House File No. 80, a bill for an act to legalize the acts of John Weighton, while acting in the capacity of Recorder of the incorporated town of Audubon, Iowa.

D. C. KOLF, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 264, a bill for an act to change the terms of office of Justice of the Peace and Constables.

Read first and second times and referred to the Committee on Judiciary.

Senator Meservey moved to reconsider the vote by which House File No. 8, a bill for an act limiting the time of making claims and bringing suits against municipal corporations passed the Senate.

Carried.

Senator Meservey moved that the vote by which the bill was ordered to a third reading, be reconsidered.

Carried.

Senator Meservey moved to reconsider the vote by which the amendment to section 1 of the bill was adopted.

Carried.

Senator Gatch moved to amend the amendment of Senator Sweney to section 1, of the bill as follows:

"In which case the notice shall be served within ninety days from the removal of such disability and the six months limitation herein provided shall be reckoned from the time of such removal of disability. Provided that in every case the burden shall be upon the plaintiff to prove the existence and duration of such disability, but nothing in this act contained shall have the effect of extending the time within which an action is now by law required to be commenced on such causes of action."

Lost.

The question being upon the adoption of the amendment, to section 1 of the bill, offered by Senator Sweney.

On this the yeas and nays were demanded.

The yeas were:

Senators, Caldwell, Converse, Dooley, Doud, Mattoon, Mills, Reiniger, Sweney, Wolfe and Woolson—10.

The nays were:

Senators Barnett, Bills, Bolter, Chesebro, Clark, Dodge, Dungan, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kegler, Kent, Lawrence, McVay, Meservey, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Taylor, Vale, Weidman and Young—29.

Absent or not voting:

Senators Barrett, Brower, Bayless, Cassatt, Davidson, Deal, Finn, Hanchett, Knight, McCoy and Weber—11.

So the amendment was lost.

Senator Reiniger moved to amend section 1 as follows: "*Provided*, that this act shall not apply to cases where death results from the injuries."

Lost.

Senator Meservey moved that the rule be suspended and the bill be read a third time now.

Senator Woolson moved to amend as follows:

To add to section 1: "Unless the person injured shall have been physically or mentally incapacitated from giving said notice during said ninety days; but nothing in this act contained shall be construed to extend the time for commencement of the action beyond said six months."

Lost.

The question recurring upon the motion of Senator Meservey that the rule be suspended and the bill be read a third time now, it was adopted.

On the question, shall the bill pass?

The yeas and nays were as follows:

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Converse, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Groneveg, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Taylor, Vale, Weidman, Woolson and Young—36.

The nays were:

Senators Clark, Deal, Doud, Finn, Reiniger, Sweney and Wolfe—7.

Absent or not voting:

Senators Barrett, Brower, Davidson, Hanchett, Knight, McCoy and Weber—7.

So the bill passed and the title was agreed to.

Senator Young was excused until next Tuesday.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following memorial and joint resolution No. 4, in which the concurrence of the Senate is asked:

Relative to licensing railroad conductors.

D. C. KOLP, *Chief Clerk*.

Senator Dodge from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 42, a bill for an act to amend section 10, chapter 151, laws of the Eighteenth General Assembly, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

HOUSE MESSAGES.

House File No. 205, a bill for an act to repeal section 3370 of the Code of 1873, relating to fines and forfeitures and enact a substitute therefor.

Read first and second times and referred to the Committee on Judiciary.

House File No. 215, a bill for an act to amend section nine hun-

dred and seventy six (976) of the Code, relating to the payment of taxes to the township clerk.

Read first and second times and referred to the Committee on Judiciary.

House File No. 222, a bill for an act to amend chapter 35 of the acts of the Nineteenth General Assembly, being a substitute for section 2742 of the Code of Iowa, as amended by chapter 145 of the acts of the Seventeenth General Assembly, relating to the trial of equitable actions.

Read first and second times and referred to the Committee on Judiciary.

Senator Price excused until Monday.

House concurrent resolution.

WHEREAS, The surplus now in the United States Treasury exceeds the amount necessary to secure the government against any emergency likely to arise; and,

WHEREAS, The revenue of the country continues to exceed the demands of the government for ordinary expenses; and,

WHEREAS, We view with alarm any attempt on the part of Congress to open our ports for the free influx of the products of the cheap labor of Europe; and,

WHEREAS, The service of our volunteer soldiers should be recognized in some substantial way; therefore,

Resolved by the House of Representatives, the Senate concurring, That our Senators and Representative in Congress are requested to work for the passage of a bill granting to each Union soldier who enlisted for three years in the war of the late rebellion and was honorably discharged, a service pension commensurated with the services rendered.

Senator Woolson, moved that it be referred to the Committee on Military.

Carried.

House Memorial and Joint Resolution No. 1, in relation to the combinations of capital for the limiting of the production and control of the price of the necessities of life.

Read first and second times and referred to the Committee on Commerce.

House concurrent resolution.

WHEREAS, It is the first duty of governments to adopt such policies as will best promote the growth of National power and insure prosperity to the Nation and its citizens; and

WHEREAS, One of the means necessary to secure these results permanently is, that the lands of a Nation should be owned and possessed by its citizens exclusively, that the income therefore may be added to the aggregate wealth of the Nation; and

WHEREAS, Large amounts of the lands of the Nation are owned and controlled by citizens of foreign nations who owe no allegiance to our government, the income from such lands increasing the wealth of other nations, and the continuance of this evil will result in the introduction of foreign systems of "landlordism," thereby oppressing the labor interests of our Nation; therefore,

Be it resolved by the House, the Senate concurring, That the ownership of lands within the limits of any State or Territory of the Nation by non-resident aliens is an evil threatening the prosperity of the Nation, and vitally affecting the interests of the citizens. Especially is this true of those who seek to secure homes on the public domain. And we respectfully ask our Senators and Representatives in Congress to endeavor to have submitted to the States, for their action thereon, an amendment to the National Constitution, providing that non-resident aliens shall not own, possess or control, either individually or as a member of any company or corporation, any land or real estate within the limits of any State or Territory of the Nation; and for the equitable extinguishment of all titles now held by non-resident aliens who shall continue to be such after the expiration of six years after the adoption of such amendment.

Resolved, That the Secretary of State be instructed to transmit a certified copy of this preamble and resolution to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

House Joint Resolution and Memorial of the General Assembly of the State of Iowa, for the enactment of a law providing for the licensing of conductors on certain railways within the United States.

Read first and second times and referred to the Committee on Railways

House Joint Resolution in relation to liens of judgments in Federal courts.

Read first and second times and referred to the Committee on Judiciary.

House Joint Resolution No. 9, requesting our Senators and Representatives in Congress to endeavor to secure the enactment of a law requiring railway companies to become incorporated in each State in which they have lines of railway.

Read first and second times and referred to the Committee on Railways.

SECOND READING OF BILLS.

On motion of Senator Poyneer, Senate File No. 98, a bill for an act giving legislative assent to the purposes of the congressional act of March 2, 1887, in regard to the establishment of agricultural experiment stations in connection with agricultural colleges, with report of committee recommending amendments and when so amended that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Poyneer moved to amend as follows: "This act being deemed of immediate importance, shall take effect and be in force after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa."

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Converse, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrot, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weidman, Wolfe and Woolson—37.

The nays were none.

Absent or not voting:

Senators Barnett, Barrett, Brower, Cassatt, Davidson, Dodge, Dooley, Hanchett, Knight, McCoy, Price, Weber and Young—13.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator McVay, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 45, a bill for an act to appoint a Board of Trustees for the Hospital for the Insane at Clarinda, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

First. Insert after the word business in the third line of section two, the printed bill, the words, "but three affirmative votes shall be necessary to carry any measure."

Second. Amend section 3 by striking out of section 3 in the 3d and 4th lines, printed bill, the words between the word years in the 3d line, and the word their in the 4th line.

Third. Amend section 3 by striking out the word "first" in 5th line printed bill, and insert the word second, and strike out the word May in same line, and insert the word March.

Fourth. Strike out section 5.

Fifth. Amend section 6 by striking out the words first Wednesday of May and insert second Wednesday of March.

Sixth. Amend section 7 by inserting between the words the and commissioners in the 2d line thereof, printed bill, the words "board of."

Seventh. Amend said section 7 by striking out the words and dispensed with, at the end of the section and insert the following: "and thereafter the powers and duties of said board of commissioners, as provided in Chapter 201 of the acts of the Twentieth General Assembly, shall devolve upon and be exercised by the trustees aforesaid."

Eighth. Amend section 8, printed bill, by inserting after the word "said" and before the word "commissioners" in the first line thereof the words "board of."

Ninth. Re-number the sections, making section 6 section 5, 7 will be 6, 8 will be number 7, and 9 will be number 8, and when so amended that it do pass.

Ordered passed on file.

J. D. McVAY, *Chairman.*

On motion of Senator Clark Senate File No. 45, a bill for an act to appoint a board of trustees for the Hospital for the Insane at Clarinda, Iowa, with report of committee recommending amendments, and when so amended that it do pass, was taken up and considered.

Senator Reiniger moved that the amendments be considered one at a time.

Lost.

Senator Woolson moved that the bill be taken up and considered, section by section, in connection with the amendments offered by the committee.

Adopted.

Section 2, with the amendment of the committee, was adopted.

Senator Dungan moved that the amendments proposed to section 3 by the committee be adopted.

Carried.

Senator Woolson moved to strike out the words "1873 of Iowa," after the word "Code," in 3d line, section 4, printed bill.

Carried.

Senator Dungan moved to adopt the report of the committee to strike out section 5.

Adopted.

The amendment offered by the committee to section 6 was adopted.

The amendments offered by the committee to section 7 were adopted.

Senator Dungan moved to amend section 8 as follows:

Insert after the word "commissioners" in 1st line, section 8, the words "shall on or," and strike out the word "shall," last word but one in first line.

Adopted.

The question being the adoption of the amendment offered by the committee renumbering the sections of the bill it was adopted.

Senator Clark moved to amend the publication clause by striking out the word "Des Moines" before the word "Register," and insert the words "Iowa State" in lieu thereof, and to strike out the word "Des Moines," before the word "Leader," and insert the words "Iowa State" in lieu thereof.

Adopted.

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

On the question shall the bill pass.

The yeas were:

Senators Bayless, Bills, Bolter, Caldwell Chesebro, Clark, Converse, Deal, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weidman, Wolfe, Woolson and Young—36.

The nays were none.

Absent or not voting:

Senators Barnett, Barrett, Brower, Cassatt, Davidson, Dodge, Doud, Finn, Hanchett, Knight, McCoy, Price, Sweney and Weber—14.

Senator Woodson moved to amend the title by making it read "a bill for an act relating to the Hospital for the Insane at Clarinda, to the board of commissioners thereof, and providing trustees therefor."

Adopted.

So the bill passed and the title as amended was agreed to.

Senator Converse presented the following:

I move that the journal of to-day, February 11, show that Senator Bayless was the member on part of the Senate of visiting committee to the asylum at Clarinda, instead of Senator Kelly, as shown by the journal of January 17th.

Senator Reiniger offered the following substitute for the motion of Senator Converse: .

That the facts covered by the resolution be embodied in the report of the committee appointed to determine the mileage of the visiting committees.

Senator Poyneer moved that the motion and substitute be laid on the table.

Carried.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval House File No. 80, an act to legalize the acts of John Weigh-ton while acting in the capacity of recorder of the incorporated town of Audubon, Iowa.

JNO. K. DEAL, *Chairman*.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 22, a bill for an act to repeal section 4275 of the Code, relating to grand jurors, beg leave to report that they have had the same under consideration and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the substitute herewith submitted be adopted, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator McVay from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 126, a bill for an act to amend section 12, chapter 40, acts of the Nineteenth General Assembly, relating to the idiotic feeble minded, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Senator Sweeney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways to whom was referred Joint Resolution No. 8, a joint resolution and memorial of the General Assembly of the State of Iowa, for the enactment of a law providing for the licensing of conductors on certain railways within the United States beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution be so amended as to read "That our Senators and Representatives in Congress be requested" etc., and that as amended the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 194, a bill for an act to provide for the greater safety of passengers on board all sail and steamboats on the inland waters of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting after the words inspected in line 2 of section 5, the words "one dollar," also, after the word inspected in line 3 of said section the words "ten dollars," and after the word engineer in line 4, the words "three dollars," and that as amended the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred Senate File No. 230, a bill for an act to authorize the Railroad Commissioners to change the names of railway stations in certain cases beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 3 thereof be amended by inserting after the word "days" in line 2 the words "from service of such notice."

Also, that section 4 be stricken out, and that as herein amended the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT.—Your Committee on Agriculture, to whom was referred Senate File No. 65, a bill for an act to provide that owners and keepers of pure bred, thoroughbred or standard bred stallions shall post notice of their registration, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Insert after the word "stallion" wherever it occurs in said bill, viz., in the 1st, 2d, 4th, and 5th lines of section 1, and in the 1st line of section 2 the words *or bull*. Amend section 1 by inserting in the 2d line after the word "horses" the words *or cattle*, and after the word "stud" the words *or herd*.

Strike from the 3d line the word "notice," and insert in lieu thereof the words *copy of certificate of registration*.

Insert in the 4th line after the word "registration" the words *name of breeder and name of animal*, insert in the 5th line after the word "stud" the words "or herd," and after the word "recorded," the words *and when requested so to do shall give to any patron a copy of said certificate*, and when so amended that it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 328, a bill for an act providing for the issue of water works bonds by cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Vale from the Committee on Banks submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 87, a bill for an act providing for the payment of bank examinations, and fixing the fee for the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendment be made: Strike out the the preamble entire. Strike out the word "fifteen" in section 1 line seven and insert "ten." Also strike out "twenty-five" in line nine, and insert "thirty," and as so amended it do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator McVay, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 157, a bill for an act to amend section 1695 and 1696, chapter 7, title 12 of the Code, relating to the Institution for the Deaf and Dumb, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred House File No. 10, a bill for an act to amend section 4, chapter 140 of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the laws of the Twentieth General Assembly, relative to State Mine Inspectors, their duties and manner of appointment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to

the Senate with the recommendation that it be amended as follows: First: In section 1, after the word "shall," in line 5 (engrossed bill), strike out the words "also have and keep an office at a place designated by the Governor, accessible to railroad and telegraph in their respective district," and insert the words "during his term of office; have and keep a residence in the district to which he is assigned, without expense to the State."

Second: Section 21, line 6, strike out the word "repute" and insert the word "character."

Third. Section 22, line 3, strike out the words, "a room furnished by the State for that purpose," and insert the words, "the office of State Mine Inspectors."

Fourth: Same section, line 5, strike out the word "two" and insert the word "one."

Fifth: Same section, line 6, after the word "in" insert the words "each mining district of."

Sixth. Section 23, line 3, strike out the word "repute" and insert the word "character."

Seventh. Same section, line 4, strike out the word "twenty-one" and insert the word "twenty-five."

Eighth. Same section, line 5, strike out the word "ten" and insert the word "five," and that when so amended that it do pass.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 227, a bill for an act to amend section 797 of the Code, relating to property exempt from taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred joint resolution requesting the Committee on Ways and Means to inquire into the expediency of exempting homesteads from taxation in the assessed value of \$500, and providing for levying of a graduated income tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the resolution be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 41, a bill for an act entitled an act to exempt from taxation the homesteads of soldiers of the Union army when the same were obtained by or with the proceeds of a soldier's pension, beg leave to report that they have had the same under con-

sideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 111, a bill for an act to provide for the assessment of railway property by the boards of supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 159, a bill for an act to amend section 797 of the Code, and to repeal chapter 97, of the acts of the Twenty-first General Assembly, and to enact a substitute therefor, and to exempt from taxation homesteads of soldiers not exceeding in value \$1,000, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 57, a bill for an act providing for the exemption after the year 1889 of homesteads from ordinary taxation to the value \$1,000, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 74, a bill for an act to prevent discrimination against female teachers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator McVay moved that the Senate adjourn.

Carried.

Adjourned until 2 P. M. February 18th.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, Feb. 13, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieutenant-Governor Hull in the chair.
Prayer by Rev. E. F. Mell.

PETITIONS AND MEMORIALS.

□ Senator Woolson presented the petition of A. N. Alberson and forty-seven other citizens of Washington county against the two-cent fare bill.

Referred to the Committee on Railways.

Senator Reiniger presented resolutions from the Chickasaw County Agricultural Society demanding relief from the oppressions of the school book monopolies.

Referred to Committee on Schools.

Senator Funk presented petition of J. C. Guthrie and seventeen other citizens of Dickinson county against reduction of railway rates.

Referred to the Committee on Railways.

Senator Dungan presented resolutions unanimously adopted by the Grant Republican Club of Chariton, Iowa, earnestly urging upon their representatives the fulfillment of pledges made by the Republican party, and that rates and fares be both fixed at the lowest rates consistent with the rights of all parties, and in favor of two to three cents per mile fares, according to class of roads.

Same reference.

Senator Weidman presented petition of W. A. Thompson, Asa W. Overman and 125 other citizens of Montgomery county, Iowa, asking railway legislation establishing reasonable freight rates and the two-cent passenger rate; Railroad Commissioners to be elected, with power to revise rates; prohibiting free passes except to employees, and prohibiting discriminations.

Same reference.

Also, presented petition of W. Daugherty and two other shippers at Hawthorne, Iowa, showing reduction in freight rates on live stock and grain during past ten years.

Same reference.

Also, presented petition of L. K. Mason and four other shippers of Hastings, Iowa, showing reduction in freight rates.

Same reference.

Also, J. W. Brown and eight other shippers at Red Oak, showing reduction in freight rates.

Same reference.

Senator Kelly presented petition of seventy three business men

and farmers in and around Marengo, Iowa county, Iowa, demanding laws which will prohibit free passes and railroad discrimination.

Same reference.

Senator Seeds presented petition of business men of Iowa City against reduction of telegraph charges.

Referred to Committee on Corporations.

Senator Meservey presented petition of William Bowman and other citizens of Ida county, in favor of reduction of railway rates, prohibiting free passes, making office of railway commissioners elective and prohibiting all discriminations.

Referred to Committee on Railways.

Senator Bills presented petition of V. M. Mackey and 29 other citizens of Cedar county, Iowa; first, asking the establishment of a schedule of maximum freight rates as low as in any neighboring States, and reduction of passenger rates to two cents a mile; second, making the railroad commission elective; third, giving the election board power to revise such rates during the biennial period; fourth, prohibiting the granting of free passes.

Same reference.

Also, presented petition of 189 citizens of Jones county, Iowa, asking for consistent reduction of freight and passenger rates.

Same reference.

Senator Kegler presented communication of Thos. W. Darling in relation to freight rates of railroads.

Same reference.

Senator Finn, presented petition of farmers and business men of Taylor and Adams counties, Iowa, asking a reduction of freight and passenger tariffs and to prevent pooling and discriminations; also, requesting a law abolishing the office of railway commissioners or to make it elective.

Same reference.

Also, presented statement of shippers of Bedford and Conway, showing reduction in freight rates to Chicago, and that there are no discriminations in favor of or against any one.

Same reference.

Also, presented petition of W. A. Simmons and others, farmers and business men, praying for a reduction of freight rates and for a consideration of the reduction of both passenger and freight rates at the same time.

Same reference.

Senator Taylor presented protest of citizens of Moravia, against reduction of passenger fare or freight rates.

Same reference.

Senator Fank presented a protest of citizens of Palo Alto county, Iowa, against reduction of passenger fare or freight rates.

Same reference.

Senator Young presented petition of voters and citizens of Cass county, Iowa, asking for laws fixing freight rates and reducing passenger rates; also, making the office of railway commissioner elective and prohibiting discriminations.

Same reference.

Senator Harsh presented petition of 50 farmers of Ringgold county asking the passage of the Young two-cent passenger fare bill.

Same reference.

Also, presented petition of farmers and business men of Union county asking that the Railroad Commission be made elective, and that freight charges be considered before passenger rates.

Same reference.

Also, presented petition of 50 farmers of Ringgold county, asking the passage of Senate File No. 39, known as the Harsh railroad bill.

Same reference.

Also, presented statement of reduction on freight charges from Davis City to Chicago from 1877 to 1887.

Same reference.

Also, presented statement of freight reduction from Mt. Ayr to Chicago from 1877 to 1887.

Same reference.

Senator Clark presented memorial of shippers of Clarinda, showing reduction in freight rates during the past ten years.

Same reference.

Also, memorial on same subject from shippers of Riverton, but also claiming that further reduction is necessary.

Same reference.

Senator Doud presented petition of citizens of Jasper county asking that a defense shall be good against the payment of note or contract obtained through fraud, although the party be innocent; also, in regard to payment of costs of collection, attorneys' fees, etc.; also, that contracts for public printing shall be let to the lowest bidder; and for reduction of freight and passenger rates.

Referred to the Committee on Judiciary.

Senator McVay presented memorial of citizens of Lake City endorsing Hon. J. D. McVay's position in regard to railroad tariffs and freights.

Referred to the Committee on Railways.

Also, resolution by the Prairie Hall Alliance, that they appreciate the action of their Senator and Representative, also of Governor Larrabee, in their acts relative to railroads.

Referred to the Committee on Railways.

Senator Schmidt presented petition of 45 citizens of Dixon, Scott county, Iowa, against reduction in passenger rates.

Same reference.

Senator Sweney presented petition of a committee of the Brotherhood of Locomotive Engineers and Brotherhood of Locomotive Firemen, now in general convention in Chicago, against the reduction of passenger and freight rates.

Same reference.

Senator Garlook presented protest of business men and farmers of Humboldt county against the passage of any bill that will reduce fare to two cents per mile.

Same reference.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 805, a bill for an act to legalize the organization and official proceedings of the independent school district of Panama, in Shelby county, Iowa.

D. C. KOLF, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Mills, Senate File No. 265, a bill for an act making appropriations for Soldiers' Home at Marshalltown, Iowa.

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

By Senator Mills, Senate File No. 266, a bill for an act for the support of the Soldiers' Home at Marshalltown, Iowa.

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

By Senator Reiniger, Senate File No. 267, a bill for an act to amend section 8, chapter 104, of the acts of the Twenty-first General Assembly, entitled an act to regulate the practice of medicine and surgery.

Read first and second times and referred to the Committee on Public Health.

By Senator Wolf, Senate File No. 268, a bill for an act to repeal chapter 8 of the laws of the Twentieth General Assembly, and to enact a substitute relating to drainage.

Read first and second times and referred to the Committee on Judiciary.

By Senator Deal, Senate File No. 269, a bill for an act to encourage the manufacture of sugar and to provide a bounty for its manufacture.

Read first and second times and referred to the Committee on Agriculture.

By Senator Finn, Senate File No. 270, a bill for an act to amend section 2, chapter 62 of the acts of the Twenty-first General Assembly, providing for the erection of soldiers monuments.

Read first and second times and referred to the Committee on Military.

By Senator Sweney, Senate File No. 271, a bill for an act to amend the military code.

Read first and second times and referred to the Committee on Military.

By Senator Sweney, Senate File No. 272, a bill for an act to amend chapter 175 of the laws of the Nineteenth General Assembly.

Read first and second times and referred to the Committee on Military.

By Senator Mattoon, Senate File No. 273, a bill for an act to amend section 1381, chapter 2, title 12 of the Code.

Read first and second times and referred to the Committee on Judiciary.

RESOLUTION.

Senator Kelly offered the following :

Resolved by the Senate, the House concurring, That the Secretary of State be and he is hereby directed to furnish as soon as practicable for the use of this General Assembly three hundred copies of the platforms of the two great political parties of this State for the year 1887.

Senator Weber moved that the resolution be committed to the Committee on Retrenchment and Reform.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Converse, Finn, Harsh, Kegler, Kelly, McCoy, McVay, Mills, Parrott, Price, Reiniger, Sweney, Vale, Weber, Weidman, Wolfe and Woolson—18.

The nays were:

Senators Bayless, Bills, Chesebro, Davidson, Deal, Dodge, Doolley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hutchison, Kent, Lawrence, Mattoon, Meservey, Seeds, Smith, Taylor and Young—22.

Absent or not voting:

Senators Barrett, Bolter, Brower, Caldwell, Cassatt, Clark, Hanchett, Knight, Poyneer and Schmidt,—10.

So the motion to commit was lost.

Senator Kelly voting yea for the purpose of reconsidering.

Senator Reiniger moved to amend by adding "and the national platforms of 1864 and 1868."

Senator Parrott moved to amend the amendment by adding "the platforms of 1888."

Senator Weidman moved that the resolution and the amendments be laid on the table.

Carried.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being a resolution by Senator Weber relative to river land settlers.

Senator Parrott moved that the consideration of the special order be postponed until House File No. 328 could be considered.

Carried.

On motion of Senator Parrott, House File No. 328, a bill for an act providing for the issue of water-works bonds by cities of the second class, with report of committee recommending that it do pass, was taken up and considered.

Senator Bayless moved to strike out of the ninth line, printed bill, the word "semi annual."

Carried.

Senator Kegler moved to strike out of the ninth line, printed bill, the word "twenty," and insert the word "ten."

Lost.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—49.

The nays were:

Senator Kegler—1.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Converse, Hanchett, Knight and Poynceer—7.

So the bill passed and the title was agreed to.

The Journal of Saturday, February 11th, was corrected and approved.

Senator Gatch moved that the senate proceed to the consideration of the special order, it being a resolution relative to river land settlers.

Carried.

Senator Gatch offered the following substitute for the resolution by Senator Weber, referred to a special order under consideration.

Concurrent resolution of the General Assembly of the State of Iowa memorializing Congress to provide indemnity for settlers on the Des Moines river lands.

Whereas, Many of the settlers upon the so called "Des Moines River Lands," located along the Raccoon fork of said river, entered upon the same in good faith, with the intent to make pre-emption or homestead entries, in accordance with decision of the department of the Interior, that the same were public lands and subject to pre-emption and homestead entry as such: and

Whereas, By repeated decisions of the Supreme Court of the United States, the lands so entered upon by such settlers have been held to have been reserved from such entry as lands embraced in the Des Moines river grant of August 8th, 1846, and the title thereto, to have passed by virtue of the Joint Resolution of March 2d, 1861, "to quiet title to lands in the state of Iowa" and an act of Congress of July 12th, 1862, entitled "an act confirming a land claim in the state of Iowa and for other purposes" to the state of Iowa for the benefit of bona fide purchasers thereof from said state thereof.

Be it resolved by the Senate of the State of Iowa, the House of Representatives concurring, That our Senators and Representatives in Congress be and they hereby are requested to use their best endeavors to secure the prompt enactment of a law whereby full and complete indemnity shall be provided for all persons who in good faith with intent to obtain title thereto under the pre-emption or home-

stead laws of the United States, have entered upon any of said lands not subject to such entry for the reason that the same were reserved from entry and sale, as belonging to the Des Moines River Land Grant of August 8th, 1846.

Senator Woolson offered the following substitute for the substitute offered by Senator Gatch :

Whereas, The Fifteenth, Sixteenth, Eighteenth, Nineteenth and Twentieth General Assemblies of the State of Iowa, by joint resolution, duly approved by the Governor, petitioned the Congress of the United States for relief to the settlers on what is commonly known as the Des Moines River lands ; and

Whereas, Grievous litigation is now pending in the courts of the United States relating to the title and rights of the settlers to and upon said lands, upon which said settlers located in good faith, and have made valuable improvements, and have for many years made their homes : and

WHEREAS, On account of the very great hardship that has been brought about by the conflicting decisions aforesaid, great disturbance and trouble have already risen and are likely to arise unless some satisfactory and just action be taken by the State and general government relating to this subject; therefore,

Be it resolved by the Senate of Iowa, the House of Representatives concurring, That our Senators and Representatives in Congress are hereby requested to favor the immediate passage of the bill lately introduced in the Senate of the United States by Hon. James F. Wilson, and now pending in Congress, in so far as it has for its object to provide that the Attorney General of the United States do immediately commence proceedings, or cause such proceedings to be instituted by suit, either in law or in equity, or both, as may be necessary, and appear in the name of the United States so as to remove all clouds from the title to said lands in which suit any person or persons in possession of or claiming title to any tract or tracts of lands under the United States involved in such suits may, at his or their expense, unite with the United States in the prosecution of such suits to the end that the title or titles of any person or persons claiming said lands may be forever settled.

On the question of the adoption of the substitute for the substitute, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Caldwell, Davidson, Deal, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Sweeney, Vale, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were:

Senators Bills, Bolter, Chesebro, Clark, Dodge, Doud, Gatch, Keller, Kelly, Kent, Parrott, Smith and Taylor—13.

Absent or not voting:

Senators Barrett, Bayless, Brower, Cassatt, Converse, Dooley, Garlock, Hanchett, Knight and Schmidt—10.

So the substitute for the substitute was adopted.

The question being upon the adoption of the substitute by Senator Woolson for the resolution by Senator Weber.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Cassatt, Chesebro, Davidson, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Hutchison, Kegler, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Price, Reiniger, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—38.

The nays were:

Senators Bolter, Clark, Dodge, Doud, Kelly, Kent, Parrott and Poyneer—8.

Absent or not voting:

Senators Barrett, Brower, Converse, Deal, Dooley, Gatch, Hanchett, Knight and Schmidt—9.

So the substitute for the resolution was adopted.

The question being upon the adoption of the resolution.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Cassatt, Converse, Davidson, Deal, Dooley, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Hutchison, Kegler, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—36.

The nays were:

Senators Bolter, Chesebro, Clark, Dodge, Doud, Gatch, Kelly, Kent and Parrott—9.

Absent or not voting:

Senators Barrett, Brower, Hanchett, Knight and Schmidt—5.

So the resolution was adopted.

On motion of Senator Seeds the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 14, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieut. Gov. Hull in the chair.
Prayer by Rev. Dr. Nash.

PETITIONS AND MEMORIALS.

Senator Caldwell presented petition of John Kelly and 99 other citizens of Woodward, Dallas county, Iowa, asking that the pledges of the Republican party be carried out, especially those made by their speakers in every precinct, "that the passenger fare be reduced to 2 cents per mile, and freights regulated according to the letter and spirit of the inter-state commerce law."

Referred to Committee on Railways.

Also, presented petition of voters and citizens of Minburn and Alliance, Dallas county, Iowa, asking for establishment of freight rates; a reduction of passenger rates; the making of the office of railroad commissioners elective and giving the elective commissioners certain powers; prohibiting free passes and discriminations.

Same reference.

Senator Dooley presented petition of citizens of Brooklyn and vicinity, asking that due consideration be given the subject of the reduction of railway rates before action is taken.

Same reference.

Also, presented petition of 46 citizens of Poweshiek county, asking that due consideration be given the bill for reduction of railroad rates. Also, from 30 citizens of Poweshiek county asking that Senate File No. 9 do not pass.

Same reference.

Senator Taylor presented petition of 43 business men and farmers of Unionville, Appanoose county, and of 41 business men and farmers of Floris and vicinity against reduction of railway fare to 2 cents per mile and against any radical railway legislation.

Same reference.

Senator Deal presented a set of resolutions of the Sac County Farmers' Alliance, adopted at a meeting held February 11, 1888, favoring the continuance of the office of State Dairy Commissioner, and the regulation of insurance companies and railways.

Same reference.

Also, presented petition of R. L. Goodenow and other citizens of Sac county on same subjects, in reference to railroads.

Same reference.

Senator Dungan presented petition of D. W. Morgan and 118 other

citizens of Wayne county, praying, 1st, the establishment of maximum freight rates; 2d, reduction of passenger fares on first class roads to 2 cents per mile; 3d, making the office of Railroad Commissioners elective; 4th, giving the Railroad Commissioners power to revise freight rates; 5th, prohibiting passes except to employees; 6th, prohibiting all discrimination.

Same reference.

Also, presented memorial of W. G. Clark and 95 other citizens of Wayne county, expressing the opinion that the great complaint of the people is that freight charges are too high; that passenger fares are of secondary importance. Fearing the reduction of the latter in advance would endanger the success of the former they ask that both be considered together.

Same reference.

Also, presented memorial of J. W. Freeland and 9 other citizens of Wayne county on same subject.

Same reference.

Senator Bolter presented petition of S. J. Comfort and other citizens of Crawford county, Iowa, requesting laws regulating railways and reducing charges of railways.

Same reference.

Senator Kent presented memorial of Keokuk Business Men's Association, setting forth that railway rates are now reasonable and radical legislation is not demanded.

Same reference.

Senator Davidson presented petition of citizens of Ames, Story county, asking for a schedule of freight rates; for a reduction of passenger rates; for the making of the office of Railway Commissioner elective; giving commissioners certain powers; prohibiting free passes and all discrimination.

Same reference.

Senator Weber presented petition of John Wilde and other businessmen and farmers of Wright county, opposing the passage of a 2-cent passenger fare bill.

Same reference.

Senator Brower presented petition of business men and shippers of Clear Lake, Cerro Gordo county, in favor of House File No. 19, regulating railroads, and in favor of Senate File No. 48.

Same reference.

Senator Parrott presented resolutions adopted by the Grundy County Farmers' Association in regard to the reduction of freight rates and discriminations.

Same reference.

Senator Barnett presented petition of 100 citizens of Warren county, asking for passage of bill authorizing cities of first class to require railroads to construct safe crossings at dangerous points.

Same reference.

Also, presented statement of shippers of Warren county showing reduction of freight rates and that no discriminations are shown.

Same reference.

Senator Finn presented petition and resolutions of the Holt Township Farmers' Alliance, in favor of reduction of passenger and freight

rates, the salaries of county and State officials, the abolition of the railway pass, and that the Railroad Commission be made elective.

Same reference.

Senator Mills presented memorial of the shippers and people of Marshalltown endorsing the House freight bills under certain conditions.

Same reference.

Senator Young presented petition of Wm. Frazier and other citizens of Casey, Iowa, asking that passenger rates be cut down to two cents a mile.

Same reference.

Also, presented petition of T. W. Winters and other citizens of Marne, in favor of the abolition of the railway pass and the prohibition by law of all discriminations in favor of places or of persons.

Same reference.

Also, presented petition of J. W. Butler and other citizens of Pymozza, Iowa, on same subject.

Same reference.

Also, presented petition of Charles A. Phares and other citizens of Atlantic, on same subject.

Same reference.

Also, presented petition of Jas. W. Brown and other citizens of Atlantic, on same subject.

Same reference.

Also, statement of shippers of Griswold, Iowa, showing freight reduction in the past ten years.

Same reference.

Senator Gatch presented petition of Polk County Farmers' Alliance, for reduced freight and passenger rates, and for the election of Railway Commissioners by the people.

Same reference.

Also, presented remonstrances of the city council of the city of Des Moines, against the proposed reduction of railroad passenger fares to two cents per mile.

Same reference.

Also presented petition of citizens of Des Moines, asking for passage of bill authorizing cities of the first class to require railroads to provide safe crossings at dangerous points.

Referred to Committee on Cities and Towns.

Also presented petition of citizens of Polk county, asking for passage of Gatch bill, authorizing cities of the first class to require railroad companies to construct safe crossings at dangerous points.

Referred to Committee on Cities and Towns.

Senator Harsh presented statement of shippers of Cromwell and of Leon, showing reduction in freight rates and that there are no discriminations.

Referred to Committee on Railways.

Senator Kelley presented petition of 73 business men of Marengo, protesting against hasty legislation and any law that would prevent railroad building in this State.

Same reference.

Also presented petitions of 50 business men of Iowa City and of

24 business men of Ladora, Iowa, protesting against the two cent fare bill and other unreasonable railroad legislation.

Same reference.

Also presented petition of farmers and business men, asking for reduction of freight rates.

Same reference.

Senator Dodge presented petition of citizens of Des Moines county, against railroad legislation.

Same reference.

Journal of yesterday corrected and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 62, a bill for an act to prevent fraud in the sale of lard.

House File No. 154, a bill for an act to amend section 4218 of the Code of Iowa, relating to arrests without a warrant.

House No. 157, a bill for an act to repeal section 2445 of the Code of Iowa of 1873, and to enact a substitute therefor.

House File No. 188, a bill for an act to amend section 2851, chapter 2, title 16, of the Code of 1873, in relation to the probate and validity of foreign wills.

House File No. 198, a bill for an act to amend section 3173, of chapter 2, title 19, of the Code of 1873, and limiting appeals to the supreme court.

House File No. 198, a bill for an act to amend section 3908 of the Code of Iowa, relating to embezzlement of public money by officers.

House File No. 194, a bill for an act to amend section 4952 of the Code of Iowa, relating to holding one accused of crime to answer an indictment.

House File No. 240, a bill for an act to amend section 3878 of the Code, in reference to the use of abusive and obscene language.

Also Senate joint resolution No. 6, relating to pensions.

Also amended and passed Senate File No. 257, a bill for an act amending chapter 83, laws of the Twenty-first General Assembly, in relation to the sale of poisons.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Hutchison, Senate File No. 198, a bill for an act authorizing the Governor of the State to arrange with General W. W. Belknap for his services in prosecuting the claims of this State against the General Government, on account of raising and enrolling troops for the service of the United States during the war of the rebellion, with report of committee recommending that it do pass, was taken up and considered. The hour having arrived for the consideration of special order, it being Senate File No. 56, a bill for an act to amend sections 4418 and 4414, relating to peremptory challenges of jurors in criminal cases, Senator Hutchison moved that the

consideration of special order be postponed until Senate File 193 is disposed of.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kessler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—44.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Deal, Knight, Mills and Wolfe—6.

So the bill passed and the title was agreed to,

Senator Woolson moved that the special order be again postponed until the Judiciary Committee could make a report and action be taken upon the bill therein named.

Carried.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 213, a bill for an act relating to the Supreme Court and to the terms thereof beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the word "first" in the second line of section 1, of the printed bill and inserting in lieu thereof the word "second," and that the bill do pass as amended.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senate File No. 213, a bill for an act relating to the Supreme Court and to the terms thereof with report of committee recommending amendments and that the bill do pass was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kessler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Parrot, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—44.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Deal, Knight, Mattoon, and Mills—6.

So the bill passed and the title was agreed to.

The special order, it being Senate File No. 56, a bill for an act to amend sections 4413 and 4414, relating to peremptory challenges of jurors in criminal cases, with amendment offered by Senator Price, was taken up and considered.

The hour having arrived for the consideration of the second special order, it being Senate File No. 52, a bill for an act defining and regulating insurance contracts.

Senator Wolfe moved that the consideration of the special order be postponed until Senate File No. 56 was disposed of.

Carried.

The consideration of Senate File No. 56 was resumed, the question being on the adoption of the amendment offered by Senator Price.

By consent of the Senate Senator Price withdrew the amendment heretofore offered and submitted the following in lieu thereof:

Amend by striking out the third, fourth and fifth lines of section 1, and insert the following, viz:

Section 4413. "If the offense charged in the indictment is or may be punishable with death or imprisonment for life the State and defendant are each entitled to five peremptory challenges; if any other felony, to three each, and if a misdemeanor to two each".

On the question shall the amendment be adopted, the yeas and nays were demanded.

The yeas were:

Senators Garlook, McVay and Price—3.

The nays were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Deal, Dodge, Dooley, Doud, Dungan, Funk, Finn, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy Meservey, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—41.

Absent or not voting:

Senators Barnett, Davidson, Gatch, Knight, Mills and Schmidt—6.

So the amendment was lost.

The question being shall the bill be engrossed and read a third time to-morrow.

Pending which the following message was received from the House:

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 43, a bill for an act to authorize cities organized under special charters to refund their outstanding bonded debt and to provide for the payment of the same.

House File No. 115, a bill for an act authorizing boards of directors to change the boundaries of independent districts within the same civil townships.

House File No. 243, a bill for an act to amend section 3, chapter

159, acts of the Sixteenth General Assembly of Iowa, and providing for the printing of the reports of the State Mine Inspectors.

Senate File No. 45, a bill for an act relating to the Hospital for the Insane at Clarinda to the Board of Commissioners thereof, and providing trustees therefor.

Senate File No. 213, a bill for an act relating to the Supreme Court and the terms thereof.

D. C. KOLP, *Chief Clerk.*

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, FEB. 14, 1898. }

MR. PRESIDENT—I am instructed by the Governor to deliver to your honorable body a message in writing.

FRED. W. HOSSFELD, *Private Secretary*

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 139, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to capital punishment, beg leave to report that they have had the same under consideration and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 133, a bill for an act to legalize certain ordinances and acts of the council of the town of Rock Rapids, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 149, a bill for an act to amend sections 2783 and 4423 of the Code of Iowa, relating to restraining counsel as to time in arguments in both civil and criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 180, a bill for an act to amend section 1658 of the Code, relative to commitments to Industrial Schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 206, a bill for an act amending chapter 134 of the acts of the Twenty-first General Assembly, in relation to terms of court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred two petitions from citizens of Mills county, asking to be released from the corporate control of the town of Tabor, Fremont county, and also a petition from James Vincent of Mills county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the committee be discharged from further consideration of the petitions, for the reason that in the opinion of the committee they present no proper question for action by the Judiciary Committee.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 129, a bill for an act to provide and preserve record evidence of the title of real estate, beg leave to report that they have had the the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 103, a bill for an act to amend sections 277, 3725 and 3726 of the Code, and to authorize official short-hand reporters to take depositions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was refer-

red Senate File No. 144, a bill for an act in regard to the publication of proceedings of board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all after the word "carrier" in the 4th line of the printed bill and that as amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary to whom was referred Senate File No. 143, a bill for an act to amend section 3878 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary, to whom was referred Senate File No. 199, a bill for an act amending sections 2655 and 2665 of the Code, relating to pleading beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT.—Your Committee on Cities and Towns, to whom was referred Senate File No. 150, a bill for an act amendatory to section 411 of the Code, and providing for the appointment of a special deputy treasurer in certain cases beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Clark, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT.—Your Committee on Suppression of Intemperance, to whom was referred substitute for House File No. 67, a bill for an act to prohibit the selling, giving or furnishing of tobacco in any of its forms to minors under the age of sixteen years, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. E. CLARK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 107, a bill for an act to repeal chapter six (6), title eleven (11) of the Code of Iowa of 1873, beg leave to report that they have had the same under consideration and

a majority have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

T. E. CLARK, *Chairman*.

Ordered passed on file

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 14, a bill for an act to amend section 1 of chapter 79 of the acts of the Twenty-first General Assembly, relating to diseased swine, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 64, a bill for an act to prevent and punish fraud in the sale of cattle, sheep, swine and other domestic animals, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Amend section 1 as follows: In the first line insert the word "horses" after the word "of". In the second line insert the word "or" after the word "sheep", and the word "knowingly" after the word "to", and strike out the words "or other domestic animals". In the fourth line insert the word "horses" after the word "such", and the words "sheep or swine" after the word "cattle". In the sixth line strike out the letter "s" from the word "breeds", and insert the word "horses" after the word "said", and insert the word "or" after the word "sheep". Strike from the sixth and seventh lines the words "or other domestic animals". Strike out sections 2, 3 and 4, and in lieu of section 2 insert as follows: Section 2. "Any person who shall violate the provisions of section 1 of this act shall be deemed guilty of a misdemeanor and shall be punished accordingly". Renumber section 5 to "section 3", and when so amended that it do pass.

POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 214, a bill for an act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that inasmuch as this committee has already reported back, with recommendation that it do pass, a bill, Senate File No. 64, embracing nearly the same subject matter, therefore that this bill, Senate File No. 214, be indefinitely postponed.

POYNEER, *Chairman*.

Ordered passed on file.

Senator McVay from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 116, a bill for an act to extend the time for paying the indebtedness of the Orphan Asylum at Andrew, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 156, a bill for an act to amend sections 1401 and 1403 of the Code, relative to the confinement of persons found or alleged to be insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "alone," in section 2, third line of printed bill, and "the," in the fourth line, same section, and insert the letter "a" before "key," and that when so amended that it do pass.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 148, a bill for an act to repeal chapter 59 of the acts of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines, and to enact the following in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 52, a bill for an act defining and regulating insurance contracts, beg leave to report that they have had the same under consideration and a majority of the Committee have instructed me to report the same back to the Senate with the recommendation that the enclosed substitute therefor be adopted, and when adopted, that it do pass.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9, of the Code of Iowa, relating to mutual insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the

Senate with the recommendation that it be referred to the Judiciary Committee of the Senate.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 252, a bill for an act to amend chapter 36, acts of the Nineteenth General Assembly, concerning the education and qualification of dentists, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate with the recommendation that it be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

MINORITY REPORT.

The undersigned, a member of the Committee on the Suppression of Intemperance, is unable to concur with the views of the majority of said committee in their report upon substitute for House File No. 67, without specially stating at this time his reasons therefor except that he considers the same unnecessary and unwise legislation, and he begs leave to recommend that the same do not pass.

WM. O. SCHMIDT,

Of the Committee on the Suppression of Intemperance.

MINORITY REPORT.

MR. PRESIDENT—The undersigned, a minority of the committee to whom was referred Senate File No. 107, a bill for an act to repeal chapter 6, title 11, of the Code of Iowa of 1873, and all amendments thereto, and to enact in lieu thereof a provision for the levying of a tax upon the occupation of dealing in intoxicating liquors, including ale, wine and beer, are unable to concur in the report of the majority thereon and recommend instead that the bill do pass, and beg leave to briefly submit our reasons therefor as follows:

We deplore the evils of intemperance and join with the majority in their zeal to eradicate them. We differ only as to the question of the methods and means to be employed to bring about the desired results. We admit that the present prohibitory statute has been enforced in some portions of the State where public sentiment is overwhelmingly in its favor. We know that in other portions of the State an attempt at enforcement has been made with indifferent results, while in still other portions of the State free whisky and free beer, unbridled and unrestrained, hold complete and absolute sway. The feasibility of enforcement always depending upon the weight of public sentiment.

We are not extremists. A portion of our citizens firmly and honestly believe that prohibition is right. Another portion just as firmly and just as honestly believe that a proper restraint should be placed upon the liquor traffic. We believe that by the passage of

Senate File No. 107 the happy medium will be attained, and by means of it those communities who do not wish the traffic in their midst will not be compelled to endure it, and on the other hand, those communities who do wish it can have it, under proper restrictions and regulations such as are embodied in this bill.

We believe that the citizens of any particular community are better able to control the evils of this traffic than those who have no personal knowledge of that community. Legislation that may be adapted to the city of Grinnell or the county of Poweshiek will not be adapted to the city of Dubuque, the city of Davenport or the county of Lee. Their opinions on this question can never be harmonized by legal enactment. What would be considered food by the one would be considered poison by the other. The principle of local self-government should have its broadest application in this matter. We believe that if the Senators were to day beyond the pale of political influences, and each would individually exercise his own judgment and discretion, the principles of this bill, a proper regulation of the liquor traffic, adapted to the wishes of majorities in localities casting around this traffic all possible safeguards, deriving from it a proper revenue with perhaps changes as to detail and minutia would meet the hearty approval of a constitutional majority of this body.

We claim that the practical workings of the present law have been detrimental to the general business prosperity and best interests of the State. We claim that, especially in those counties in the State containing large cities, the attempted enforcement of this law has arraigned in bitter hostility one portion of citizens against another.

A law containing a proviso for the feeling of the spy and informer can never meet the approval of the great majority of the people of Iowa.

Taxes have increased, official brutality in the exercise of arbitrary power has been of frequent occurrence. Outrages upon peaceable citizens have been committed in the name of this law. House searches without warrants have become common. The sanctity of the home has been invaded. In fact, under the protection of this law deeds have been committed which must bring the blush of shame to every citizen of the State. Numbers of petty suits have been brought and burdensome expenses to the county have been incurred. Black-mail has been levied. Great industries have been closed. Property acquired under the protection of the law has been rendered valueless. Emigration has exceeded immigration, cities and towns have been deprived of needed revenues.

We claim that under the present law the amount of liquors consumed is greater than under prior statutes. Drunkenness has increased. The traffic has been transferred from the saloon to the modern drug store. We for ourselves have been unable to distinguish between the effect of intoxicants purchased in a saloon and those purchased in a pharmacy. We insist that by the passage of this bill the liquor traffic will be placed in the hands of parties under proper police regulations and restrictions.

Secret drinking has increased; the consumption of the milder beverages has decreased. The consumption of stronger alcoholic liquors has correspondingly increased. Sister States have profited by supplying

us with stimulants and beverages, which, under our law, we could not manufacture.

Hundreds of thousands of dollars have thus been paid out which could just as well have remained in Iowa.

This bill does not undertake to force the saloon upon any locality or community. Every community shall have the right to determine for itself the method best adapted for the control of the liquor traffic and the suppression of intemperance. We do not claim that Senate File No. 107 is perfect in the principles it expressed. As to matter of detail we would all differ. We do in conclusion say, that such a law would be a manifold blessing to the people of the State, and would place us in line with our neighbors Illinois, Minnesota and Nebraska, whose prosperity and welfare within the few years last past have surely excelled and surpassed our own. We therefore recommend that the bill do pass.

WM. O. SCHMIDT,
S. Y. CHESBRO,

Of the Committee on the Suppression of Intemperance.

Placed on file and 200 copies ordered printed.

Senator Woolson moved that House messages be taken up.

Carried.

HOUSE MESSAGES.

House File No. 243, a bill for an act to amend section 3, chapter 159, acts of the Sixteenth General Assembly of Iowa, and providing for the printing of the report of the State Mine Inspectors.

Read first and second times and referred to the Committee on Printing.

House File No. 43, a bill for act to authorize cities organized under special charters to refund their outstanding bonded debt and to provide for the payment of the same.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 115, a bill for an act authorizing boards of directors to change the boundaries of independent school districts within the same civil township.

Read first and second times and referred to the Committee on Schools.

House file No. 305, a bill for an act to legalize the organization and official proceedings of the independent school district of Panama, in Shelby county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

House File No. 240, a bill for act to amend section 3878 of the Code in reference to the use of abusive and obscene language.

Read first and second times and referred to the Committee on Judiciary.

House File No. 62, a bill for an act to prevent fraud in the sale of lard.

Read first and second times and referred to the Committee on Judiciary.

House File No. 154, a bill for act to amend section 4218 of the Code of Iowa, relating to arrests without a warrant.

Read first and second times and referred to the Committee on Judiciary.

House File No 157, a bill for an act to repeal section 2445 of the Code of Iowa of 1873 and to enact a substitute therefore.

Read first and second times and referred to the Committee on Judiciary.

House File No. 188, a bill for an act to amend section 2351, chapter 2, title xvi of the Code of 1873, in relation to the probate and validity of foreign wills.

Read first and second times and referred to the Committee on Judiciary.

House File No. 193, a bill for an act to amend section 3173, of chapter 2, title 19 of the Code of 1873 and limiting appeals to the Supreme Court.

Read first and second times and referred to the Committee on Judiciary.

House File No. 194, a bill for an act to amend section 4252, of the Code of Iowa relating to holding one accused of crime to answer an indictment.

Read first and second times and referred to the Committee on Judiciary.

House File No. 198, a bill for an act to amend section 3908 of the Code of Iowa relating to embezzlement of public money by officers.

Read first and second times and referred to the Committee on Judiciary.

REPORT OF VISITING COMMITTEE.

Senator D. B. Davidson presented a report of committee appointed to visit the State Normal School at Cedar Falls.

Passed on file and ordered printed.

Senator Davidson, from the Committee on Public Buildings, presented the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred the Resolution asking that a room in the basement be assigned to the Committee on Railways for the purpose of preserving the petitions on railroad legislation for the benefit of future generations, have had the same under consideration, and have instructed me to report the same back with the recommendation that it be indefinitely postponed.

DAVIDSON, *Chairman.*

Ordered passed on file.

The President presented the following communication from the Governor of the State of Iowa:

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, February 14, 1888. }

To the Senate: GENTLEMEN—In my biennial message to the General Assembly I stated that citizens residing in those few counties

where saloons are still permitted to defy the authority of this State, frequently appeal to me to enforce the prohibitory law in their respective localities. I received this day a petition signed by a large number of the ladies of Ft. Madison, which I have the honor to herewith refer to you. The petitions represent a class of citizens which, while comparatively powerless to assert its rights, suffers more from the evil of intemperance.

WM. LARRABEE.

The petition was read and referred to the Committee on Suppression of Intemperance.

Senator Seeds moved that Senate File No. 56, a bill for an act to amend sections 4413 and 4414, relating to peremptory challenge of jurors in criminal cases, be made special order for to-morrow at 2:30 P. M.

Carried.

On motion of Senator Seeds the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, February 15, 1888. }

Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. J. V. Scofield.

PETITIONS AND MEMORIALS.

Senator Bayless presented petition of 161 business men, manufacturers and others of Guttenberg, Clayton county, Iowa, asking laws, reasonable maximum freight rates, reducing passenger rates to two cents on leading railroads class A, and corresponding reductions in other classes, and elective railway commission with certain powers and preventing free passes and all discriminations.

Referred to Committee on Railways.

Senator Dungan presented petition of J. W. McDougall and 158 other citizens of Lucas county on same subject.

Same reference.

Also, presented petition of W. J. Burgett and 30 other citizens of Lucas county on same subject.

Same reference.

Also, presented petition of G. R. Seaton and 31 other citizens of Lucas county on same subject.

Same reference.

Senator Poyneer presented petition of John Gallaway and 32 other citizens of Berlin, Tama county, Iowa, on same subject.

Same reference.

Senator Weidman presented petition of G. W. Johnston and 33 other citizens and voters of Mills county on same subject.

Same reference.

Also, presented a petition of P. B. Sprague and Geo. L. Platt, druggists of Red Oak, Iowa, asking that the right to handle, keep, or sell any and all intoxicating liquors, including "whiskey bitters," shall be taken from all druggists of the State.

Referred to the Committee on Suppression of Intemperance.

Senator McCoy presented petition of 189 citizens of Poweshiek and Mahaska counties, asking reduced rates in fares and freights on railroads.

Referred to the Committee on Railways.

Also, presented petition of M. V. Stewart and 200 other citizens of Mahaska county, on same subject.

Same reference.

Senator Groneweg presented petition of Jno. T. Stewart and other citizens of Pottawattamie county, opposing railway legislation.

Same reference.

Also, presented petition of A. W. Adair and other citizens employed on Iowa railways, against reduction of railway rates.

Same reference.

Senator Deal presented petition of citizens of Sac county, in favor of making the railway commission elective, establishment of maximum freight rates, giving increased powers to the railway commission.

Same reference.

Also, presented petition of citizens of Sac county on same subject.

Same reference.

Also, presented petition of 100 citizens of Sac county on same subject.

Same reference.

Senator Funk presented petition of citizens of Palo Alto and Clay counties on same subject.

Same reference.

Senator Yonug presented petition of citizens of Shelby, Shelby county, in protest against reduction of passenger fares.

Also from citizens of Lewis and vicinity asking to abolish the pass, prohibit discriminations, to give an elective Commission, with certain powers, and also reduction of passenger and freight rates.

Same reference.

Also presented petition of citizens and voters of Shelby county, asking for a schedule of freight rates, reduction of passenger rates, the making of the office of Railroad Commissioner elective, giving him certain powers, prohibiting free passes and all discriminations.

Senator Doud presented petition of R. P. Lain and 73 others against Senate File No. 9, and against all hasty and injudicious legislation.

Same reference.

Also on same subject.

Same reference.

Senator Weidman presented petition of Clay Connor and 61 others asking that Railroad Commissioners be empowered to regulate freight and passenger tariffs; that such tariff be made just and reasonable so as to prevent all discriminations, and that reduction of passenger rates may not be made up by additional burdens in transportation rates.

Same reference.

Senator Caldwell presented petition of farmers and business men of Woodward, asking that maximum freight rates be fixed by the Legislature, rather than by the railway commissioners.

Same reference.

Also presented petition of citizens of Dallas county, in favor of reducing railway rates, making Railway Commissioners elective, prohibiting the giving of free passes, railway discriminations, etc.

Same reference.

Also presented petition of John F. Reed and 129 other citizens of Guthrie county on same subject.

Same reference.

Senator Chesebro presented petition of J. S. Rigg and other citizens of Muscatine and Louisa counties, on same subject.

Same reference.

Also presented petition of W. A. McCormick and 249 other citizens of Louisa county, same subject.

Same reference.

Also presented petition of citizens Atalisa, Iowa, against the reduction of railway passenger fare to two cents a mile.

Same reference.

Senator Price presented petition of citizens of Madison county, in reference to providing penalties for false representations regarding the pedigrees of stallions and other stock kept for breeding purposes by the owners thereof.

Referred to the Committee on Agriculture.

Also, presented petition of F. D. Smith and other citizens of Madison and Adair counties, asking for a series of legislative enactments for the control of railways.

Referred to Committee on Railways.

Senator Barnett presented petition of Troy Alliance No. 557 with other citizens of Murray in favor of reducing railway rates.

Same reference.

Also, presented petition of citizens of Murray, Clarke county, in favor of establishment of maximum freight rates, reduction of passenger rates to two cents a mile, making railway commissioners elective, etc.

Same reference.

Senator Kelly presented petition of 180 farmers and business men of Iowa county on same subject.

Same reference.

Senator Weber presented petition of members of the Brotherhood of Locomotive Engineers of Eagle Grove, Iowa, against the reduction of railway rates.

Same reference.

Senator Schmidt presented petition of citizens of Davenport asking change in the exemption laws as follows:

First. That some limit should be fixed to the value of the homestead, which can be held without being subject to pay the debts of the owner, and we think that the same should not exceed \$1,500.

Second. That now the wages of the head of the family are exempt for ninety days and without regard to the amount earned. This we think should be so changed as to limit the amount not to exceed \$35 per month.

Referred to Committee on Judiciary.

Senator Dodge presented petition of citizens of Des Moines county in favor of the repeal of section 9, chapter 104 of the acts of the Twenty-first General Assembly.

Referred to Committee on Public Health.

Also, presented petition of merchants of Yarmouth and Mediapolis, Iowa, in favor of the Cummins and Gatch bills.

Referred to Committee on Railways.

Also, presented petition of H. C. Beckman and other citizens of

Des Moines county against the enactment of laws damaging to railroads.

Same reference.

Also, presented petitions of merchants of 47 towns of Iowa in favor of changes in the exemption laws in favor of dealers.

Referred to Committee on Judiciary.

Senator Mattoon presented petition of citizens of West Union, Fayette county, asking for a schedule of freight rates; a reduction of passenger rates; an elective railroad commission, and giving it certain powers; the prohibition of passes and all discrimination.

Referred to Committee on Railways.

Also, presented petition of citizens of Clermont, Fayette county, on same subject.

Same reference.

Senator Harsh presented statement of shippers of Tuskego, showing reduction in freight rates, and that there are no discriminations shown.

Same reference.

Senator Gatch presented the remonstrances of 85 citizens of Altoona and vicinity, Polk county, against any legislation for the reduction of passenger fares, or any similar hasty legislation.

Same reference.

Also presented a petition of Matt R. Sadler and 102 other citizens of Beaver and adjoining townships, Polk county, praying for a reduction of all railroad rates, passenger and freight, and for reduction of taxes and rate of interest.

Same reference.

Senator Bolter asked unanimous consent to present for Senator Woolso a report from the Committee on Judiciary.

Granted.

Senator Bolter for Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 30, a bill for an act to amend chapter 143 of acts of Sixteenth General Assembly, and chapter 24 of the acts of the Nineteenth General Assembly, increasing the powers of superior courts and the pay of jurors therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith reported be adopted, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file and 200 copies of the substitute ordered printed.

The president presented petition on railway matters.

Referred to the Committee on Railways.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS.

By Senator Groneweg, Senate File No. 274, a bill for an act to legalize the condemnation of Williams' second addition by the city of Council Bluffs, Pottawattamie county, Iowa, for public park purposes.

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

By Senator Bills, Senate File No. 275, a bill for an act to amend section 1, of chapter 137, of the acts of the Nineteenth General Assembly, relating to pharmacists.

Read a first and second time and referred to the Committee on Public Health.

By Senator Dodge, Senate File No. 276, a bill for an act to amend section 3,074 of the Code of Iowa, relating to exemptions.

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

By Senator Dodge, Senate File No. 277, a bill for an act to amend section 1996 of the Code of Iowa relating to homesteads.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dodge, Senate File No. 278, a bill for an act to amend chapter 86 of the acts of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Judiciary.

By Senator Doud, Senate File No. 279, a bill for an act to amend section 2, chapter 129, acts of the Seventeenth General Assembly, making the Superintendent of Public Instruction a member of the board of directors of the State Normal School.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Funk, Senate File No. 280, a bill for an act to encourage meteorological and other scientific researches.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Price, Senate File No. 281, a bill for an act to empower a less number than twelve to render a verdict in trials by jury.

Read first and second times and referred to the Committee on Judiciary.

JOINT RESOLUTION.

By Senator Price, joint resolution No. 9, proposing to amend article 1 section 9 of the Constitution of the State of Iowa.

Be it Resolved by the General Assembly of the State of Iowa:

That the following amendment to the Constitution of the State be and the same is hereby proposed:

Strike out the words "in inferior courts" in the 3d line of section 9, article 1.

Resolved further, that the foregoing proposed amendment to the Constitution of the State of Iowa be and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three months previous to the day of election in two weekly newspapers in each congressional district in the State, as provided by law.

By Senator Barnett, by request, Senate File No. 282, a bill for an act to amend section 368, chapter 7, title 5, Code of 1873, relating to the compensation of surgeons physicians in coroner's inquest as amended by chapter 54, laws of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator McVay, by request, Senate File No. 283, a bill for an act to provide for medical and surgical attendance upon paupers and prisoners in county jails and poor houses.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Gatch, Senate File No. 284, a bill for an act to authorize the Governor to lease lot 7, in block 33, in the city of Des Moines to the Governor's Guards.

Read first and second times and referred to the Committee on Public Buildings.

By Senator Gatch, Senate File No. 285, a bill for an act requiring the use of fire escapes in certain buildings.

Read first and second times and referred to the Committee on Public Buildings.

By Senator Meservey, Senate File No. 286, a bill for an act to secure recognition of certain private normal schools in the State.

Read first and second times and referred to the Committee on Educational Institutions.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being Senate File 56, a bill for an act to amend sections 4413 and 4414, relating to peremptory challenges of jurors in criminal cases, it was taken up and considered.

Senator Finn moved to amend as follows: Strike out the word "ten," in the fourth line, printed bill, and insert the word "twenty."

Senator Reiniger moved to amend the amendment by inserting the word "fifteen" in place of "twenty."

Lost.

The question being upon the adoption of the amendment offered by Senator Finn.

On this the yeas and nays were demanded.

The yeas were:

Senators Chesebro, Clark, Dodge, Dooley, Doud, Finn, Kegler, Kent, Mattoon and McCoy—10.

The nays were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Deal, Dungan, Funk, Garlook, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Knight, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—37.

Absent or not voting:

Senators Bayless, Cassatt and Woolson—3.

So the amendment was lost.

On the question shall the bill be engrossed and read a third time to-morrow?

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Caldwell, Converse, Da-

vidson, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Knight, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Vale, Weber, Weidman, Wolfe and Young—81.

The nays were:

Senators Bayless, Bolter, Cassatt, Chesebro, Clark, Dodge, Dooley, Doud, Dungan, Finn, Hanchett, Kegler, Kent, Mattoon, McCoy, Schmidt and Taylor—17.

Absent or not voting:

Senators Deal and Woolson—2.

So the bill was ordered engrossed and read a third time to morrow.

Senate File No. 52, a bill for an act defining and regulating insurance contracts with report of committee recommending a substitute and when adopted that it do pass.

Set for special order to follow the disposal of Senate File No. 56, was taken up and considered.

Senator Hutchison moved that further consideration of the bill be postponed, and that the substitute together with section 2 of amendment by minority of committee be printed.

Senator Weber moved to amend that the bill be made a special order for Monday at 2:30 o'clock p. m.

Adopted.

The question being upon the adoption of the motion as amended, it was adopted.

CONCURRENT RESOLUTION.

Senator Kegler offered the following concurrent resolution:

Be it resolved by this Senate, the House concurring, That all appointments to be made by this legislature for boards of trustees for any institution in this State shall be selected from the two principal political parties of this State, the largest party shall be entitled to the odd number.

Passed over under the rule.

Senator Weber offered the following:

WHEREAS, The Senate journal of February 2d, on page 4, does not show the record as it occurred relative to the resolution found on said page; therefore,

Be it ordered, That the following proceedings, had on said day, be placed on the journal of the Senate of to-day:

RESOLUTION.

Senator Weber offered the following resolution:

Resolved, That the Senate Committee on Railways be requested to return to the Senate as soon as possible a bill to prevent discrimination between parties and places as to freight rates by railroad companies, and also to regulate freight rates in such a manner that shall be equitable and just alike to the people and railroad companies; and when so reported, the same shall be considered before the passenger fare bill is considered now before the Senate.

Senator Hutchison offered the resolution found on page 4 of the

Senate journal of February 2d as a substitute for Senator Weber's resolution.

Senator Weber accepted the substitute.

Ordered spread upon the journal.

Adopted.

CONCURRENT RESOLUTION.

Senator Barrett presented the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Governor is hereby recommended to pardon Edward P. Weilchman, who is now confined in Fort Madison Penitentiary under life sentence, although the requirements of section 4712 have not been fully complied with.

Referred to Committee on Penitentiaries and Pardon.

Senator Reiniger moved to take up House concurrent resolution relative to appropriations by the Twenty-second General Assembly, with report of committee recommending amendments, and that it do pass. Also, Senate concurrent resolution relative to extraordinary appropriations and restricting same to the surplus revenue of the State, and that they be made a special order for Friday at 3 o'clock P. M.

Lost.

Senator Reiniger moved that the resolutions under consideration be made special order for Monday, February 27, at 3 P. M.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Young, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 33, a bill for an act to provide for the payment of wages of workmen employed in mines, mills, manufactories and workshops in the State of Iowa, at regular intervals in lawful money of the United States, and to protect said workmen in the management and control of their own earnings, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute and to recommend the adoption of the same, and when adopted that it do pass.

L. YOUNG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 29, a bill for an act to compel employers to pay their employes semi-monthly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that this committee has reported and recommended a bill for an act covering the same subject.

L. YOUNG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 10, a bill for an act to provide against the payment of wages in script, orders, etc., payable otherwise than money, and against selling goods or supplies to employees at excessive prices, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that this committee has recommended the adoption of a bill for an act covering the same subject and purpose.

L. YOUNG, *Chairman*.

Ordered passed on file.

Senator Lawrence, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House Concurrent Resolution No. 2 relative to ownership of lands by non resident aliens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be concurred in.

JOS. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate File No. 254, a bill for an act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said bill be referred to the Committee on Judiciary.

JOS. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Senator Hanchett, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Joint Resolution No. 4, joint resolution in relation to arrears of pensions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that Senate Joint Resolution No. 6, covering same ground, has passed both houses.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

MR. PRESIDENT—Your Committee on Rules have instructed me to offer the following and recommend its adoption by the Senate.

L. YOUNG, *Chairman*.

Add to Rule 29 the following:

And when a committee report shall recommend that the bill or other measure accompanying it, be referred to another committee, the Sec-

retary shall enter an order referring same to said committee unless the Senate otherwise direct.

Adopted.

Senator Doud from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your committee on Fish and Game to whom was referred Senate File No. 60, a bill for an act to prohibit the killing of squirrels in certain seasons of the year, and to amend section 2, chapter 156, acts of the Seventeenth General Assembly beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. P. DOUD, *Chairman*.

Ordered passed on file.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 213, an act relating to the Supreme Court and the terms thereof, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 328, an act providing for the issue of water works bonds by cities of the second class and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 8, an act limiting the time of making claims and bringing suits against municipal corporations including cities organized under special charters and find the same correctly enrolled.

JOHN K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 45, an act relating to the Hospital for the Insane at Clarinda to the Board of Commissioners thereof, and providing trustees therefor, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

BILLS ON THIRD READING.

Senate File No. 42, a bill for an act to amend section 10, chapter 151, laws of the Eighteenth General Assembly, was taken up.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Clark, Converse, Deal, Doud, Funk, Gatch, Hanchett, Hutchison, Kelly, Lawrence, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Vale, Woolson and Young—27.

The nays were:

Senators Barnett, Chesebro, Davidson, Dodge, Dooley, Groneweg, Harsh, Kegler, Kent, Knight, Mills, Taylor, Weber, Weidman and Wolfe—15.

Absent or not voting:

Senators Bolter, Cassatt, Dungan, Finn, Garlock, Mattoon, Schmidt and Sweeney—8.

So the bill passed and the title was agreed to.

On motion of Senator Kent, Senate File No. 203, a bill for an act to provide for the appointment of policemen in cities organized under special charters, with report of committee recommending amendments, was taken up out of its order, considered, and the report of the committee was adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Deal, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—43.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Dodge, Finn, Mattoon, Reiniger and Schmidt—7.

Senator Wolfe moved to amend the title of the bill by inserting the words "and removal" after the word "appointment."

Carried.

So the bill passed and the title as amended was agreed to.

Senator Woolson offered the following resolution, and moved its immediate consideration:

Resolved, That the Senate do now proceed to take up and consider those bills and resolutions upon the Senate calendar of this date which have been reported back from committees with adverse recommendation, and acted upon without debate; *provided*, that in any case where the Senator introducing the measure is absent, or objects to its immediate consideration, such bill or resolution shall not be taken up hereunder, but retain its place on the calendar.

Adopted.

The following bills were taken up under the resolution:

Senate File No. 55, a bill for an act to regulate the fencing of railways within the State of Iowa, with report of committee recommending that it be indefinitely postponed, was taken up.

Report of committee adopted.

Senate File No. 179, a bill for an act to amend certain sections of the Code, relating to juries, with report of committee that it be indefinitely postponed, was taken up.

Report of committee adopted.

Senate File No. 225, a bill for an act to amend section 2959 of the

Code of 1873, relating to attachment bonds, with report of committee recommending indefinite postponement, was taken up.

Report of committee adopted..

Senate File No. 113, a bill for an act to amend section 4021 of the Code, with reference to the markings and decorations of graves in public cemeteries, with report of Committee on Cities and Towns recommending that it be indefinitely postponed, was taken up.

Report of committee adopted.

Senate File No. 126, a bill for an act to amend section 12, chapter 40, acts of the Nineteenth General Assembly, relating to the idiotic and feeble minded, with report of Committee on Charitable Institutions recommending that it be indefinitely postponed, was taken up.

Report of committee adopted.

Senate File No. 41, a bill for an act entitled an act to exempt from taxation the homesteads of soldiers of the Union army where the same were obtained by or with the proceeds of a soldier's pension, with report of Committee on Ways and Means recommending that it be indefinitely postponed, was taken up.

Report of committee adopted.

Senate File No. 143, a bill for an act to amend section 3878 of the Code, with report of Committee on Judiciary recommending that it be indefinitely postponed, was taken up.

Report of committee adopted.

Senate File No. 103, a bill for an act to amend sections 377, 3725, and 3726 of the Code, and to authorize official short-hand reporters to administer oaths and to take depositions, with report of Judiciary Committee recommending indefinite postponement, was taken up.

Report of committee adopted.

Senate File, No. 129, a bill for an act to provide and preserve record evidence of the title of real estate, with report of Judiciary Committee recommending indefinite postponement was taken up.

Report of committee adopted.

Senate File No. 206, a bill for an act to amend chapter 134 of the acts of the Twenty-first General Assembly and providing for three terms of court per year in each county in the State of Iowa, with the report of Judiciary Committee recommending indefinite postponement was taken up.

Report of committee adopted.

Senate File No. 180, a bill for an act to amend section 1653 of the Code, relating to commitments to the Industrial School, with report of Judiciary Committee recommending indefinite postponement, was taken up.

Recommitted to the Committee on Judiciary on motion of Senator Clark.

Senate File No. 252, a bill for an act to amend chapter 36, acts of the Nineteenth General Assembly, concerning the education and qualifications of dentists, with report of Committee on Public Health recommending that it be indefinitely postponed, was taken up.

Report of committee adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT.—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 251, a bill for an act to protect the makers of negotiable instruments obtained by fraud or circumvention.

House File No. 286, a bill for an act restricting non-resident aliens in their right to acquire and hold real estate, and repealing sections 1908 and 1909 of the Code.

Also that the House has passed Senate File No 198, a bill for an act giving legislative assent to the purposes of the congressional act of March 2, 1887, in regard to the establishment of agricultural experimental stations in connection with agricultural colleges.

D. C. KOLP, Chief Clerk.

On motion of Senator Woolson House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9 of the Code of Iowa, relating to mutual insurance companies, with report of Committee on Insurance that it be referred to the Committee on Judiciary, was taken up.

So referred.

On motion of Senator Bayless, House messages were taken up.

House File 286, a bill for an act restricting non-resident aliens in their right to acquire and hold real estate, and repealing sections 1908 and 1909 of the Code.

Read first and second times and referred to the Committee on Agriculture.

House File No. 251, a bill for an act to protect the makers of negotiable instruments obtained by fraud or circumvention.

Read first and second times and referred to the Committee on Banks.

Senator Davidson moved that Senate File No. 216, a bill for an act requiring all goods put up in packages for sale by the package to have the exact weight of the contents put on each package, with report of Committee on Retrenchment and Reform recommending indefinite postponement, be referred to Committee on Commerce.

So referred.

By consent, Senator Sweney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: By inserting after the word "whatever" in line 13 of section 1 the words, "or to fix the rates of insurance, or the price for telegraph or telephone service," by striking out after the word "one" in line 2 of section 2 the remainder of the sentence and inserting the words "thousand dollars, nor more than five thousand dollars;" by inserting after the word "corporation"

in line 1 of section 2 the word "individual;" also by inserting after the word "it" in line 2 of said section the words "or they;" and to strike out all of section two after and including the word "an" in line 4 thereof, and that as herein amended the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

On motion of Senator Converse the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 16, 1888. }

The Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. H. H. O'Neal.

PETITIONS AND MEMORIALS.

Senator Price presented petition of voters and citizens of Bridgewater, Adair county, asking for the establishment of schedule freight rates; for reduction of passenger rates; for an elective railway commission; prohibiting free passes and discriminations.

Referred to the Committee on Railroads.

Senator Lawrence presented petition of employes of the Iowa Falls & Sioux City R. R., voters and tax-payers, asking for careful investigation before legislation.

Same reference.

Senator Davidson, presented two petitions of farmers and citizens of Boone, asking for reduction of freight and passenger rates.

Same reference.

Senator Mattoon presented petition of Wm. Marshall and 158 other citizens of Fayette, to establish a schedule of reasonable maximum freight rates; to reduce passenger rates to two cents; to make the office of railway commissioner elective; prohibiting free passes and discrimination.

Same reference.

Senator Chesebro presented petition of citizens of Columbus City; same subject.

Same reference.

Senator Dungan presented petition of H. C. Dillman and 43 others; same subject.

Same reference.

Also presented petition of E. F. Brookway and 44 other citizens of Washington county, on same subject.

Same reference.

Also presented petition of J. F. Sprague and 23 other citizens of Washington township, Lucas county, in favor of House File No. 19, by Cummins, on the subject of railroads, and Senate File No. 48, by Gatch, providing a mode of selecting the Railway Commissioners.

Same reference.

Senator Meservey presented four petitions of citizens of Ida county, on same subject.

Same reference.

Senator Poyneer presented petition of voters and citizens of Poweshiek county, same subject.

Same reference.

Senator Converse presented two petitions of citizens of Howard, same subject.

Same reference.

Senator Finn presented petition of citizens of Adams and Taylor, same subject.

Same reference.

Senator Parrott presented petition of members of the Brotherhood Locomotive Engineers, residents, voters and tax-payers, opposing a reduction of passenger and freight rates.

Same reference.

Senator Barnett presented petition of voters and citizens of Warren county, asking for schedule of freight rates, for reduction of passenger rates, for an elective railway commission, for prohibiting free passes and discrimination.

Same reference.

Senator Deal presented petition of citizens of Green and Sac counties, same subject.

Same reference.

Senator Harsh presented petition of citizens of Marion county, same subject.

Same reference.

Senator Cassatt presented petition of citizens of Swan, Marion county, same subject.

Same reference.

Also, presented statement of citizens of Pleasantville, showing reduction of freight rates and no discrimination.

Same reference.

Also, presented statement of shippers of Knoxville, showing reduction of freight rates and that there are no discriminations.

Same reference.

Also, presented petition of citizens of Clay township, Marion county, asking for reduction of freight and passenger rates, and for passage of bill introduced by Senator Finn.

Same reference.

Also, presented petition of A. L. Harvey and citizens of Harvey, asking enactment of Senate File No. 9.

Same reference.

Also, presented petition of citizens of Marion county for establishment of reasonable rates; reduction of passenger rates; making the office of railroad commissioner elective; to prohibit discrimination.

Same reference.

Also, presented petition of citizens of Red Rock township, Marion county, on same subject.

Same reference.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 45 and 213.

House File No. 8.

D. C. KOLF, *Chief Clerk.*

Senator Doud presented petition of citizens of Jasper county, establishing schedule of uniform rates; reduce passenger rates; make the office of railroad commissioner elective; to prohibit free passes.

Same reference.

Also, presented petition of citizens of Metz, Iowa, on same subject.

Same reference.

Senator Brower presented petitions of citizens of Clear Lake, Mason City, and others, for fish hatchery at Clear Lake, and for laws protecting fish in Iowa waters.

Referred to the Committee on Fish and Game.

Also, presented petition from East Grove Farmers' Alliance, Cerro Gordo county, regarding railroad legislation and other matters.

Referred to Committee on Railways.

Senator Vale presented petition of members of Harrisburg Alliance, Van Buren county, asking for schedule of freight rates, reduction of passenger fares; for an elective railway commission; prohibiting free passes and discriminations.

Referred to Committee on Railways.

Senator Mills presented eight petitions of citizens of Marshall county on same subject.

Same reference.

Senator Knight presented protest of citizens of Yarley, Dubuque county, against proposed railway legislation in reduction of passenger and freight rates.

Same reference.

Also, presented protest of citizens of Dubuque on same subject.

Same reference.

Also, presented protest of Dubuque branch of Brotherhood of Locomotive Engineers, same subject

Same reference.

Also, presented protest from Buena Vista, against railway legislation.

Same reference.

Also, presented protest of employes of the Minneapolis & St. Louis Railway Co., on same subject.

Same reference.

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Same reference.

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Same reference.

Senator Funk presented petition of Fenton Grange No. 1719, for reduction of railroad rates.

Referred to Committee on Railways.

Also, resolution in reference to revenue laws.

Referred to Committee on Judiciary.

Also, presented resolution of Fenton Grange No. 1719, regarding text-books.

Referred to Committee on Schools.

Also, presented remonstrance of Fenton Grange No. 1719, in regard to mill tolls.

Referred to Committee on Retrenchment and Reform.

Senator Wolfe presented petition of Franklin Follett, and 40 other citizens of Wheatland, Iowa, in favor of reduction of passenger fare and freight rates.

Referred to Committee on Railways.

Senator Cassatt presented petition of citizens of Albia, requesting passage of Senate File No. 197.

Referred to Committee on Insurance.

Senator Kelly presented three petitions of farmers and business men of Iowa county, asking for reduction of passenger and freight rates.

Referred to Committee on Railways.

Senator Bayless presented petition of citizens of Strawberry Point, Clayton county, on same subject.

Same reference.

Also, presented petition of citizens of Monona and vicinity, on same subject.

Same reference.

Also, presented petition of citizens of Elkport, on same subject.

Same reference.

Senator Barrett presented petition of citizens of Lyon county, protesting against railway legislation.

Same reference.

Also, presented petition of citizens of Iowa, on same subject.

Same reference.

Senator Harsh presented statement of shippers of Garden Grove, showing reduction of freight rates.

Referred to Committee on Railways.

Senator Caldwell presented petition of Dallas county for reduction of freight and passenger rates; making the office of Railroad Commissioner elective, and to prohibit free passes.

Same reference.

Senator Weber presented petition of citizens of Hardin county for

reduction of freight and passenger rates; making the office of Railroad Commissioner elective, and to prohibit free passes.

Same reference.

Also, presented petition of J. S. Hadley and other citizens of Union and vicinity, same subject.

Same reference.

Also, presented petition of A. J. Mabie and others of Hardin county, same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Woolson, in behalf of Judiciary Committee, Senate File No. 287, a bill for an act to establish and provide for the government of State libraries, and to make appropriation therefor.

Read a first and second time and, on motion of Senator Woolson, made special order for 3 P. M. next Tuesday.

By Senator Seeds, Senate File No. 288, a bill for an act to amend section 471 of the Code of 1873, relating to the power of establishing water works by cities and towns, and making the powers granted in sections 472, 473 and 474 of the Code of 1873, applicable to establishment of gas works or electric light plants, and provide for the payment for same by the issuing of bonds.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gatch, by request, Senate File No. 289, a bill for an act amending section 14 of chapter 143 of the public law of the Twentieth General Assembly, in relation to transportation of Alcohol.

Read first and second times and referred to the Committee on Commerce.

Senator Hutchison, from the Committee on Ways and Means submitted the following report:

MR. PRESIDENT.—Your Committee on Ways and Means, have had under consideration the necessity of providing an extra half mill levy for the years 1888 and 1889, beg leave to report and offer a bill providing for such levy, which is herewith presented with the recommendation that it do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

By Senator Hutchison, for Committee of Ways and Means, Senate File No. 290, a bill for an act to provide for the levy of one-half ($\frac{1}{2}$) mill State tax for the years 1888 and 1889, to pay the outstanding indebtedness of the State.

Read first and second times and made special order for next Wednesday, 2:30 P. M.

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT.—Your Committee on Judiciary to whom was referred House File No. 215, a bill for an act to amend section 976 of

the Code, relating to payment of taxes to township clerks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 238, a bill for an act to legalize the ordinances of the town of Corning, Adams county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 112, a bill for an act to amend sections 3639 of the Code, in relation to evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 250, a bill for an act in relation to the duties of county surveyors, amendatory of section 3844 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to Committee on Compensation of Public Officers.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 64, a bill for an act to amend section 2273 of the Code, in regard to guardians, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 114, a bill for an act to amend section 11 and to repeal section 17, and enact a substitute therefor, of chapter 52 of the acts of the Twenty-first General Assembly, providing for the appointment of a dairy commissioner, continuing said act as amended herein and providing an appropriation therefor, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 88, a bill for an act to amend section 1464 of the Code, or to prevent stock from running at large in the public highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in section 1 after the word "highway" the words "adjoining thereto," and when so amended that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Agriculture, to whom was referred Senate File No. 130, a bill for an act to repeal section 5 of chapter 70 of the laws of the Twentieth General Assembly, in relation to domestic animals killed or injured by dogs, and to enact the following in lieu thereof, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and instructed me to report the same back to the Senate with the recommendation that the substitute do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Deal, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT.—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 127, a bill for an act to amend section 3798 of the Code of Iowa, relating to "compensation of county auditors," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JNO. K. DEAL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers to whom was referred Senate File No. 147, a bill for an act to provide for the payment of the *per diem* and mileage allowed to the Visiting Committee to Hospital for Insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JNO. K. DEAL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 170, a bill for an act to amend section 3798 of the Code, relating to compensation of public officers, beg leave to report that they have had the same under con-

sideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JNO. K. DEAL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 109, a bill for an act fixing the compensation of the deputies of county clerk, county treasurer and county auditor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after word "counties" in the first line of section 1 of the bill the words "with a population of twenty thousand and over as shown by the State census of 1885," and as amended the bill do pass.

JNO. K. DEAL, *Chairman*.

Ordered passed on file.

Senator Deal from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate File No. 45, an act relating to the hospital for the insane at Clarinda, to the board of commissioners thereof, and providing trustees therefor.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval, Senate File No. 213, an act relating to the Supreme Court and the terms thereof.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval, House File No. 8, an act limiting the time of making claims and bringing suits against municipal corporations, including cities organized under special charters.

JNO. K. DEAL, *Chairman*.

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 3, a bill for an act to provide for the State printing and binding, and repealing certain portions of the Code relating to the election, duties and compensation of State Printer and State Binder, beg leave to report that they have had the same under consideration, have adopted a substitute for Senate File No. 3, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. F. WEBER, *Chairman*.

Ordered passed on file.

Senator Weber moved that the substitute be printed.

Carried.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate File No. 56, a bill for an act to amend sections 4413 and 4414 of the Code of Iowa, relating to peremptory challenges of jurors in criminal cases, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

Senator Garlock, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred concurrent resolution, recommending that the Governor pardon Edward B. Wildman, now confined in Ft. Madison Penitentiary under life sentence, beg leave to report that they have had the same under consideration, with the petitions, letters and affidavits accompanying the same, and have instructed me to report the resolution back to the Senate with the recommendation that it do pass.

A. O. GARLOCK, *Chairman*.

Ordered passed on file.

On motion of Senator Barrett, made a special order for Friday, at three o'clock.

THIRD READING OF BILLS.

Senate File, No. 56, a bill for an act to amend sections 4413 and 4414, relating to peremptory challenges of jurors in criminal cases, was taken up and read a third time.

On the question shall the bill pass.

The yeas were:

Senators Barnett, Barrett, Bills, Caldwell, Converse, Davidson, Deal, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Knight, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe and Young—31.

The nays were:

Senators Bayless, Bolter, Cassatt, Chesebro, Clark, Dooley, Doud, Dungan, Finn, Hanchett, Kegler, Kent, Mattoon, McCoy, Schmidt, Taylor and Woolson—17.

Absent or not voting:

Senators Brower and Dodge—2.

So the bill passed and the title was agreed to.

Senate File No. 257, a bill for an act amending chapter 83, laws of the Twenty-first General Assembly, relative to the sale of poisons, with House amendment was taken up.

On the question of concurrence in House amendment.

The nays were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cassatt,

Clark, Caldwell, Chesebro, Converse, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—47.

Absent or not voting:

Senators Dodge, McVay and Sweney—3.

So the Senate refused to concur.

BILLS ON SECOND READING.

Senate File No. 77, a bill for an act relating to evidence in insurance cases, with report of Committee on Insurance recommending that it be indefinitely postponed, was taken up.

On motion of Senator Weber consideration of this bill was postponed until Senate File No. 52 was disposed of.

Senate File No. 78, a bill for an act to amend section 1146 of the Code of 1873, relating to insurance notes, with report of Committee on Insurance recommending that it do pass, was taken up.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dooley, Doud, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weber, Weidman, Wolfe and Young—40.

The nays were:

Senators Dungan, Groneweg and Schmidt—3.

Absent or not voting:

Senators Cassatt, Clark, Dodge, Kent, Poyneer, Woolson and Sweney—7.

So the bill passed and the title was agreed to,

Senate File No. 119, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly, relating to the State Board of Health, with report of Committee on Public Health recommending a substitute and that it do pass, was taken up, and the substitute adopted.

Senator Reiniger moved a reconsideration of the vote by which the substitute was adopted.

Carried.

Senator Kegler moved that further consideration be postponed till next Wednesday at 2:30 o'clock P. M.

On this question the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Gron-

eweg, Harsh, Kegler, Mattoon, McVay, Meservey, Mills, Poyneer, Taylor and Weber—24.

The nays were:

Senators Doud, Gatch, Hutchison, Lawrence, McCoy, Parrott, Price, Reiniger, Smith, Vale, Weidman, Wolfe and Young—13.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Clark, Garlock, Hanchett, Kelly, Kent, Knight, Schmidt, Seeds, Sweney and Woolson—13.

So the motion did not prevail.

Senator Reiniger moved to amend by striking out the publication clause.

Carried.

Senator Dungan moved to amend as follows: Strike out the word "six" and insert the word "eight."

Carried.

The question recurring on the adoption of the substitute it was adopted.

On the question, shall the bill be considered engrossed and read a third time to-morrow.

The yeas were:

Senators Bills, Bolter, Brower, Caldwell, Clark, Davidson, Deal, Dungan, Finn, Funk, Garlock, Gatch, Harsh, Hutchison, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Smith, Vale, Weber, Weidman, Woolson—29.

The nays were:

Senators Barnett, Bayless, Cassatt, Converse, Chesebro, Dodge, Dooley, Doud, Groneweg, Hanchett, Kegler, Knight, Schmidt, Taylor, Wolfe—15.

Absent or not voting:

Senators Barrett, Kelly, Kent, Seeds, Sweney, and Young—6.

So the bill was ordered engrossed.

Senate File No. 19, bill for an act to merge the bureau of labor statistic with the office of Secretary of State and to abolish the office of commissioner of labor statistics with report of committee on labor recommending indefinite postponement was taken up.

Report of committee adopted.

Senator Reiniger by leave introduced Senate File No. 291, a bill for an act providing for the purchase or printing by the State of text books for use in the public schools, and for their distribution and sale.

Read first and second times and referred to the Committee on Schools.

Senate File No. 17, a bill for an act to repeal section 2521 of chapter 1, of title 17 of the Code, relating to actions upon judgments rendered in this State, and enact a substitute therefor with report of Committee on Judiciary recommending amendments and that it do pass was taken up.

Report of committee adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Keger, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—45.

The nays were none.

Absent or not voting:

Senators Bolter, Deal, Finn, Mattoon and Schmidt—5.

On motion of Senator Woolson, the words "Title 1, chapter 17," were stricken from the title of the bill.

So the bill passed, and the title as amended was agreed to.

REPORTS OF RAILWAY COMMITTEE.

By unanimous consent Senator Sweney, from the Committee on Railways, submitted the following reports:

MR. PRESIDENT—Your Committee on Railways submit herewith, bills with recommendation that they do pass bills with accompanying reports, as Senate Railway Committee Bills, and submit therewith the following general considerations:

The separate bills herewith submitted, each embody distinct principles in legislation, not necessary to be embraced in any one bill. Your committee submits them in the order in which they believe they should be acted upon. If the various matters embraced in these bills had been combined into one, the measure would necessarily subject the bill to amendment upon every point involved, or to the antagonism of every legislator not agreeing with every principal involved in the entire bill. By the method adopted, all who favor the enactment of any one of the principles involved in the several bills into law, may do so, leaving them free to oppose or amend bills involving only the principles upon which they differ.

Your committee would further state that, excepting on the question of reduction of passenger fares, as provided in Senate File 9, to the recommendation of which there are two dissenting votes in your committee, and to the recommendations of Senate File 15, to which there is one dissenting vote, the committee are unanimous.

They have carefully and to the best of their ability, examined into the principles embodied in the bills herewith presented, and have heard the statements and arguments offered by all the interests in the State, which have asked for a hearing before them.

A majority of the committee believe in the principle of establishing maximum freight rates by law. The bills presented herewith have been framed and amended with a view to conformity with a law, establishing maximum freight rates, if in the wisdom of the General Assembly the same shall be adopted.

The enactment of the inter-state commerce law has remedied many evils in transportation existing in Iowa before the same went into operation. That discriminations are practiced yet in State commerce is undeniable. Local rates in Iowa are in many instances and as a general rule so much in excess of rates in force east of the State as

to seriously cripple, embarrass and threaten with disaster the manufacturing, jobbing and shipping interests of the State.

Your committee deem it the duty of the legislature to protect the interests of the State by laws giving to our people equitable rates with commercial and manufacturing possibilities at least comparable with those of other States surrounding and adjoining. Under present arrangements of transportation tariffs this is denied them, and to these interests, so necessary to a prosperous State, a fair chance for profit in competition with those outside the State is made impossible. Business legitimately belonging to Iowa cities, is by discrimination against them drawn away and profits to business men of the State are unjustly lessened by the same cause. The result is that ambitious, enterprising business men, seeing better opportunities in other States and cities, favored by better rates, leave Iowa and engage in business elsewhere. Such advantages exist on at least three sides of Iowa. The capital and energy thus involved is not only being removed from the State, but the same capital and energy when thus removed is turned against the material interests of Iowa through the intimate knowledge and former control of, or connection with lines of business within the State. The inevitable tendency of this is, and your committee believe has been to depress business generally; to depopulate the State to no inconsiderable extent, and to enormously depreciate the values of real estate of our people.

No interest should be deemed or allowed to be paramount to the interest of the State and the prosperity of the people.

The proposed laws reported by your committee, we believe will result in no injustice to any railroad corporation.

The purpose is to correct existing evils, evils long suffered and admitted to exist and to have existed, by the able representatives of the corporations who have been before your committee.

Your committee believe that the bills herewith reported, will, if enacted into laws, secure to the people correction of these evils, establish equitable relations between the people and their servants, the corporations engaged in transportation, and while doing no injustice to any interest, secure justice to the people with great and almost incalculable benefit to the State.

All of which is respectfully submitted.

J. H. SWENEY, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 18, a bill for an act to regulate commerce by railroads within the limits of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended:

By inserting the enacting clause.

By renumbering the sections so that the matter immediately following the enacting clause be known as section 1, and section 1 in the original bill be known as section 2, and so on in like order.

By striking out the words "undue or unreasonable," in line 10 of section 3 (as renumbered), and also in lines 4 and 5 of same section.

By inserting after the word "in" in line 9, of section 4, the word

"a"; also, the same after the word "than" in line 10, and by striking out the letter "s" in the word "lots," occurring in lines 9 and 10 of same section.

By striking out the word "charges" in lines 14 and 20 of section 6, and where occurring the second time in line 16, and substituting the word "changes" in lieu thereof.

By adding to said section 6 the following: Provided, that nothing in this act shall be construed as authorizing any common carrier to increase any rate of passenger or freight charges that have been or may be established by law, or by the Board of Railway Commissioners.

By striking out the words "while traveling on business for the road and for no other purpose" in lines 3 and 4 in section 9.

By inserting after the word "conventions" in line 6 of said section the words "or giving excursion rates."

By striking out the words "to exceed" in line 12 of section 10 and substituting therefor the words "less than two hundred dollars nor more than."

And by adding section 11 as follows: "All acts or parts of acts inconsistent herewith are hereby repealed."

And that as herein amended the same do pass.

J. H. SWENEY, *Chairman*.

Also:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred Senate File No. 15, a bill for an act amendatory to chapter seventy-seven (77) of the acts of the Seventeenth (17th) General Assembly, making and defining the duties of Railroad Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting the word "a" in line two of section one the words "classification and;" also by striking out the words "passengers and" in line three; also by striking out the words "any passenger, or" in line six of said section one; and by adding to said section one the following: "Provided that the said rates of charges to be fixed by said commission shall not in any case exceed the rates which are or may hereafter be established by law," and as herein amended the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred Files Nos. 8, 26, 48, 102, 108 and a part of Senate File 39, bills prescribing the manner of selecting Railway Commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute, with the recommendation that it be adopted, and, when adopted, that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file, and substitute ordered printed.

Also:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred Senate File No. 9, a bill for an act fixing the rate of passenger

fares on railroads, and to repeal section 2, chapter 68, acts of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting after the word "children" in line 6 of section 1, the words "between five and"; also, by inserting after the word "prescribed" in line 7 of section 1 the following: "And provided, further, that all children under the age of five years shall be transported free when accompanied by and in charge of any person who pays full fare, as herein provided"; by striking out section 2 of original bill, and by adding section 2 as follows: "All full fare tickets, mileage or otherwise, sold and issued by any railroad company, shall be good until used, and shall be good going in either direction between the points designated in any such ticket", and that as herein amended the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways have instructed me to report a bill for an act by this committee, to repeal section 8, chapter 77, acts of the Seventeenth General Assembly, and report that they have had the same under consideration, and the same is herewith offered with the recommendation that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

The accompanying bill, Senate File No. 292, a bill for an act to repeal section 8, chapter 77, acts of the Seventeenth General Assembly, read first and second times, placed on file and ordered printed.

Senator Sweney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways beg leave to report that they have had the accompanying bill, providing for the establishment of freight and passenger stations, etc., and have instructed me to report the same to the Senate with the recommendation that the same do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

The accompanying bill, Senate File No. 293, read first and second times, passed on file and ordered printed.

Senate File No. 293, a bill for an act providing for the establishment of freight and passenger stations at points where railroads cross each other, defining certain duties of railroad companies relating to transfer at such points of freight and passengers, and conveyance of railroad commissioners and clerical force over railroads; the duty of railroad commissioners as to change of schedule time of roads to cause trains to connect with trains on other railroads, and railroad companies to comply with said orders, and repealing chapter 24 of the acts of the Twentieth General Assembly and all acts in conflict therewith.

Senator Sweney moved that all bills and substitutes reported today by the Railroad Committee with amendments inserted as they would stand if adopted by the Senate, and that they be printed as

committee bills, that 300 extra copies be ordered printed and that majority and minority reports and also the general reports be printed.
Carried.

MINORITY REPORT ON SENATE FILE NO. 9.

The minority report of your committee cannot concur with the majority in recommending the passage of Senate File No. 9, which is a bill for an act fixing the rate of passenger fares on railroads within the State of Iowa. It is the purpose of the bill to limit to compensation per mile for transportation of any person with ordinary baggage, not exceeding one hundred pounds in weight, as follows: Class "A," two cents; class "B," two and a half cents; class "C," three cents.

Your minority beg leave to report, that at this session of the Legislature they are not in favor of any reduction in passenger fares on the railroads of Iowa, for the reasons herein briefly expressed. There has been unanimously reported to the Senate by the Senate Railway Committee, a certain measure, being "An act to regulate commerce by railroads within the limits of the State of Iowa," which will cause a radical change in the freight tariffs of Iowa roads, and approximately reduce the revenues of the railways twenty-five per cent. By the adoption of the majority report of this committee and the passage of the bill they recommend, to-wit: Senate File No. 9, it will take from the railroad companies one-third of their present passenger earnings. This great deduction in conjunction with the contemplated change in the freight tariffs and the consequent revenues therefrom, will seriously, and possibly disastrously, effect not only the railroads, many of which begin and end in the limits of Iowa, but the commerce and the wage workers in the employment of these corporations. The farmers, jobbers and business men of our State are demanding a change in freight tariffs and we believe that if this Assembly shall adopt the Railway Committee bill, or a like one, that they will receive the relief that they have so long wanted and to which they are so justly entitled. But there seems to have been no bona fide demand for a reduction of passenger fares except by the last platforms of the political parties of Iowa, and this issue was entirely lost sight of in the late campaign.

Your minority is guided in reaching its conclusion largely and almost entirely on the appeals of the different labor organizations connected with the railroads of our State, such as the Brotherhoods of Locomotive Engineers, Conductors, Brakemen, Switchmen and Firemen. Each of these orders were represented by able and intelligent men, who appeared before your committee and protested against the passage of this measure, to-wit: Senate File No. 9, reported favorably by your majority, claiming that such a reduction of passenger fares as contemplated by the majority hereof, would ultimately result in a reduction of the wages of the railroad laboring men. Your minority, therefore, cannot, for the potent reasons above named support such a radical change in a law for which there was no genuine demand, and which may do irreparable injury and wrong not only to the inmates of the round-houses, but also the men

who hazard their lives on the rail. Your minority might be of a different mind if they could be assured that such a reduction of passenger fares as contemplated by your majority, would affect only the wages of the high paid officials of the railroads. But, the preponderance of the evidence before us, indicates that the humble day-laborer must first suffer. We, therefore, cannot conscientiously favor a law that will, from present indications, throw many day-laborers out of employment, reduce the wages of others, interfere with the commerce of our State, cause the railroads to abandon many now convenient local passenger trains that have been shown do not pay running expenses, and above all may cause trouble and strikes in our State among the laborers in the employ of these corporations. These are the reasons briefly set forth, that solely and entirely guide the minority of your committee in reaching its conclusions, all of which is respectfully submitted.

W. W. DODGE.

February 16, 1888.

Senator Bolter presented resolutions offered by teachers of Harrison county, that they desire text books free of cost to pupils.

Referred to Committee on Schools.

On motion of Senator Gatch, Senate File No. 289 was withdrawn from the Committee on Commerce and referred to Committee on Suppression of Intemperance.

Senator Clark by consent introduced, Senate File No. 294, a bill for an act to amend section 4783 of the Code, reenacted by chapter 200 laws of the Eighteenth General Assembly, fixing compensation of the officers and guards of the penitentiary at Ft. Madison and Anamosa.

Read first and second times and referred to the Committee on Compensation of Public Officers.

Senator Taylor, by consent, introduced Senate File No. 295, a bill for an act to create drainage districts, and to provide for improvement of low lands and lands subject to overflow.

Read first and second times and referred to the Committee on Agriculture.

Senator Woolson moved that the rule relating to printing bills be suspended, and that the State Printer be instructed to print the railroad bills presented to day and the reports accompanying, in preference to other Senate bills.

Senator Sweney moved that the bills reported from the Railway Committee to day be made a special order for Thursday, March 1, at 9 a. m., and that they be considered in the order in which they were reported back from the committee.

Carried.

On motion by Senator Converse, Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, February 17, 1888. }

Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. Pennington.

PETITIONS AND MEMORIALS.

Senator Clark presented petition of citizens of Shenandoah, Page county, Iowa, asking schedule of freight rates; for reduction of passenger fares; an elective Railway Commission; and prohibiting free passes and discrimination.

Referred to Committee on Railways.

Senator Seeds presented petition of citizens of Delaware county, same subject.

Same reference.

Senator Weidman presented petition of Albert Wright and 32 other voters and citizens, of Elliott, Montgomery county, Iowa, same subject.

Same reference.

Also presented petition of N. Gibson, W. R. Roberts and 63 other citizens of Stanton, Montgomery county, same subject.

Same reference.

Also presented petition of C. Hascall, John Bixley and 15 citizens, of Montgomery, Mills county, same subject.

Same reference.

Also presented petition of G. F. Fritch and 11 other citizens of Hastings, of Mills county, same subject.

Same reference.

Also presented statement of S. W. Tubbs, and 9 other shippers of Emerson, Iowa, showing the reduction in freight rates on live stock and grain from Emerson to Chicago during the past ten years.

Same reference.

Senator Davidson presented petition of A. B. Kibbell and 33 other citizens, of Story county, Iowa, asking a schedule of freight rates, reduction of passenger fares, Railway Commission elective, prohibiting free passes and all discriminations.

Same reference.

Senator Reiniger presented petition of Joe S. Triggs and other citizens, of Floyd county, for the protection of fish.

Referred to Committee on Fish and Game.

Senator Taylor presented petition of Hon. L. B. Downing and 52 farmers near Drakeville, Davis county, in favor of schedule of freight rates, reduction of passenger rates, elective Railway Commissioners, prohibiting free passes and discriminations.

Referred to the Committee on Railways.

Senator Bills presented petition of C. L. Scheile and 68 others of Cedar county, same subject.

Same reference.

Senator Harsh presented petition of L. A. Fleming and 31 others of Ringgold county, same subject.

Same reference.

Senator Caldwell presented petition of James Parker and other citizens of Dallas county, same subject.

Same reference.

Senator Meservey presented petition of D. H. Finch and others of Cherokee, same subject.

Same reference.

Also presented petition of J. W. Kelly and other citizens of Ida county, same subject; and also says "watered railroad stock must go."

Same reference.

Senator Doud presented petition of citizens of Jasper county, Iowa, same subject.

Same reference.

Senator Young presented petition of citizens near Atlantic, Cass county, Iowa, same subject.

Same reference.

Senator Price presented five petitions of citizens of Adair county, same subject.

Same reference.

Senator Young presented petition of Horace Everett and others of vicinity of Council Bluffs, asking for the abolishment of corporal punishment in schools.

Referred to Committee on Schools.

Senator Woolson presented two petitions, one of C. K. Brown and 66 others of Washington county, and one of W. P. Young and 75 other citizens of Henry county, asking for two cent fare, election of Railway Commissioners and prohibiting passes.

Referred to the Committee on Railways.

Senator McVay presented petition of Walter M. Evans and other citizens of Gowrie, Webster county, same subject.

Same reference.

Senator Mattoon presented petition of A. N. Goodrich and other citizens of Fayette county, same subject.

Same reference.

Senator Barrett presented petition of Thomas McQuirk and other citizens of Sioux county, same subject.

Same reference.

Senator Deal presented two petitions of Chas. Siffered and of J. C. Bodine and other citizens of Sac county, same subject.

Same reference.

Senator Kelly presented two petitions of Dr. T. J. Shull and others of Parnell, and of D. J. O'Leary and others of Iowa county, same subject.

Same reference.

Senator Weber presented petition of D. H. Fillmore and others of Wright county, same subject.

Same reference.

Also, presented petition of J. N. Watson and others of Hamilton county, same subject.

Same reference.

Also, presented petition of Members of Alliance No. 714 at Dows, Wright county, same subject.

Same reference.

Senator Dungan presented petition of A. L. George and other citizens of Lucas county, same subject.

Same reference.

The President presented petition of John Miller and other citizens of Ringgold county, same subject.

Same reference.

Senator Sweney presented petition of Mrs. S. S. West and 100 other citizens of Mitchell county, asking repeal of section 9, chapter 104, of acts of the Twenty-first General Assembly.

Referred to Committee on Public Health.

Also, presented petition of Henry Foster and 200 other citizens of Mitchell county, asking that section 9, chapter 104 of acts of the Twenty-first General Assembly be repealed.

Same reference.

Senator Dodge presented petition of M. F. Jackson and others of Des Moines county, asking for railway legislation.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Caldwell, by request, Senate File No. 296, a bill for an act in relation to the duties of county surveyors.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Sweney, Senate File No. 297, a bill for an act to legalize the incorporation and ordinances of the town of Northwood, Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Bills, Senate File No. 298, a bill for an act to appropriate funds to carry on the work at the Penitentiary at Anamosa, and for other purposes connected therewith.

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

By Senator Bolter, Senate File No. 299, a bill for an act to legalize the incorporation of the town of Panama, Shelby County, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Read first and second times and referred to the Committee on Cities and Towns.

RESOLUTIONS.

Senator Kegler's resolution regarding the election of trustees from the different political parties for the various State Institutions.

Senator Kegler moved that the consideration of the resolution be postponed for the present.

Senator Bayless offered the following resolution and moved its immediate consideration:

Resolved, That when this body adjourns to-day, that it be to meet again at 2 o'clock P. M. on Tuesday, February 21.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 159, a bill for an act to legalize the ordinances of the incorporated town of Peterson, in Clay County, Iowa.

D. C. KOLP, *Chief Clerk*.

Senator Parrott, from the Committee on Cities and Towns submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom referred House File No. 44, a bill for an act granting additional powers to cities organized under special charters with reference to the improvements of streets, highways, avenues or alleys, and to provide a system for payment therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking the words "of the first and second class" out of the first and second lines of section 1, and that when so amended the bill do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred Senate File No. 59, a bill for an act granting additional power to cities organized under special charters with reference to the improvement of streets, highways, avenues or alleys and to provide a system for payment therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 145, a bill for an act amending section 468 of the Code, relating to temporary sidewalks in incorporated towns and cities, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding the words "not exceeding 40 cents per lineal foot of so much of the walk as shall be so repaired," to the first section of said bill, and when so amended the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Seeds by unanimous consent presented the petitions of citizens of Buchanan county asking the repeal of section 9, chapter 104, acts of the Twenty-first General Assembly.

Referred to the Committee on Public Health.

Senator McVay presented petition of citizens of Fort Dodge, Webster county on same subject.

Same reference.

Senator Hanchett presented report of visiting committee to the State Hatching House, at Spirit Lake.

Passed on file and ordered printed.

BILLS ON SECOND READING.

Senate File No. 105, a bill for an act to amend section 3, chapter 211, laws of the Eighteenth General Assembly of Iowa, with report of Committee on Insurance, recommending that it do pass was taken up.

Senator Smith moved to amend by inserting the word "such" in fourth line printed bill before the word "notice."

Carried.

Senator Poyneer moved that further consideration be postponed until after special order for three o'clock is disposed of.

Carried.

Senator Dodge from the Committee on Engrossed Bills submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate File No. 119, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, relating to the State Board of Health, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

Senate File No. 95, a bill for an act to repeal sections 857, 865 and 866 as amended by chapter 194, Twentieth General Assembly, in regard to the semi-annual collection of taxes, and to enact the following in lieu thereof with report of Committee on Ways and Means recommending that the bill be indefinitely postponed was taken up.

Senator Kegler moved that further consideration of the bill be postponed.

Carried.

Senate File No. 146. A bill for an act repealing section 1065, of the Code of 1873, and enacting a substitute therefor, with report of Committee on Judiciary, recommending amendments, and when amended that it do pass, was taken up.

The report of committee adopted.

Ordered engrossed and read a third time to-morrow.

Senate File No. 21, a bill for an act to repeal chapter 123, acts of the Sixteenth General Assembly; also chapter 173, acts of the Seventeenth General Assembly, relating to voting tax and bonds to aid railroads, with report of Committee on Railways recommending that it be indefinitely postponed, was taken up and considered.

SPECIAL ORDER.

The hour having arrived for the special order, it being the the consideration of concurrent resolution recommending that the Governor pardon Edward B. Wildman, now confined in Fort Madison penitentiary under life sentence, with the report of Committee on Penitentiary and Pardons, recommending that it do pass.

Senator Barrett moved to postpone special order until the bill before the Senate be disposed of.

Carried.

By unanimous consent Senator Poyneer moved that Senate File No. 133, a bill for an act to repeal chapter 189, acts of the Twentieth General Assembly, relating to the appointment of a State Veterinary Surgeon, and to provide a substitute therefor, with report of Committee on Agriculture reporting amendments and that it do pass, be made a special order for Tuesday, Feb. 21, at 3:30 P. M.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to the election of Wardens of the Penitentiaries of the State.

D. C. KOLP, *Chief Clerk.*

Senators Converse and Taylor were excused.

The question recurring on Senate File No. 21, with report of committee recommending indefinite postponement. On the question shall the report of the committee be adopted, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Brower, Caldwell, Clark, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weidman, Wolfe and Young—32.

The nays were:

Senators Barnett, Bills, Bolter, Cassatt, Davidson, Dooley, Knight, McVay, Poyneer, Price, Weber and Woolson—12.

Absent or not voting:

Senators Chesebro, Converse, Deal, Kegler, Kelly and Taylor—6.

So the report of the committee was adopted.

SPECIAL ORDERS.

The consideration of special orders now being in order, it being Concurrent Resolution, recommending that the Governor pardon Edward B. Wildman, now confined in Ft. Madison penitentiary, under life sentence, with report of Committee on Penitentiary and Pardons, recommending that it do pass, was taken up.

Resolution adopted.

Senate File No. 105, a bill for an act to amend section 3, chapter 211, laws of the Eighteenth General Assembly of Iowa, with report of Committee on Insurance, recommending that it do pass, was taken up, it now being in order, and it was considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Cassatt, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Smith, Sweney, Vale, Weidman, Wolfe and Young—35.

The nays were none.

Absent or not voting:

Senators Chesebro, Converse, Deal, Garlock, Kegler, Kent, Kelly, Knight, Mattoon, Price, Schmidt, Seeds, Taylor, Weber and Woolson—15.

So the bill passed and the title was agreed to.

By unanimous consent, Senator Gatch introduced the following resolution, and moved its immediate consideration:

Resolved, That the President of the Senate is hereby authorized to certify the time of Walter Taylor, while acting as temporary page for the Senate.

Adopted.

Senate File No. 101, a bill for an act to amend section 9, of chapter 104, acts of the Twenty-first General Assembly, as to physicians, with report of Committee on Public Health recommending that it do not pass, was taken up.

Senator Finn moved that the bill be indefinitely postponed.

Carried.

Senate File No. 97, a bill for an act to amend chapter 1, of title 11, of the Code, in reference to the relief of the poor and the manner of obtaining the same, and providing criminal punishment for the violation of this act, with report of Committee on Judiciary reporting amendments and that it do pass, was taken up.

Senator Wolfe moved that it be passed on file.

Carried.

Senate File No. 234, a bill for an act to regulate the charges of the owners of telephones and telephone lines for the use of such instruments and lines, with report of Committee on Corporations recommending that it be indefinitely postponed, was taken up.

Report of committee adopted.

Senate File No. 165, a bill for an act to provide for the secrecy of the ballot and prevent undue influence within one hundred feet of voting places, with report of Committee on Retrenchment and Reform recommending that it do pass, was taken up.

Senator McCoy moved to amend by striking out all after the word "fined," in the seventh line of the printed bill, and insert: "In a sum not exceeding one hundred dollars or by imprisonment in the county jail for a term not exceeding thirty days."

Adopted.

Senator Hutchison moved to amend as follows:

Add at the end of the bill: "*Provided*, This act shall not apply to cities having a population of 2,500 inhabitants and over, according to the last State or National census."

Senator Bolter moved that further consideration be postponed and that the bill pass on file.

Carried.

Senator Sweney moved that the Secretary of the Senate be instructed to request the return to the Senate of Senate File No. 105.

Carried.

Senator Sweney filed a motion that the vote by which the bill was passed and the rule was suspended and the bill considered engrossed and read a third time now, with reference to Senate File No. 105, be reconsidered.

Senate File No. 142, a bill for an act to repeal chapter 45 of the acts of the Seventeenth General Assembly of Iowa, and abolishing the office of the Iowa weather service, with report of Committee on Retrenchment and Reform recommending that it do pass, was taken up.

Senator Weber moved that it be made a special order for two weeks from next Thursday, March 8, at 4 o'clock, P. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Clark, Davidson, Deal, Dooley, Dungan, Finn, Funk, Gatch, Harsh, Hutchison, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Poyneer, Reiniger, Sweney, Weber, Weidman and Wolfe—25.

The nays were:

Senators Doud, Groneweg, Hanchett, Parrott, Schmidt, Seeds, Smith and Woolson—3.

Absent or not voting:

Senators Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Converse, Dodge, Garlock, Kegler, Kelly, Knight, McCoy, Price, Taylor, Vale and Young—17.

So the motion prevailed and the bill was made special order for March 8, 1888, at 4 o'clock P. M.

On motion of Senator Bolter, Senate File No. 165 was allowed to retain its place on the calendar.

Senate File No. 99, a bill for an act conferring certain powers upon cities of the first class, including cities organized under special charters and amending such charters, pertaining to live stock and meat inspection with report of Committee on Cities and Towns recommending that it do pass was taken up.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Clark, Davidson, Dodge, Doud, Dungan, Finn, Funk, Gatch, Grone-
weg, Hanchett, Harsh, Hutchison, Kent, Lawrence, Mattoon, McCoy,
McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith,
Sweeney, Vale, Weber, Weidman, Wolfe and Young—38.

The nays were—none.

Absent or not voting:

Senators Brower, Chesebro, Converse, Deal, Garlock, Kegler, Kelly
Knight, Price, Seeds, Taylor and Woolson—12.

So the bill passed and the title was agreed to.

Senate File No. 23, a bill for an act to amend section 471, chapter
154, laws of 1874.

Committee on Cities and Towns recommend amendments and that
it do pass.

Senator Funk moved that it be passed and retain its place on the
calendar.

Carried.

At request of Senator Kent, unanimous consent was given and Sen-
ate File No. 97, a bill for an act to amend chapter one of title 11 of
the Code, in relation to the relief of the poor, and of the manner of
obtaining the same, and providing criminal punishment for the vio-
lation of this act, with report of committee recommending amend-
ments and it do pass, was taken up and amendments were adopted as
recommended.

Senator Wolfe moved that the rule be suspended, and the bill be
considered engrossed, and read a third time now, which motion pre-
vailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Clark,
Dodge, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison,
Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer,
Reiniger, Smith, Sweeney, Vale, Weber, Weidman, Wolfe and Young
—31.

The nays were:

Senators Bolter, Davidson, Hanchett, Knight and Parrott—5.

Absent or not voting:

Senators Cassatt, Chesebro, Converse, Deal, Dooley, Finn, Grone-
weg, Kegler, Kelly, Price, Schmidt, Seeds, Taylor and Woolson—14.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Dodge, from the Committee on Engrossed Bills, submitted
the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully

report that they have examined Senate File No. 146, a bill for an act to repeal section 1065 of the Code, relating to changing articles of incorporation, and enacting a substitute therefor, and find the same correctly engrossed.

W. W. Dodge, *Chairman*.

On motion of Senator Gatch Senate File No. 202, a bill for an act imposing a tax on corporate franchises and shares of stock, was withdrawn from the Committee on Appropriations and referred to Committee on Corporations.

On motion of Senator Woolson House messages were taken up.

HOUSE CONCURRENT RESOLUTION.

Resolved by the House the Senate concurring, That when this Assembly shall meet in joint convention on Thursday, February 23, 1888, for the election of Regents of the State University, Directors and Trustees of the various State Institutions, that this General Assembly do then elect the Wardens of the Penitentiaries of the State. Adopted.

Senator Reiniger, by unanimous consent, introduced Senate File No. 300, a bill for an act to repeal sections 1495 and 1508 of the Code, relating to partition fences, and to enact a substitute therefor.

Read first and second times and referred to the Committee on Agriculture.

Senator Clark moved to take up Senate File No. 157, a bill for an act to amend sections 1695 and 1696, chapter 7, title 12 of the Code, relating to the Institution for the Deaf and Dumb, with report of Committee on Charitable Institutions, recommending that it do pass.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Clark, Deal, Dodge, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kent, Mattoon, McCoy, McVay, Meservy, Mills, Poyneer, Seeds, Weber, Weidman, Wolfe, Woolson and Young—29.

The nays were none.

Absent or not voting:

Senators Bayless, Cassatt, Chesebro, Converse, Davidson, Dooley, Doud, Finn, Harsh, Kegler, Kelly, Knight, Lawrence, Parrott, Price, Reiniger, Schmidt, Smith, Sweney, Taylor and Vale—21.

So the bill passed and the title was agreed to.

Senator Woolson moved to take up Senate File No. 156, a bill for an act to amend sections 1401 and 1403 of the Code, relative to the confinement of persons alleged to be insane, with report of Com-

mittee on Charitable Institutions recommending amendments and that it do pass.

Carried.

Amendments of committee adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Clark, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hutchison, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Sweney, Weber, Weidman, Wolfe, Woolson and Young—34.

The nays were 0.

Absent or not voting:

Senators Bayless, Cassatt, Chesebro, Converse, Deal, Hanchett, Harsh, Kessler, Kelly, Knight, Lawrence, Price, Schmidt, Smith, Taylor and Vale—16.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I hereby present for your signature the following bill: House File No. 328.

Also, resolution relative to service pensions, which have passed both branches of the General Assembly, been duly enrolled and signed by the Speaker of the House.

D. C. KOLP, *Chief Clerk.*

Senator Dodge moved to take up Senate File No. 144, a bill for an act in regard to the publication of proceedings of boards of supervisors, and amending section 2, chapter 197, acts Twentieth General Assembly, with report of Judiciary Committee recommending amendments and that it do pass.

Carried.

Committee amendments adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kent, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Reiniger, Sweney, Vale, Weber, Weidman, Woolson and Young—30.

The nays were none.

Absent or not voting:

Senators Bayless, Chesebro, Cassatt, Clark, Converse, Deal, Doud, Finn, Groneweg, Kegler, Kelly, Knight, Lawrence, Mills, Price, Schmidt, Seeds, Smith, Taylor and Wolfe—20.

So the bill passed and the title was agreed to.

On motion of Senator Dooley, the Senate adjourned until 2 p. m. Tuesday, February 21st.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, Feb. 21, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lientenant-Governor Hull in the chair.
Prayer by Rev. B. Schmidt.

PETITIONS AND MEMORIALS.

Senator Caldwell presented petition of citizens of Council Bluffs, for repeal of present medical law.

Referred to Committee on Public Health.

Also presented four petitions of citizens of Audubon county, in favor of laws to regulate railways.

Referred to Committee on Railways.

Also presented two petitions of John G. Brown, Pat Lacey, and others, same subject.

Same reference.

Also presented petition of citizens of Dallas county, against the reduction of passenger fares and in favor of a reduction of freight rates.

Same reference.

Also presented two petitions of citizens of Audubon county, in favor of railway legislation except the passage of the two cent rate of passenger fare bill.

Same reference.

Also presented petition of citizens of Dallas Center, in favor of the proposed railway legislation now before the General Assembly.

Same reference.

Also presented petition of James T. DeLand, of the Brotherhood of Locomotive Engineers, against reduction of railway rates.

Same reference.

Senator Brower presented petition of Richland Alliance, No. 474, of Franklin county, for the establishing of a maximum freight rate, reduction of passenger fares, prohibiting passes, etc.

Same reference.

Also presented petition of Geo. W. Palmer and 40 other citizens of Cerro Gordo county, same subject.

Same reference.

Senator Harsh presented petition signed by the officials of the city of Creston, Union county, Iowa, the school directors of the independent school district of Creston, and bankers of said city, asking a favorable consideration of the bill of the honorable Senator from the Fifth Senatorial District, which relates to the election of school treasurer by the people of cities of a certain class.

Referred to Committee on Schools.

Also, presented memorial of citizens of Ringgold county, Iowa, expressing approval of Governor Larrabee's bienial message and inaugural address.

Referred to the Committee on Railways.

Also, presented petition of Creston fire department, relative to the passage of Senate File No 200.

Referred to Committee on Ways and Means.

Also, presented petition of citizens of Creston, Union county, Iowa, in favor of the repeal of section 9, chapter 104, acts of the Twenty-first General Assembly.

Referred to the Committee on Public Health.

Also, presented petition of citizens of Union county against proposed railway legislation.

Referred to Committee on Railways.

Also, presented petition of citizens of Decatur county, Iowa, in favor of railroad legislation.

Same reference.

Senator Weidman presented petition of S. M. Smith and other citizens of Montgomery county, in favor of railway legislation.

Same reference.

Also, presented petition of Andrew Trabert and other citizens of Montgomery county, same subject.

Same reference.

Also, presented petition of M. M. Medburry and other citizens of Montgomery county, same subject.

Same reference.

Also, presented petition of W. H. Case and other citizens of Montgomery county, same subject.

Same reference.

Also, presented petition of G. W. Sutton and other citizens of Montgomery county, same subject.

Same reference.

Also, presented petition of Wm. Hutchins and other citizens of Mills county, same subject.

Same reference.

Also, presented petition of citizens of Red Oak, against the passage of Senate File No. 200.

Referred to Committee on Ways and Means.

Senator Deal presented four petitions of citizens of Greene county, in favor of legislation to control railways.

Referred to Committee on Railways.

Also, presented petition of Farmers' Alliance, of Greene county, same subject.

Same reference.

Also, presented two petitions of citizen of Carroll county, same subject.

Same reference.

Also, presented petition of J. H. Powers and other citizens of Grand Junction, against the reduction of railway rates.

Same reference.

Also, presented petition of O. G. Peck and others, of Lake View, same subject.

Same reference.

Senator Dungan presented petition of D. H. Douglass and others, of Wayne county, asking the establishment of maximum freight rates, 2 cent fares, elective railroad commission, the giving of greater powers to the railroad commission, prohibition of passes and prevention of discrimination.

Same reference.

Also, presented petition of Elmer O. Kinsey and other citizens, of Lucas county, same subject.

Same reference.

Also, presented petition of Isaac Quinn and others, of Lucas county, same subject.

Same reference.

Also, presented petition of Robert Marshall and others, of Lucas county, same subject.

Same reference.

Also, presented petition of citizens of Chariton, Iowa, asking the passage of a bill to amend section 3074 of the Code.

Referred to Committee on Judiciary.

Senator Meserve presented petition of 131 citizens of Cherokee county against radical railroad legislation, and asking for increased railroad facilities.

Referred to Committee on Railways.

Also, presented three petitions of citizens of Cherokee county and two from Ida county, asking for a schedule of freight rates, reduction of passenger rates, an elective Railroad Commission and the prohibition of free passes and discriminations.

Same reference.

Senator Doud presented petition of W. H. McCullough and seventeen other citizens of Newburg, Jasper county, favoring railroad legislation.

Same reference.

Also, presented a resolution of Buena Vista Grange No. —, situated in Jasper county, Iowa, in favor railroad legislation.

Same reference.

Also, presented petition of H. Moffatt and others, of Jasper county, same subject.

Same reference.

Senator Poyneer presented protest of eight business men of Blairtown, Benton county, against unjust railroad legislation.

Same reference.

Also, presented protest of thirty-two business men of Tama City and vicinity, same subject.

Same reference.

Also, presented protest of seventy-two Tama county citizens, same subject.

Same reference.

Senator Clark presented two petitions of citizens of Page county and one from Fremont county, asking for a schedule of freight rate, a

reduction of passenger rates, an elective Railroad Commission, and the prohibition of free passes and discrimination.

Same reference.

Senator Reiniger presented petition of Wm. Sadler and 65 other merchants, farmers and business men of Floyd county, asking that no radical legislation with reference to railways be enacted tending to prevent increased railway facilities for passenger business.

Same reference.

Senator Dodge presented petition of Jas. Fowler and other citizens, members of the order of the Brotherhood of Locomotive Engineers of Burlington, Iowa, against a reduction of railway rates.

Same reference.

Senator Sweney presented petition of L. Squire and others of Mitchell county, against the enactment of radical railroad legislation.

Same reference.

Also presented petition of S. Moe and others on same subject.

Same reference.

Senator Young presented petition of Geo. B. Blades and ten others of Irwin, Iowa, against the proposed railroad legislation.

Same reference.

Also presented petition of J. L. Hall and others of Shelby county asking for a schedule of freight rates, a reduction of passenger rates, an elective railroad commission, and prohibiting passes and discriminations.

Same reference.

Also presented petition of citizens of Anita, Cass county on same subject.

Same reference.

Also presented petition of citizens of Palo Alto county, on same subject.

Same reference.

Also presented petition of R. M. Morgan and 74 others on same subject.

Same reference.

Also presented petition of 66 citizens of Cass county on same subject.

Same reference.

Also presented petition of 41 citizens of Mills county on same subject.

Same reference.

Also presented petition of 75 citizens of Mills county on same subject.

Same reference.

Also presented petition of R. M. Murray and fifteen other county officers of Cass county; same subject.

Same reference.

Also presented petition of Eli Matson and 29 others; same subject.

Same reference.

Also presented petition of D. H. Scott and 28 others; same subject.

Same reference.

Also presented petition of W. J. Wheeler and 16 others, of Atlantic; same subject.

Same reference.

Senator Weber presented petition of George Curry and 115 others, of Wright county, praying for a reduction of freight and passenger rates and other relief.

Same reference.

Also presented petition of B. A. Sayton and 44 others, of Hamilton county; same subject.

Same reference.

Also presented petition of D. C. Wood and 61 others, of Hamilton county; same subject.

Same reference.

Also presented petition of John A. Kistrim and 67 others, of Hamilton county; same subject.

Same reference.

Also presented petition of E. J. Stradley and 211 others, of Hamilton county; same subject.

Same reference.

Also presented petition of Alexander Peterson and 18 others, same county, opposing proposed railway legislation.

Same reference.

Also presented petition of A. Alexander and four others, same subject

Same reference.

Also presented petition of J. S. Fort and 19 others of Wright county, same subject.

Same reference.

Also presented petition of G. F. Hurlburt and sixteen others of Hardin county, same subject.

Same reference.

Also presented petition of D. B. Blair and four others, same county, same subject.

Same reference.

Also presented remonstrance of John C. Lush and 157 others, citizens of Hardin county, against radical railroad legislation.

Same reference.

Senator Price presented petition of L. Daniels and others of Adair county, in favor of proposed railway legislation.

Same reference.

Also presented petition of Samuel Krell and others of Madison county, same subject.

Same reference.

Senator Davidson presented petition of J. M. Dennis and others, same subject.

Same reference.

Also presented petition of T. J. Soddum and others of Boone county, same subject.

Same reference.

Also presented petition of A. Chamberlin and others of Boone county, same subject.

Same reference.

Also presented petition of Wm. H. Wilson and others of Story county, same subject.

Same reference.

Also, presented petition of Midway Alliance and others on same subject.

Same reference.

Also, presented a petition of citizens of Ontario, Iowa, against the enactment of the proposed railway legislation.

Same reference.

Also, presented petition of citizens of Story City on same subject.

Same reference.

Also, presented petition of citizens of Ames, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Moingona, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Ogden, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Colo, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Nevada, Iowa, on same subject.

Same reference.

Also, presented a petition of citizens of Radcliffe, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Randall, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Sheldahl, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Boone, Iowa, on same subject.

Same reference.

Also, presented petition of citizens of Ogden, Iowa, on same subject.

Same reference.

Senator Mills presented two petitions of citizens of Marshall county asking for a schedule of freight rates; for reduction of passenger rates, etc.

Same reference.

Also, presented petition of citizens of State Center, Iowa, against railway legislation.

Same reference.

Also, presented petition of citizens of Marshalltown on same subject.

Same reference.

Senator Seeds presented a resolution of W. A. Morse Post No. 190, G. A. R., Department of Iowa, requesting passage of House File No. 41.

Referred to Committee on Military.

Also, presented petition of L. D. Parker, General Superintendent Postal Telegraph Cable Company against reduction of telegraph rates.

Referred to Committee on Corporations.

Senator Mills presented petition of citizens of Quarry against railway legislation.

Same reference.

Also, presented petition of citizens of Haven, Le Grande and Long Point, Iowa, on same subject.

Same reference.

Also, presented petition of two citizens of Lohrville, Iowa, on same subject.

Same reference.

Senator McVay presented petition of citizens of Lake City, Iowa, against reduction of passenger and freight rates.

Same reference.

Also, presented petition of citizens of Barnum, Iowa, against railway legislation.

Same reference.

Also, presented petition of citizens of Lohrville, Calhoun county, asking for railroad legislation.

Same reference.

Also, presented petition of citizens of Webster county on same subject.

Same reference.

Senator Vale presented petitions of over 100 citizens of Jefferson county, against the 2 cent per mile passenger rates.

Same reference.

Also, presented petition of citizens of Van Buren county, asking for railway legislation.

Same reference.

Also, presented petition of citizens of District No. 1, Van Buren county, same subject.

Same reference.

Also, of citizens of Jefferson county on same subject.

Same reference.

Senator Barnett presented petition of fifty of the teachers of Warren county asking that a law be enacted giving boards of directors and sub-directors the power to fix the amount of studies to be taught in public schools.

Referred to Committee on Schools.

Also, presented petition of citizens of Clarke county asking railway legislation.

Referred to Committee on Railways.

Also, presented petition of citizens of Warren county on same subject.

Same reference.

Also, presented petition of citizens of Warren and Madison counties on same subject.

Same reference.

Senator Funk presented petition of H. W. McCreary and others of Palo Alto county in favor of proposed railway legislation.

Same reference.

Also, petition of H. S. Vaughn and other citizens of Kossuth county on same subject.

Same reference.

Also, presented petition of J. Z. Eckley and others of Clay county on same subject.

Same reference.

Also, presented petition of citizens of Ayshire, Palo Alto county on same subject.

Same reference.

Also, presented three petitions of citizens of Kossuth and Clay counties against the enactment of proposed radical railway legislation.

Same reference.

Senator Garlook presented remonstrance of citizens of Humboldt and Pocohontas counties against change in game laws.

Referred to Committee on Fish and Game.

Also presented petition of citizens of Sioux Rapids against railway legislation.

Referred to the Committee on Railroads.

Also presented petition of citizens of Dakota, Iowa, same subject.

Same reference.

Also presented petition of citizens of Newell, Iowa, same subject.

Same reference.

Also presented petition of citizens of Marathon, same subject.

Same reference.

Senator Gatch presented petition of J. P. Alleman and others, of Polk county, asking for railway legislation.

Same reference.

Also petition of Wm. H. Shoop and others, of Polk county, same subject.

Same reference.

Also presented petition of Benjamin Wylie and others, of Madison township, Polk county, same subject.

Same reference.

Also presented petition of Joseph T. Herrmann and others, of Madison township, Polk county, same subject.

Same reference.

Senator Finn presented five petitions of citizens of Adams and Taylor counties, same subject.

Same reference.

Journal of Friday corrected and approved.

MESSAGE FROM THE HOUSE.

The following Message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 38, a bill for an act to amend chapter 93 of the laws of the Twenty-first General Assembly.

House File No. 161, a bill for an act to repeal to sections 1, 2, 3 and 4 of chapter 12 of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund and enact substitute therefor.

House File No. 201, a bill for an act to amend section 1802 of the Code, in relation to the board of directors in independent school districts.

House File No. 225, a bill for an act to amend sections 4691 and 4697 of the Code of Iowa, relating to appeals from justices of the peace in criminal cases.

House File No. 260, a bill for an act to amend section 3681 of the Code, as amended by chapter 114, section 1 of the laws of the Twenty-first General Assembly.

House File No. 266, a bill for an act amending section 1757, chapter 9, title 12 of the Code, in relation to the filing of teachers contracts.

House File No. 295, a bill for an act to authorize cities of the first-class and cities organized under special charters, or second-class, having a population of (10,000) ten thousand or over, to require the erection and construction of viaducts over or under railroads on public streets, and to provide compensation to owners of property abutting on such streets.

House File No. 352, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

D. C. KOLP, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 301, a bill for an act to amend sections 4239 and 4240 of the Code of 1873, relating to preliminary examinations.

Read first and second times and referred to the Committee on Judiciary.

By Senator Weber, Senate File No. 302, a bill for an act to better provide for publishing the proceedings of the county board of supervisors.

Read first and second times and referred to the Committee on Printing.

By Senator Young, Senate File No. 303, a bill for an act to amend section 1, chapter 174, acts of the Twenty-first General Assembly, in relation to canned food.

Read first and second times and referred to the Committee on Agriculture, without printing.

By Senator Gatch, Senate File No. 304, a bill for an act to authorize the Auditor of State to extend time of payment by renewal bond of bond No. 2 issued by the State to the permanent school fund for \$112,202.26, under chapter 80, laws of the Eleventh General Assembly, and which became due January 1, 1888.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Vale, Senate File No. 305, a bill for an act to make the time for which sub-directors of schools are elected three years.

Read first and second times and referred to the Committee on Schools.

By Senator Gatch, Senate File No. 306, a bill for an act to amend

section 1179 of the Code, as amended by chapter 169 of the laws of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Insurance, without printing.

HOUSE MESSAGES.

House File No. 38, a bill for an act to amend chapter 93, of the laws of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 181, a bill for an act to repeal sections 1, 2, 3 and 4 of chapter 12, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund, and enact a substitute therefor.

Read first and second times and referred to the Committee on Schools.

House File No. 201, a bill for an act to amend section 1802 of the Code, in relation to boards of directors in independent school districts.

Read first and second times and referred to the Committee on Schools.

House File No. 225, a bill for an act to amend sections 4691 and 4697 of the Code of Iowa, relating to appeals from justices of the peace in criminal cases.

Read first and second times and referred to the Committee on Judiciary.

House File No. 260, a bill for an act to amend section 3861 of the Code, as amended by chapter 114, section 1, of the laws of the Twenty first General Assembly.

Read first and second times and referred to the Committee on Charitable Institutions.

House File No. 266, a bill for an act amending section 1757, chapter 9, title 12, of the Code, in relation to filing of teachers' contracts.

Read first and second times and referred to the Committee on Schools.

House File No. 295, a bill for an act to authorize cities of the first class and cities organized under special charter, or cities of second class having a population of 10,000 or over, to require the erection and construction of viaducts over or under railroads or public streets, and to provide compensation to owners of property abutting on such streets.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 352, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

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

RESOLUTION.

Senator Weber presented the following resolution:

Resolved, That the chairman of the Senate Committee on Railroads

is requested to deliver to any Senator desiring the same, petitions or remonstrances by him introduced in the Senate, and now or hereafter to come in the possession of said committee.

Consideration of the resolution was passed over until two weeks from to-day.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being Senate File No. 287, by Judiciary Committee, a bill for an act to establish and provide for the government and support of State libraries and make appropriations therefor, with report of Committee recommending that it do pass.

Senator Woolson moved that the bill be made a special order for to-morrow at 2:15 P. M.

Carried.

By request, Senators Taylor, Lawrence, McCoy and Bolter were excused for the day.

On motion of Senator Young, Senate File No. 308, a bill for an act to amend section 1 of chapter 174, acts of the Twenty-first General Assembly, in relation to canned food, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Brower, Caldwell, Cassatt, Clark, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, McVay, Meservey, Mills, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman and Young—28.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Bolter, Chesebro, Converse, Davidson, Dodge, Dooley, Groneweg, Hanchett, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, Parrott, Price, Taylor, Wolfe and Woolson—22.

So the bill passed and the title was agreed to.

On motion of Senator Kegler, Senate File No. 116, a bill for an act to extend the time for paying the indebtedness of the Orphan Asylum at Andrew, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Kegler moved to amend by adding as section 2:

Sec. 2. This bill being deemed of immediate importance, shall be in full force and effect from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and in the Jackson Sentinel, a newspaper published at Maquoketa, Iowa, without expense to the State.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Brower, Caldwell, Cassatt, Clark, Davidson, Dodge, Doud, Dungan, Funk, Garlook, Gatch, Harsh, Hutchison, Kegler, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Vale, Weber, Weidman and Young—28.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Bolter, Chesebro, Converse, Deal, Dooley, Finn, Groneweg, Hanchett, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, Parrott, Smith, Taylor, Wolfe and Woolson—23.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being Senate File No. 133, a bill for an act to repeal chapter 189, acts of the Twentieth General Assembly, relating to the appointment of a State Veterinary Surgeon, and to provide a substitute therefor, with report of committee recommending amendments and that it do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

Senator Barnett moved to amend by striking out the words "two thirds" where it refers to value of animals in line 8, section 8, printed bill, and insert the words "one half."

Lost.

Senator Sweney offered the following amendment:

By adding to line 8, section 8, printed bill, as follows: Nor more than the actual cash value at the time of appraisement of any diseased animal.

Lost.

Senator Harsh moved to amend by adding after the word "disease," at end of eighth line, in section 8, the words "nor more than \$300 for any single animal."

Senator Barnett moved to amend the amendment by striking out "\$300" and inserting "\$150."

Adopted.

The question recurring upon the amendment as amended, it was lost.

Senator Dungan moved to strike out the words "when the same were free from diseases," in the eighth line of section 8, printed bill.

On motion of Senator Weber, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 22, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieut. Gov. Hull in the chair.

PETITIONS AND MEMORIALS.

Senator Gatch presented petition of H. K. Love, J. G. Rounds, Wesley Redhead, J. D. Seeberger, Leander Bolton, George Garver, L. Mott, George Lendrum, L. Harbach, Jno. M. Day, and 4,053 others, requesting amendment of laws so as to permit the manufacture of liquors for export.

Referred to Committee on Suppression of Intemperance.

Senator Dungan presented petitions of G. A. R. Posts, in Lucas and Wayne counties, asking an appropriation for the purpose of erecting a monument to commemorate the valor of Iowa soldiers, on the capitol grounds in Des Moines, Iowa. Petitions were from the following posts: David Harding Post, No. 28, John Lewis Post, No. 99, Wayne Post No. 187, Jackson Post No. 192, Frank Nolon Post No. 208.

Referred to Committee on Military.

Senator Gatch presented petition of Joe Hooker Post No. 21, Polk county, same subject.

Same reference.

Also presented petition of Crocker Post No. 12, Polk county, same subject.

Same reference.

Also presented petition of Dorr Post No. 62, Polk county, same subject.

Same reference.

Senator Parrott presented petition of Andersonville Post No. 155, same subject.

Same reference.

Senator Reiniger presented petition of Gardner Post No. 90, same subject.

Same reference.

Senator Weidman presented petition of Silver City Post No. 429, same subject.

Same reference.

Senator Hanchett presented petition of John Braden Post No. 242, same subject.

Same reference.

Also presented petition of Surpus Post No. 105, same subject.

Same reference.

Senator Weidman presented petition of Emerson Post No. 224, same subject.

Same reference.

The hour having arrived for the consideration of the special order, it being Senate File No. 287, a bill for an act to establish and provide for the government and support of State libraries and make an appropriation therefor, it was passed until after the presentation of petitions and memorials.

Senator Meservey presented petition of Matthew Gray Post No. 93, Ida county, same subject.

Same reference.

Senator Kegler presented petition of Chancey Lawrence Post No. 163, Jackson county, same subject.

Same reference.

Also, presented petition of Inka Post, same subject.

Same reference.

Senator Finn presented petition of Rice Post No. 10, Taylor county, same subject.

Same reference.

Also, presented petition of Sedgwick Post, Bedford, Taylor county, same subject.

Same reference.

Senator Sweney presented petition of Randall Post No. 142, Worth county, same subject.

Same reference.

Senator Converse presented petition of Memorial Post No. 216, Howard county, same subject.

Same reference.

Senator Chesebro presented petition of A. M. Taylor Post No. 153, Louisa county, same subject.

Same reference.

Senator Barnett presented petition Jas. Randolph Post No. 116, Warren county, same subject.

Same reference.

Also, presented petition of Todd Post No. 115, Warren county, same subject.

Same reference.

Senator Barnett presented petition of Osceola Post No. 173, Clark county, same subject.

Same reference.

Also, presented petition of Carlyle Post, Warren county.

Same reference.

Senator Harsh presented petition of Union Post No. 441, Union county, same subject.

Same reference.

Also, presented petition of Post No. 421, Union county, same subject.

Same reference.

Also, presented petition of Thomas Hushon Post No. 51, same subject.

Same reference.

Senator Seeds presented petition of A. E. Hopson Post No. 41, Delaware county, same subject.

Same reference.

Also presented petition of W. A. Morse Post No. 190, Delaware county, same subject.

Same reference.

Senator Bills presented petition of Ben Paul Post No. 130, Jones county, same subject.

Same reference.

Also presented petition of Geo. S. Comstock Post No. 228, Cedar county, same subject.

Same reference.

Senator Kent, presented petition of Tip Best Post No. 75, Lee county, same subject.

Same reference.

Also presented petition of C. C. Washburne Post No. 282, Lee county, same subject.

Same reference.

Also presented petition of Geo. H. Emerson Post No. 268, Lee county, same subject.

Same reference.

Senator Groneweg presented petition of Robt. Provard Post No. 414, Pottawattamie county, same subject.

Same reference.

Also presented petition of John A. Dix Post No. 408, Pottawattamie county, same subject.

Same reference.

Also presented petition of U. S. Grant Post No. 123, Pottawattamie county, same subject.

Same reference.

Senator Hutchison presented petition of Relief Corp and Voorhees' Post 73, same subject.

Same reference.

Senator Funk presented petition of Isaac Mattson, Post No. 365, same subject.

Same reference.

Also, presented petition of Wallar Post No. 223, same subject.

Same reference.

Also presented petition of Annette Post 124, same subject.

Same reference.

Also presented petition of I. B. Setlon Post, No. 425, Warren county, same subject.

Same reference.

Senator Mills presented petition of O. G. Hunt Post, No. 266, Marshall county, same subject.

Same reference.

Senator Kelly presented petition of James Cross Post, No. 292, Iowa county, same subject.

Same reference.

Senator Garlock presented petition of Major Hutchison Post, No. 370, Humboldt county, same subject.

Same reference.

Also presented petition of Albert Rowley Post, No. 193, Humboldt county, same subject.

Same reference.

Also presented petition of Newell Post, No. 416, Buena Vista county, same subject.

Same reference.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being Senate File 290, a bill for an act to provide for the levy of one-half ($\frac{1}{2}$) mill State tax for the years 1888 and 1889, to pay the outstanding indebtedness of the State.

Senator Clark moved that both special orders be postponed until the presentation of petitions and memorials was concluded.

Carried.

Senator Bayless presented petition of Hassendenfel Post, No. 146, same subject.

Same reference.

Also presented petition of Hiram Steele Post, No. 299, same subject.

Same reference.

Senator McVay presented petition of Simmons Post, No. 427, Webster county, same subject.

Same reference.

Also, presented petition of Lohr Post, No. 349, Calhoun county, same subject.

Same reference.

Senator Caldwell presented petition of Redfield Post, No. 26, same subject.

Same reference.

Also, presented petition of Col. Mills Post, No. 45, same subject.

Same reference.

Also, presented petition of Wallsworth Post, No. 86, same subject.

Same reference.

Also, presented petition of Tracy Post, No. 52, same subject.

Same reference.

Also, presented petition of Maxwell Post, No. 14, same subject.

Same reference.

Also, presented petition of J. W. Guthrie Post, No. 252, same subject.

Same reference.

Also, presented petition of Stanfield Post, No. 359, same subject.

Same reference.

Also, presented petition of McMillen Post, No. 430, same subject.

Same reference.

Senator Deal presented petition of Jeff. C. Davis Post, No. 44, Carroll county, same subject.

Same reference.

Also, presented petition of Col. Goodrich Post, No. 117, Sac county, same subject.

Same reference.

Also, presented petition of N. P. Wright Post, No. 291, Carroll county, same subject.

Same reference.

Senator Garlook presented petition of Houston Post No. 419, Pocahontas county, same subject.

Same reference.

Senator McCoy presented petition of Shiloh Post No. 126, Mahaska county, same subject.

Same reference.

Also, presented petition of Tom Connor Post No. 399, Mahaska county, same subject.

Same reference.

Senator Weber presented petition of Edward C. Buckner Post No. 154, Hardin county, same subject.

Same reference.

Also, presented petition of Edward H. Mix Post No. 311, Hardin county, same subject.

Same reference.

Senator Young presented petition of Dick Yates Post No. 364, Shelby county, same subject.

Same reference.

Also, presented petition of J. P. Slack Post No. 136, Shelby county, same subject.

Same reference.

Also, presented petition of Harlan Post No. 197, Shelby county, same subject.

Same reference.

Also, presented petition of Meade Post No. 50, Cass county, same subject.

Same reference.

Senator Taylor presented petition of A. W. Miller Post No. 328, Appanoose county, same subject.

Same reference.

Also, presented petition of E. B. Townsend Post No. 100, Davis county, same subject.

Same reference.

Also, presented petition of James P. Milliken Post No. 257, Davis county, same subject.

Same reference.

Also, presented petition of Elrod Post, No. 422, Davis county, same subject.

Same reference.

Senator Dodge presented petition of C. L. Matthies, Post No. 5, Des Moines county, same subject.

Same reference.

Senator Smith presented petition of John A. Buck, Post No. 140, Linn county, same subject.

Same reference.

Also, presented petition of T. F. Cook Post, No. 235, Linn county, same subject.

Same reference.

Also, presented petition of Robert Mitchell Post, No. 206, Linn county, same subject.

Same reference.

Senator Seeds, for Senator Bolter presented petition of Hanscom Post, No. 97, Monona county, same subject.

Same reference.

Also, presented petition of Barnes Post, No. 103, Harrison county, same subject.

Same reference.

Also, presented petition of Belden Post, No. 59, Harrison county, same subject.

Same reference.

Senator Doud presented petition of Kellogg Post, No. 432, same subject.

Same reference.

Also, presented petition of Alloway Post, No. 106, same subject.

Same reference.

Senator Cassatt presented petition of Osman Post, No. 337, same subject.

Same reference.

Senator Seeds, for Senator Barrett presented petition of L. G. Ireland Post, No. 118, same subject.

Same reference.

Senator Woolson, for Senator Knight presented petition of Cascade Post, No. 369, same subject.

Same reference.

Also, for Senator Knight presented petition of Hyde Clark Post, No. 78, same subject.

Same reference.

Also, for Senator Knight presented petition of Lookout Post No. 70, same subject.

Same reference.

Senator Woolson presented petition of John L. Jordan Post No. 246, same subject.

Also presented petition of Ed. Hamlin Post No. 112, same subject.

Same reference.

Also presented petition of J. G. White Post No. 108, same subject.

Same reference.

Also presented petition of McFarland Post No. 20, same subject.

Same reference.

Also, for Senator Wolfe presented petition of Barker Post No. 88, same subject.

Same reference.

Also, for Senator Wolfe presented petition of Albert Winchell Post No. 327, same subject.

Same reference.

Senator Cassatt presented petition of Ersland Post No. 234, Story county, same subject.

Same reference.

Senator Sweeney presented petition of J. R. Castle Post No. 313, Monroe county, same subject.

Same reference.

Senator Clark presented petition of Joe Ross Post No. 209, Fremont county, same subject.

Same reference.

Also presented petition of Page Post No. 65, Page county, same subject.

Same reference.

Also presented petition of Burnside Post No. 56, Page county, same subject.

Same reference.

Senator Sweney presented petition of Farragut Post No. 95, Marshall county; same subject.

Same reference.

Senator Bayless, for Senator Mattoon presented petition of W. W. Warner Post No. 46 Fayette county, same subject.

Same reference.

Also presented petition of John J. Stillman Post No. 194, Allamakee county, same subject.

Same reference.

Senator Vale presented petition of Watt Truman Post No. 442, Jefferson county, same subject.

Same reference.

Also presented petition of Shriver Post No. 177, Van Buren county, same subject.

Same reference.

Also presented petition of Hagler Post No. 380, Van Buren county, same subject.

Same reference.

Also presented petition of Charles W. Fisher Post No. 433, Van Buren county, same subject.

Same reference.

Senator Price presented petition of Washington Post No. 135, Adair county, same subject.

Same reference.

Also presented petition of I. D. Craven Post No. 198, Madison county, same subject.

Same reference.

Senator Bills presented petition of citizens of Anamosa against radical railroad legislation.

Referred to Committee on Railroads.

Also presented petition of Wm. Bromily and others of Anamosa, same subject.

Same reference.

Also presented petition of Hans Laen and others of Amber, Iowa, same subject.

Same reference.

Also presented petition of Joseph McCoy and others of Stanwood, Iowa, same subject.

Same reference.

Also presented petition of Wilson Johnson and others of Mechanicsville, Iowa, same subject.

Same reference.

Also presented petition of F. H. Williams and others of Mechanicsville, same subject.

Same reference.

Senator Smith presented petition of Jas. Hastie and others request-

ing railroad legislation, repeal of the law taxing dogs, the reduction of salary of superintendent of schools to \$2.50 a day, uniformity of school books and a return to the township system of supervisors and other regulations.

Referred to Committee on Railroads.

Also, presented petition of A. Sleggall and others of Linn county, requesting railway legislation.

Same reference.

Senator Sweney presented petition of G. W. Fisher and 24 others of Winnebago county, praying for the enactment of laws to regulate railways.

Same reference.

Also, presented petition of Wm. Bragg and 160 others of Winnebago and Hancock counties, same subject.

Same reference.

Senator Meserve presented petition of L. N. Merrill and others of Amherst township, Cherokee county, same subject.

Same reference.

Senator Price presented petition of J. D. Clause and others of Madison county, same subject.

Same reference.

Senator Lawrence presented petition of J. H. Keyes and others of Woodbury county, same subject.

Same reference.

Also, presented petition of R. Haddock and others of Woodbury county, same subject.

Same reference.

Also, presented petition of A. S. Garretson and others of Woodbury county, against radical railway legislation.

Same reference.

Senator Cassatt presented petition of Benj. Reasoner and others of Union county, asking for railway legislation.

Same reference.

Also presented petition of J. H. Underhill and others of Marion county, same subject.

Same reference.

Senator Mills presented petition of Jesse Cox and others of Marshall county, same subject.

Same reference.

Also presented petition of L. W. Fox and others of Marshall county, same subject.

Same reference.

Also presented petition of T. C. Smelson and others of Marshall county, same subject.

Same reference.

Also presented petition of F. S. Kauferman and others of Marshall county, same subject.

Same reference.

Also presented petition of R. M. Timmons and others of Marshall county, same subject.

Same reference.

Also presented petition of Wm. C. Vogel and others of LeGrand, Iowa, same subject.

Same reference.

Senator McCoy presented petition of Wm. M. Jarvis and others of Mahaska county, same subject.

Same reference.

Senator Weber presented petition of Clarence Holt and others of Hardin county, same subject.

Same reference.

Senator Groneweg presented petition of George M. Ronk and others, of Pottawattamie county, same subject.

Same reference.

Senator Poyneer presented petition of R. H. Lee and others of Poweshiek county, same subject.

Same reference.

Also, presented petition of C. P. Myers and others of Tama county, same subject.

Same reference.

Senator Weidman presented petition of R. D. Rensoner and others of Mills county, same subject.

Same reference.

Also, presented petition of L. Robbins and others of Mills and Fremont counties, same subject.

Same reference.

Senator Taylor presented petition of J. M. Stoke and 40 others of Davis county, same subject.

Same reference.

Senator Lawrence presented petition of Alex. Barlow and others of Woodbury county, same subject.

Same reference.

Senator Chesebro presented petition of C. C. Murphy and others of Louisa county, same subject.

Same reference.

Also presented petition of Geo. L. Mallory and 28 others of Louisa county, same subject.

Same reference.

Also presented petition of D. Nichols and 11 others of Louisa county, same subject.

Same reference.

Also presented petition of J. B. Donner and others of Muscatine county, same subject.

Same reference.

Also presented resolutions of Louisa county Farmers' Alliance, requesting railroad legislation, the prohibition of Texan cattle, and other measures.

Same reference.

Also presented petition of Wm. Reece and others in favor of proposed railway legislation.

Same reference.

Also presented petition of H. L. Creighton and others of Louisa county, same subject.

Same reference.

Also presented petition of John Foster and others, same subject.
Same reference.

Senator Funk presented petition of Joel Whitman and others of Palo Alto county, same subject.

Same reference.

Senator Deal presented petition of W. B. Linneston and others of Greene county, same subject.

Same reference.

Senator Harsh presented petition of A. M. Bruce and others, of Ringgold county, same subject.

Same reference.

Senator Barnett presented petition of N. O. Hunt and others, of Warren county, same subject.

Same reference.

Senator Young presented petition of J. T. Sherman and others, of Jasper county, same subject.

Same reference.

Senator Schmidt presented petition of T. P. McCully and others, of Scott county, same subject.

Same reference.

Senator Hanchott presented petition of Andrew Gladery and others, of Butler county, same subject.

Same reference.

Senator McVay presented petition of T. B. Callicott and others, of Calhoun county, same subject.

Same reference.

Also, presented petition of J. F. Weaver and others, of Webster county, same subject.

Same reference.

Also, presented petition of C. Q. Waterbury and others, of Dayton, Iowa, against railway legislation.

Same reference.

Senator Garlock presented petition of E. M. Aspey and others, of Sioux Rapids and Buena Vista, Iowa, asking for railway legislation and other needed reforms.

Same reference.

Also, presented petition of D. M. Johnston and others, of Buena Vista county, Iowa, asking for railway legislation.

Same reference.

Senator Converse presented petition of James Malloy and others, of Winneshiek county, same subject.

Same reference.

Also presented petition of A. M. Van Leuven and others, of Howard county, same subject.

Same reference.

Senator Vale presented petition of Andrew Forbs and others, of Ringgold county, same subject.

Same reference.

Senator Dodge presented petition in favor of passage of Senate File 99, signed by several thousand citizens of Iowa.

Same reference.

Senator Clark presented resolution of the Page County Teachers' Association, favoring the passage of Senate File No. 54.

Referred to Committee on Schools.

Senator Barnett presented petition of Ackworth Quarterly Meeting against the repeal of laws prohibiting manufacture of intoxicating liquors for exportation.

Referred to the Committee on Suppression of Intemperance.

Senator Parrott presented petition of C. A. Wise and others, druggists of Black Hawk county, asking for the passage of laws to eliminate the liquor traffic from the drug store.

Referred to Committee on Suppression of Intemperance.

Senator Parrott presented petition of the Forrest Milling Co. and others, of Black Hawk county asking the passage of a reciprocal law for mutual insurance.

Referred to Committee on Insurance.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has granted the request of the Senate in regard to Senate File No. 105, which is herewith returned.

Also, that the House has concurred in the Senate concurrent resolution, relative to the pardon of Edward P. Wildman.

D. C. KOLF, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Reiniger, Senate File No. 307, a bill for an act to facilitate the trial of actions brought to abate nuisances by injunctions or other restraining order.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Schmidt, Senate File No. 308, a bill for an act to amend an act, approved March 20, 1882, entitled "an act authorizing the executive council to sell and convey an island formed by accretion in the Mississippi river, and located in sections 84, 35, township 78, range 3, east of the 5th P. M., in Scott county. Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Price, Senate File No. 309, a bill for an act to repeal section 3812 of the Code, and enact a substitute therefor, relating to costs in trials by jury.

Read first and second times and referred to the Committee on Judiciary.

By Senator Price, Senate File No. 310, a bill for an act to empower married women to devise by will one third of her husband's estate.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Young, Senate File No. 311, a bill for an act to repeal

section 3787 of the Code, and enact a substitute therefor, in relation to fees of clerk of District Court.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kelly, Senate File No. 312, a bill for an act to amend sections 812 and 822 of the Code, relating to the time of assessing property and listing the same.

Read first and second times and referred to the Committee on Judiciary.

The Senate Journal of yesterday was corrected and approved.

SPECIAL ORDER.

The Senate resumed consideration of the special order and Senate File No. 287, a bill for an act to establish and provide for the government and support of State libraries and make appropriations therefor, with report of committee recommending that it do pass, was taken up and considered.

Senator Woolson moved to amend by striking out the words "a janitor" in line 2, section 7, and insert the words "an assistant", and to strike out the word "janitor" in line 3 and 4 of section 7, and 2d line of section 19 printed bill, and insert in lieu thereof the word "assistant."

Carried.

On motion of Senator Woolson the bill was made special order for February 24th, at 2:30 P. M.

Senator Hutchison moved that Senate File No. 290, a bill for an act to provide for the levy of one-half ($\frac{1}{2}$) mill State tax for the years 1888 and 1889 to pay the outstanding indebtedness of the State be made a special order for 2:30 P. M., February 23.

Carried.

FEBRUARY 22, 1888.

MR. PRESIDENT:

I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of the State, joint resolution No. 6, in reference to urging our Senators and Representatives in Congress to favor further pension legislation.

FRED'K W. HOSSFELD, *Private Secretary*.

FEBRUARY 22, 1888.

MR. PRESIDENT:

I am directed by the Governor to deliver to your honorable body a message in writing.

FRED'K. W. HOSSFELD, *Private Secretary*.

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled bills respectfully report that they have this day presented to the Governor for his approval, House File No. 328, an act providing for the issue of water works bond by cities of the second class.

JNO. K. DEAL, *Chairman*.

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, FEB. 22, 1888. }

To the Senate:

GENTLEMEN—I have the honor to herewith refer to you the resignation of R. P. Spear as a trustee of the State Agricultural College.

Very respectfully,

WM. LARRABEE.

DES MOINES, IOWA, Feb'y 17, 1888.

TO HIS EXCELLENCY, WM. LARRABEE:

As I have been this day elected by the board of trustees of the Iowa Agricultural College, director of the agricultural experimental station, authorized by act of Congress and to be managed as a department of said college. I hereby tender my resignation as a member of said board of trustees.

Very respectfully submitted,

R. P. SPEAR.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report.

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 288, a bill for an act to amend section 471 of the Code of 1873, relating to the power of establishing water-works by cities and towns, and making the powers granted in sections 472, 473, 474 and 475 of the Code of 1873, applicable to the establishment of gas-works or electric light plants and providing for the payment for the same by the issuing of bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 38, a bill for an act to amend chapter ninety-three (93) of the laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 295, a bill for an act to authorize cities of the first class and cities organized under special charters, or cities of the second class having a population of ten thousand or over, to require the erection and construction of viaducts over or under railroads on public streets, and to provide compensation to owners of property abutting on such streets, beg leave to report that they have

had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title of the bill be amended to read: "A bill for an act to authorize certain cities to require the erection and construction of viaducts over or under railroads on public streets, and to provide compensation to owners of property abutting on such streets;" also by striking out the words, "ten thousand" in the fourth line of section 1, and inserting the words, "seven thousand" instead thereof, and when so amended the bill do pass.

MATT. PARBOTT, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 33, a bill for an act to amend section 2,623 and 2,624 of the Code, relating to service of notice of suit upon unknown defendants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 14, a bill for an act to regulate the payment to miners for mining coal by mine operators; Senate File No. 32, a bill for an act to establish an uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith; and also Senate File No. 122, a bill for an act to regulate the mining and screening of coal and to fix a basis of wages of coal miners, beg leave to report that they have had the same under consideration upon the points specified in the order of reference and have instructed me to report the same back to the Senate with the following statement, that in the judgment of the committee:

First—The General Assembly has not the power to compel mine owners to pay their miners, as compensation for mining any certain *pro rata* amount of the coal mined, when the mine owners or miners agree upon a different contract or method of payment.

Second—The General Assembly has not the power to compel the mine owners to pay their mining employees at any specific times of payment, where a different time of payment is agreed upon by the parties.

Third—The General Assembly has the power to fix a standard weight of a bushel or ton of coal. It may also provide that the Mine Inspector shall examine the scales used in mining, and test them by the standard scales, as provided by law, and also provide for the punishment of persons using false scales; but the General Assembly is not empowered to enact a law requiring that all contracts for mining coal must be made as provided in Senate File No. 32. It cannot prohibit making contracts not in accordance with the provisions of said bill, and punish by fine or imprisonment operators and miners making contracts different from those named in said bill, or who shall waive the provisions thereof.

Fourth—The General Assembly is not empowered to enact a law which shall fix a standard screen and require that the compensation of the miner for the coal passing over such standard screen must be fifty per cent, or any other per cent of such products, and that all contracts for mining coal must be made thereunder, and that any waiver of the provisions thereof, or failure to contract in accordance therewith, shall subject the parties to such contract to fine and imprisonment.

Your committee herewith returns said bills submitted to it, and asks to be discharged from the further consideration thereof.

JNO. S. WOOLSON, *Chairman*.

Referred to Committee on Mines and Mining, with bills.

Senator Mills, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 44, a bill for an act to amend section 1, chapter 200 of the laws of the Twentieth General Assembly, in relation to the improvement of highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute do pass.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 145, a bill for an act to amend chapter 111 of the acts General Assembly, by adding section three (3) thereto, in regard to the construction of cattle-ways across the public highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Senator Garlock, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate File No. 239, a bill for an act to appropriate money for the relief of George Bennett, wrongfully confined in the penitentiary, beg leave to report that they have had the same under consideration and are fully convinced that the case presented in the bill is one deserving at the hands of the Senate redress of a great wrong inflicted. As to the bill to appropriate money, the committee have instructed me to report the same back with the recommendation that it be referred to the Committee on Appropriations; and the committee desire further to recommend to that committee that said appropriation be allowed, and that when so approved the bill do pass.

A. O. GARLOCK, *Chairman*.

So referred.

Senator C. H. Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 6, a bill for an act for the relief of Adair county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senator Dungan presented report of committee appointed to visit the Benedict Home.

Passed on file and ordered printed.

Senator Young offered the following resolution :

Resolved, That the Senate do now adjourn out of respect to the name and memory of the first President of the Republic.

Adopted

Senate adjourned until to-morrow at 2 o'clock P. M.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, Feb. 23, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieutenant-Governor Hull in the chair.
Prayer by Rev. M. McPherson.

PETITIONS AND MEMORIALS.

Senator Hutchison presented petition of John C. Jordan and 282 others of Wapello county, asking for reduction of freight rates and other railroad legislation.

Referred to Committee on Railways.

Senator Deal presented petition of W. J. Leake and other citizens of Greene county, against railway legislation.

Same reference.

Also presented petition of J. T. Cowan and others, of Greene county, same subject.

Same reference.

Also presented petition of J. H. Powers and others of Greene county, same subject.

Same reference.

Senator Dungan presented petition of Will M. Sanger and 100 others of Wayne county, in favor of railroad legislation.

Same reference.

Also presented petition of N. B. Branner and others of Lucas county, same subject.

Same reference.

Also presented petition of S. E. Carpenter and others of Lucas county, same subject.

Same reference.

Also presented petition of Jo R. Landes and 82 others, of Lucas county, same subject.

Same reference.

Also presented petition of R. W. Kinkead, same subject.

Same reference.

Senator Caldwell presented petition of J. J. Osburn and 40 others, mostly farmers of Dallas county, against reduction of passenger fare to two cents per mile.

Same reference.

Also, presented petition of W. W. Grisbin and fifty others, of Minburn, Dallas county, same subject

Same reference.

Also, presented petition of M. Ryan and 50 others, of Stuart and vicinity, same subject.

Same reference.

Also, presented petition of B. F. Kearney and 44 others, of Guthrie county, in favor of railway legislation.

Same reference.

Senator Taylor presented petition of J. S. Wakefield and 80 others, of Appanoose county, same subject.

Same reference.

Senator Dooley presented petition of J. S. Kiefer and others, of Keokuk county. Also, presented resolution favoring creation of a Railroad Commission of five members, with increased powers; and are opposed to laws affecting present rates on coal.

Same reference.

Also presented letter from Oskaloosa Assembly, Knights of Labor, favoring House File No. 286.

Referred to Committee on Agriculture.

Senator Seeds presented petition of C. M. Scoville and others, of Winthrop, Iowa, against railroad legislation.

Referred to Committee on Railroads.

Also presented petition of Wm. M. Logan, of Manchester and 19 others, same subject.

Same reference.

Also, presented petition of L. A. Loomis and others, of Manchester, same subject.

Same reference.

Senator Converse presented petition of Cornelius Fuller, of Winnehiok county, favoring railway legislation.

Same reference.

Senator Young presented petition of Ben. Wagner and 90 others, of Cass county, in favor of House File 374.

Same reference.

Senator Kelly presented petition of G. W. Cronbaugh and 28 other farmers, asking for legislation to control railways.

Same reference.

Senator Mattoon presented petition of Jerry Hanlon and 47 others, of Wadena, Fayette county, same subject.

Same reference.

Also presented petition of Daniel McNeil and 31 others, same subject.

Same reference.

Also presented petition of A. G. Swartz and others, of Oelwein, same subject.

Same reference.

Also presented petition of Frederick Hahn and 32 others, of Fayette and Buchanan counties, same subject.

Same reference.

The president presented petition of Wm. Johnston and others, of Carroll county, same subject.

Same reference.

Also presented letter of Carver, Steele & Austin, of Grinnell, against radical railway legislation.

Same reference.

Senator Barrett presented petition of employes of Dubuque & Sioux City R'y, same subject.

Same reference

Also, presented petition of John H. Lean of Osceola county in favor of railway legislation.

Same reference.

Senator Garlook presented petition of J. B. Kent and others of Pocahontas county, against railway legislation.

Same reference.

Senator Caldwell presented petition of P. A. Maulsby and others of Dallas county, in favor of repeal of section 9, chapter 104, acts of the Twenty first General Assembly.

Referred to Committee on Public Health.

Senator Weber presented petition of M. S. Root and 89 others of Hamilton county, for reduction and regulation of freight and passenger rates.

Referred to Committee on Railways.

Also, presented petition of Henry H. Hall and 15 others of the 87th senatorial district, same subject.

Same reference.

Also, presented petition of W. W. Baylor and 42 others of Hardin county, same subject.

Same reference.

Also, presented remonstrance of Wm. Allison and others of Williams, Hamilton county, opposing proposed railway legislation.

Same reference.

Senator Smith presented petition of H. Gilleas and others, employes of Dubuque & Sioux City R'y Co., same subject.

Same reference.

Also presented petition of Dennis Maguire and others, same subject.

Same reference.

Also presented petition of John L. Wilson and others of Linn county in favor of proposed railway legislation.

Same reference.

Senator Vale presented petition of John H. Merckens and others of Jefferson county in favor of railway legislation, giving further powers to railroad commissioners and against increase of State tax.

Same reference.

Also presented petition of B. B. Brown and others, same subject.

Same reference.

Also presented petition of Stacy Baldwin and 124 other farmers of Jefferson county, same subject.

Same reference.

Also presented petition of I. W. Messick and 86 others of Jefferson county, same subject.

Same reference.

Senator Hanchett presented petition of J. H. Keepers and other employes of Dubuque & Sioux City railway, opposed to railway legislation.

Same reference.

Senator Meservey presented petition of F. W. Hughes and 46 other employes of same road, same subject.

Same reference.

Also presented petition of Chas. Carney and other employes of same road, same subject.

Same reference.

Also, presented petition of N. P. Henrickson and others, of Oyena, same subject

Same reference.

Senator Doud presented petition of B. S. Ratliff and 193 others, of Jasper county, in favor of proposed railway legislation.

Same reference.

Senator Weidman presented petition of J. B. Hutchings and others, of Mills county, same subject.

Same reference.

Senator Barnett presented petition of J. W. Wright and others, of Warren county, same subject.

Same reference.

Also, presented petition of Orusan Bane and others, of Linn township, Warren county, same subject.

Same reference.

Senator Mills presented petition of J. Augustus Johnson and 74 others, of Le Grande, same subject.

Same reference.

Also, presented petition of S. Held and others, of Marshall county, same subject.

Same reference.

Also, presented petition of W. F. Battis and 18 others, of Marshall county, same subject.

Same reference.

Also, presented petition of J. H. Bruner and 15 others of Marshall county, same subject.

Same reference.

Senator Davidson presented petition of August Bartlett and others of Story county, same subject.

Same reference.

Senator McVay presented petition of Geo. M. Hartley, and 80 others, same subject.

Same reference.

Also, presented petition of M. Bartley and 2 other employes of the I. C. R. R., and five farmers and laborers opposed to railroad legislation, now under consideration.

Same reference.

Also, presented petition of C. K. Dickson and others of the Dubuque and Sioux City railway, same subject.

Same reference.

Also, presented petition H. H. Hall and 7 others of Gowrie, Webster county, against reduction of passenger fare.

Same reference.

Also, presented petition of C. A. Clinton and 13 others of Mallard, Pocahontas county, against railroad legislation.

Same reference.

Also, presented petition of Eli Bevier and 80 or 40 others of Webster county, same subject.

Same reference.

Senator Bolter presented petition of Bradford Thayer and others of Harrison county, in favor of railroad legislation.

Same reference.

Also, presented petition of George Newhouse and others of Shelby county, same subject.

Same reference.

Senator Barnett presented three petitions of Frank W. Wiler and others, of Clarke county, same subject.

Same reference.

Also presented resolution of Mt. Hope Alliance, No. 681, of Spring Hill, endorsing Gov. Larrabee's position on railroad matters, and condemning the position taken by the leading State organs opposed to him.

Same reference.

Senator Bills presented petition of Frank Holler and others, opposed to the proposed railway legislation.

Same reference.

Also presented petition of C. Z. Estabrook and 16 others, against proposed railway legislation.

Same reference.

Senator Davidson presented petition of R. G. White and others, of Angus, Iowa, in favor of a reduction of freight rates.

Same reference.

Senator Sweney presented petition of John Lonergan and 220 others, employes of Illinois Central Railroad, against railroad legislation.

Same reference.

Also presented petition of E. Aldrich and five others, of Mitchell county, same subject.

Same reference.

Also presented petition of John Isaacson and 20 others, of Forest City, in reference to the exemption and homestead law.

Referred to the Committee on Judiciary.

Senator Harsh presented a series of resolutions adopted by the Agricultural and Industrial Institute in session in Leon, Decatur county, regarding railway matters, taxation, school text-books, and endorsing State Agricultural College.

Referred to Committee on Railways.

Senator Davidson presented letter of D. H. Tolbert in favor of passage of a law regulating relations between farmers and their employes.

Same reference.

Senator Clark presented petition and memorial of John J. Flickinger and others, endorsing Gov. Larrabee's position on transportation and in favor of railway legislation.

Same reference.

Senator Funk presented petition of C. S. Noble and others against proposed railway legislation.

Same reference.

Also presented petition of W. A. Christy and others, of Palo Alto county, same subject.

Same reference.

Also presented petition of G. S. Aschan and 34 others of Palo Alto county, same subject.

Same reference.

Senator Poyneer presented petition of Jacob Nanman Post No. 341, in favor of the erection of the soldiers' monument on the capitol grounds.

Referred to Committee on Military.

Also presented petition of Henry M. Miller Post No. 261, same subject.

Same reference.

Also presented petition of Shell Rock Post No. 262, same subject.

Same reference.

Senator Barnett presented petition of Osceola Post in favor of House File No. 41.

Same reference.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendment to Senate File No. 257, which is herewith returned, and the House requests the appointment of a committee of conference by the Senate.

D. C. KOLP, *Chief Clerk.*

The hour having arrived for the consideration of the special order, it being Senate File No. 290, by Ways and Means Committee, a bill for an act to provide for the levy of one-half ($\frac{1}{2}$) mills State tax for the years 1888 and 1889 to pay the outstanding indebtedness of the State. With report of committee reporting a bill and recommending that it do pass.

It was taken up and considered.

Senator Young moved to amend by striking out the words "and 1889."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Cassatt, Chesebro, Davidson, Dooley, Dungan, Groneweg, Mattoon, Sweney, Weber, Taylor and Young—14.

The nays were:

Senators Barrett, Bolter, Brower, Caldwell, Clark, Converse, Deal, Dodge, Doud, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Reiniger, Schmidt, Seeds, Smith, Vale, Weidman, Wolfe, and Woolson—32.

Absent or not voting:

Senators Finn, Knight, Poyneer and Price—4.

So the amendment was lost.

Senator Hutchison moved that the rule be suspended and the bill be

considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—39.

The nays were:

Senators Chesebro, Dodge, Dooley, Groneweg and Taylor—5.

Absent or not voting:

Senators Barnett, Bayless, Cassatt, Finn, Knight and Price—6

So the bill passed and the title was agreed to.

Senator Doud moved to take up House messages.

Carried.

Senate File No. 257, a bill for an act amending chapter 83, laws of the Twenty-first General Assembly, in relation to the sale of poison was taken up, and on motion of Senator Doud the President appointed a Conference Committee as asked for by the House.

The President appointed as such committee Senators Doud, McCoy and Kegler.

INTRODUCTION OF BILLS.

By Senator Dodge, Senate File No. 313, a bill for an act to amend chapter 118 of the acts of the Nineteenth General Assembly, relating to the boundaries of independent school districts in incorporated cities and towns.

Read first and second times and referred to the Committee on Schools.

By Senator Taylor, Senate File No. 314, a bill for an act to amend section 2, chapter 197, laws of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Woolson, Senate File No. 315, a bill for an act to commemorate the patriotism of Iowa Union soldiers and sailors by the erection of a monument and work of art on the public grounds at the State capitol.

Read first and second times and referred to the Committee on Military.

By Senator Poyneer, by request, Senate File No. 316, a bill for an act making railway companies liable for damages by fires set out or caused by operating railways.

Read first and second times and referred to the Committee on Railways.

By Senator Clark, Senate File No. 317, a bill for an act supplemental to chapter 143, acts of Twentieth General Assembly, and chapter 66, acts of Twenty first General Assembly, relating to intoxicating liquor and abatement of nuisances.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Hanchett, by request, Senate File No. 318, a bill for an act to amend chapter 39 of the acts of the Fifteenth General Assembly, in relation to supervisor districts.

Read first and second times and referred to the Committee on Cities and Towns.

RESOLUTION.

Senator Woolson offered the following:

Resolved, That when the Senate adjourn this afternoon it be to meet at 7:50 P. M. of this day.

Adopted.

Senator Dodge moved to withdraw petition from cities and towns endorsing Senate File No. 99, for the purpose of presenting to the House.

Carried.

Journal of yesterday was corrected and approved.

REPORTS OF STANDING COMMITTEES.

Senator Brower, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred the matter in relation to the report of B. W. Blanchard, late oil inspector, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be not printed, and that it be returned to the Auditor of State.

N. V. BROWER, *Chairman*.

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred memorial and joint resolution No. 1, in relation to the combination of capital for the limiting of the production and control of the prices of the necessities of life, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 196, a bill for an act to amend chapter twenty-two of the acts of the Twenty-first General Assembly, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to Senate with the recommendation that the bill do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 238, a bill for an act to amend section 1955, of chapter 6, title 13, of the Code, designating officers who may take acknowledgement of conveyances of real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 247, a bill for an act to amend section 3125 of the Code of 1873, relating to the time of placing sheriffs' deed upon record, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith reported be adopted, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 117, a bill for an act to amend section 391, title 4, chapter 9, of the Code, in relation to places of elections and compensation for the use thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, for the reason that a bill covering the same points has previously been reported favorably to the Senate.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 305, a bill for an act to legalize the organization and official proceedings of the independent school district of Panama, in Shelby county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 198, a bill for an act to amend section 3908, of the Code of Iowa, relating to embezzlement of public money by officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 218, a bill for an act to prescribe the terms and form of promissory notes given for certain property and to prescribe a penalty for the violation of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 178, a bill for an act making an appropriation to reimburse the Iowa State Agricultural Society for money expended by said society in the permanent improvement of the State fair grounds and to pay the indebtedness of said society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the word "five" be stricken from the first line of section one, and when so amended that it do pass.

POYNEER, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 53, a bill for an act to make elective by the people the office of school treasurer in independent school districts which include within their corporate limits a village, town or city of 500 or more inhabitants and to change the date of the school treasurer's annual report, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 37, a bill for an act providing for the completion of the geological survey of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that while your committee duly appreciate the importance of and the advantages that may be derived from such survey, yet, taking into consideration the state of the public finances, it is deemed inexpedient to enter into an enterprise demanding so large an expenditure of public funds at the present time, therefore your committee recommend that it be indefinitely postponed.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 177, a bill for an act providing for a topographical survey of Iowa, and making appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that your committee, while fully appreciating the importance of and the advantages arising from such survey, but, taking into consideration the state of public finances, it is deemed to be at present inexpedient to engage in an enterprise that demands so large an expenditure of public funds. Your committee therefore recommend that it be indefinitely postponed.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 401, a bill for an act to legalize the organization of the township of Logan in the county of Sioux, Iowa, and the election and acts of its officers.

House File No. 402, a bill for an act to legalize the incorporation of the town of Hawarden in Sioux county, Iowa, and the acts of the officers thereof.

D. C. KOLP, *Chief Clerk*.

On motion of Senator Poyneer, Senate File No. 183, a bill for an act to repeal chapter 189, acts of the Twentieth General Assembly, relating to the appointment of a State Veterinary Surgeon, and to provide a substitute therefor, was taken up and considered.

The question being upon the amendment offered by Senator Dungan.

Senator Reiniger offered the following:

By striking out, after the words destroyed in 7th line, the words "at a valuation," and inserting in lieu thereof, "at their actual cash value at the time of appraisement, but".

Accepted by Senator Dungan and withdrawn.

Senator Dungan offered the following: In line 7 of section 8 strike out the words, "at a valuation," and insert "at their actual cash value at the time of appraisement, but."

Adopted.

Senator Finn offered the following: Add at the end of section 8: "Provided further that not more than one hundred dollars shall be paid for any one animal of the horse or mule kind, nor more than thirty-five dollars per head for cattle."

Senator Barnett offered the following as a substitute for the amendment: "Provided further, that no person shall receive more than one hundred and fifty dollars per head for horses, nor more than one

hundred dollars per head for mules and asses, and not to exceed fifty dollars per head for cattle destroyed under this act."

Lost.

The question recurring upon the amendment offered by Senator Finn, it was lost.

Senator Poyneer moved to amend as follows: Strike out section 13 and remaining sections be re-numbered.

Carried.

Senator Kelly moved to amend section 2 by striking out the word "five" in line 6 of the printed bill and insert "four."

Lost.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Clark, Converse, Davidson, Deal, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, McCoy, Meservey, Mills, Poyneer, Reiniger, Seeds, Smith, Vale, Weber, Weidman and Young—26.

The nays were:

Senators Bolter, Cassatt, Chesebro, Dodge, Dooley, Finn, Garlock, Groneweg, Kegler, Kelly, Lawrence, Mattoon, McVay, Price, Taylor.—15.

Absent or not voting:

Senators Caldwell, Kent, Knight, Parrott, Schmidt, Sweney, Wolfe and Woolson—8.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Seeds, Senate File No. 319, a bill for an act to authorize Jed Lake to demand from the Secretary of the Interior a patent for the $s \frac{1}{2}$ e $\frac{1}{2}$ of section 6, township 88, range 9, in order to perfect the title of said land in the State for the use of the Iowa Hospital for the Insane, at Independence.

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

Senator Gatch asked leave to withdraw a petition presented by him yesterday relative to the manufacture of liquor in the State for exportation.

Granted.

On motion of Senator Smith joint resolution No. 8, concerning the enactment of a law by Congress for the examination and licensing of conductors of railway trains engaged in inter-state commerce with report of committee recommending amendments and when so amended it do pass, taken up, and considered.

On motion of Senator Clark the Senate adjourned until 7:50 o'clock this evening.

EVENING SESSION.

FEBRUARY 23, 1888.

The Senate met in regular session at 7:50 P. M.

Lieut. Gov. Hull in the chair.

Committee from the House announced that the House was in session and was ready to receive the Senate.

The hour having arrived for the joint convention, the President requested the Senate to accompany him in a body to the House, and the Senate then proceeded to the House.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant-Governor J. A. T. Hull, who announced the business of the joint convention to be the election of Regents of the State University, Trustees of the other State institutions, and Wardens for the Penitentiaries, respectively, at Fort Madison and Anamosa.

The Lieutenant-Governor announced Senator Ed. P. Seeds as Teller on the part of the Senate.

The Speaker announced Mr. A. B. Cummins as Teller on the part of the House.

RESOLUTION.

Senator Young offered the following:

Be it resolved by the Senate and House of Representatives of the State of Iowa, in joint convention assembled:

That the following named persons are hereby declared to be duly elected Regents of the State University and Trustees and Directors of the various State Institutions, to-wit:

REGENTS OF THE STATE UNIVERSITY.

First District, H. A. Burrell	6 years.
Second District, D. N. Richardson	6 years.
Sixth District, Albert W. Swalm	6 years.
Seventh District, Thomas S. Wright	6 years.

TRUSTEES OF THE IOWA AGRICULTURAL COLLEGE AND FARM.

Third District, G. W. Dunham, Delaware county, 2 years, to fill vacancy.	
Fifth District, Joseph Dysart, Tama County.....	6 years.
Seventh District, J. S. Clarkson, Polk county.....	6 years.
Eighth District, George Van Houten, Taylor county, 4 years, to fill vacancy.	
Tenth District, Eugene Secor, Winnebago county.....	6 years.
Eleventh District, C. D. Boardman, Sac county	6 years.

DIRECTORS OF THE SCHOOL FOR THE INSTRUCTION AND TRAINING OF TEACHERS AT CEDAR FALLS.

Frank W. Mahin, Clinton county, to fill vacancy.....	2 years.
W. T. Smith, Calhoun county	6 years.
Wm. M. Fields, Black Hawk county	6 years.

TRUSTEES OF THE IOWA COLLEGE FOR THE BLIND.

C. O. Harrington, Benton county	4 years.
G. M. Miller, Buchanan county	4 years.
John Killen, Clayton county.....	4 years.

TRUSTEES OF THE IOWA INSTITUTION FOR THE DEAF AND DUMB.

L. Weinstein, Des Moines county.....	6 years.
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TRUSTEES OF THE IOWA SOLDIERS' ORPHANS' HOME.

Geo. P. McClellan, Scott county.....	2 years.
J. G. Brown, Marshall county.....	2 years.
J. J. Wohlwend, Des Moines county	2 years.

TRUSTEES OF THE IOWA HOSPITAL FOR THE INSANE AT MT. PLEASANT.

D. A. Hurst, Mahaska county	4 years.
Geo. H. Spahr, Henry county, to fill vacancy.....	2 years.
J. H. Kulp, Scott county.....	4 years.

TRUSTEES OF THE IOWA HOSPITAL FOR THE INSANE AT INDEPENDENCE.

W. E. Rosemond, Buchanan county.....	4 years.
J. L. Whitley, Mitchell county.....	4 years.
R. A. Dunkelburg, Bremer county.....	4 years.

TRUSTEES OF THE IOWA HOSPITAL FOR THE INSANE AT CLARINDA.

J. D. M. Hamilton, Lee county.....	4 years.
L. B. Raymond, Franklin county.....	2 years.
Ed. H. Hunter, Adams county.....	2 years.
E. J. Hartshorn, Palo Alto county.....	4 years.
J. H. Dunlap, Page county.....	6 years.

TRUSTEES OF THE ASYLUM FOR FEEBLE MINDED CHILDREN.

F. M. Schriver, Mills county.....	6 years.
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TRUSTEES OF THE IOWA INDUSTRIAL SCHOOLS.

Margaret E. Appleton, Woodbury county (to fill vacancy)...4 years.
 Thos. Mitchell, Polk county.....6 years.
 H. L. Getz, Marshall county.....6 years.

Upon the adoption of the resolution the yeas were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Ball, Barrett, Bayless, Beem, Berryhill, Bills, Blythe, Brower, Buell, Byers, Caldwell, Calvin, Cassatt, Chantry, Chapman, Clark, Converse, Craig, Crooks, Cummins, Curtis, Darnall, Davidson, Davie, Deal, Dietz, Dodge, Dooley, Doron, Draper, Dungan, Duus, Eckles, Eilers, Estes, Evans, Field, Fillmore, Finn, Foley, Gatch, Groneweg, Hall, Hamilton, Hanchett, Hart, Hauser, Head, Hipwell, Hobbs, Homrighaus, Horton, Hunter, Jolly, Jones, Kegler, Kelly, Kennan, Kent, Kline, Lewis, Limback, Lockin, Luke, Mack, Mahoney, Mattoon, McCoy, McFarland, McVay, Mills, Mitchell, Nelson, Nicoll, Oakman, Owen, Parrott, Paschal, Piatt, Poyneer, Price, Redman, Rice, Riley, Roach, Robb, Roberts, Robeson, Roe, Roundy, Rowan, Russell, Schleicher, Schmidt, Seeds, Shipley, Slosson, Steele, Taylor, Teale, Theophilus, Thompson, Thornburg, Thorniley, Tipton, Townsend, Vale, Wagner, Walker, Weber, Weidman, Wilson of Cass, Wolfe, Woods, Woolson, Wyckoff, Wyman, Yergey and Young—122.

The nays were none.

Absent or not voting:

Messrs. Barnett, Bolter, Brown, Burgess, Chesebro, Clarke, Custer, Dayton, Dobson, Doud, Funk, Garlock, Harsh, Hoppers, Hotchkiss, Hutchison, Knight, Larson, Lawrence, Meservey, Moore, Parkhurst, Reiniger, Smith of Mitchell, Smith of Linn, Sweney, Wilbur and Wilson of Butler—28.

So the resolution was adopted.

Senator Young offered the following:

Resolved, That the Clerk be instructed to wait upon the Governor and present the credentials of the newly-elected officers of the State Institutions.

Adopted.

ELECTION OF WARDENS.

The Chair announced as the next order, the election of a Warden for the Penitentiary at Ft. Madison.

Mr. Riley nominated Geo. W. Crosley.

Senator Dodge nominated John H. Gillespie.

The roll was called, with the following result:

Those voting for Geo. W. Crosley were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Ball, Berryhill, Blythe, Brower, Brown, Byers, Caldwell, Calvin, Chantry, Chapman, Clark, Converse, Crooks, Cummins, Curtis, Darnall, Davidson, Deal, Doron, Draper, Dungan, Eckles, Evans, Field, Fillmore, Finn, Gatch, Hall, Hanchett, Harsh, Hauser, Head, Hobbs, Homrighaus, Hunter, Jones, Kennan, Lewis, Lockin, Luke, Mack, Mahoney, McCoy, McFarland, McVay, Mills, Nelson, Nicoll, Oakman, Parrott, Paschal, Poyneer, Price, Redman, Reiniger, Riley, Roach, Roberts,

Robeson, Schleicher, Seeds, Shipley, Smith of Mitchell, Steele, Teale, Thornburg, Thorniley, Tipton, Townsend, Vale, Walker, Weber, Weidman, Wilson of Butler, Wilson of Cass, Woolson, Wyckoff, Yergey and Young—89.

Those voting for John H. Gillispie were:

Messrs. Beem, Bills, Buell, Cassatt, Craig, Davie, Dodge, Dooley, Duus, Eilers, Estes, Foley, Groneweg, Hamilton, Hart, Hipwell, Horton, Jolly, Kelly, Kent, Kline, Limback, Mattoon, Mitchell, Owen, Piatt, Rice, Robb, Roe, Roundy, Rowan, Russell, Schmidt, Theophilus, Thompson, Wagner, Wolfe, Woods and Wyman—89.

Those voting for Mr. Jenkins were:

Messrs. Kegler and Taylor—2.

Absent or not voting:

Messrs. Barnett, Barrett, Bayless, Bolter, Burgess, Chesebro, Clarke, Custer, Dayton, Dietz, Dobson, Doud, Funk, Garlock, Hospers, Hotchkiss, Hutchison, Knight, Larson, Lawrence, Meservey, Moore, Parkhurst, Slosson, Smith of Linn, Sweney and Wilbur—97.

The vote was announced as follows:

Whole number votes cast	126
Geo. W. Crosley	83
John H. Gillespie	39
Jenkins	2

Geo. W. Crosley having received a majority of all the votes cast, was declared duly elected Warden of the Penitentiary at Ft. Madison.

For Warden of the Penitentiary at Anamosa, Mr. Jones nominated Marquis Barr.

Mr. Thompson nominated J. H. Vantassel.

The roll was called, with the following result:

Those voting for Marquis Barr, were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Ball, Barrett, Berryhill, Blythe, Brower, Brown, Byers, Caldwell, Calvin, Chantry, Chapman, Converse, Crooks, Cummins, Curtis, Darnall, Davidson, Deal, Doron, Draper, Dungan, Eekles, Evans, Fillmore, Gatch, Hanchett, Harsh, Hauser, Head, Hobbs, Homrighaus, Hunter, Jones, Kennan, Lewis, Lookin, Luke, Mack, Mahoney, McCoy, McFarland, McVay, Mills, Nelson, Nicoll, Oakman, Parrott, Paschal, Poyneer, Price, Redman, Reiniger, Riley, Roach, Roberts, Robeson, Schleicher, Seeds, Shipley, Smith of Mitchell, Steele, Teale, Thornburg, Thorniley, Tipton, Townsend, Vale, Walker, Weber, Weidman, Wilson of Butler, Woolson, Wyckoff, Yergey and Young—78.

Those voting for J. H. Vantassel were:

Messrs. Beem, Bills, Buell, Craig, Davie, Dooley, Duus, Eilers, Estes, Foley, Horton, Jolly, Kegler, Kelly, Kline, Mattoon, Owen, Piatt, Rice, Roe, Roundy, Rowan, Schmidt, Taylor, Theophilus, Thompson, Wolfe, Woods and Wyman—29.

Absent or not voting:

Messrs. Barnett, Bayless, Bolter, Burgess, Cassatt, Chesebro, Clarke, Clark, Custer, Dayton, Dietz, Dobson, Dodge, Doud, Field, Finn, Funk, Garlock, Groneweg, Hall, Hamilton, Hart, Hipwell, Hospers, Hotchkiss, Hutchison, Kent, Knight, Larson, Lawrence, Limback,

Meservey, Mitchell, Moore, Parkhurst, Robb, Russell, Slosson, Smith of Linn, Sweney, Wagner, Wilbur and Wilson of Cass—43.

The vote was announced as follows:

Whole number of votes cast	107
Marquis Barr	78
J. H. Vantassell	29

Marquis Barr having received a majority of all the votes cast was decided duly elected Warden of the Penitentiary at Anamosa.

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

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Regents of the State University, H. A. Burrell having received a majority of all the votes cast for said office, was declared duly elected a Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Regents of the State University, D. N. Richardson having received a majority of all the votes cast for said office, was declared duly elected a Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINEL, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Regents of the State University, Albert W. Swalm having received a majority of all the votes cast for said office, was declared duly elected a Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Regents of the State University, T. S. Wright having received a majority of all the votes cast for said office, was declared duly elected a Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Agricultural College and Farm, G. W. Dunham having received a majority of all the votes cast for said office, was declared duly elected a Trustee to fill vacancy for the term two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Agricultural College and Farm, Joseph Dysart having received a majority of all the votes cast for said office, was duly elected a Trustee for the term of six years from and after the expiration of the term of present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,

Teller of the Senate.

A. B. CUMMINS,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Agricultural College and farm. J. S. Clarkson having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,

Teller of the Senate.

A. B. CUMMINS,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Agricultural College and Farm, Geo. Van Houten, having received a majority of all the votes cast for said office, was declared duly elected a Trustee, to fill vacancy, for the term of four years, and until his successors is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Agricultural College and Farm, Eugene Secor, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Agricultural College and Farm, C. D. Boardman, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the Twenty-third day of February, A. D. 1888, for the purpose of electing Directors of the School for the Instruction and Training of Teachers at Cedar Falls, Frank W. Mahin having received a majority of all the votes cast for said office, was declared duly elected a director to fill vacancy for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the twenty-third day of February, A. D. 1888, for the purpose of electing Directors of the Schools for the Institution, and training of teachers at Cedar Falls, W. T. Smith having received a majority of all the votes cast for said office, was declared duly elected a Director for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the twenty-third day of February, A. D. 1888, for the purpose of electing directors of the School for the Instruction and Training of Teachers at Cedar Falls, Wm. M. Fields having received a majority of all the votes cast for said office, was declared duly elected a Director for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 13, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February A. D. 1888, for the purpose of electing Trustees of the Iowa College for the Blind, C. O. Harrington having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the State.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa College for the Blind, G. M. Miller having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is duly elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February A. D. 1888, for the purpose of electing Trustees of the Iowa College for the Blind, John Killen having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Institution for the Deaf and Dumb, Louis Weinstein, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Soldiers' Orphans' Home, Geo. P. McClelland having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Soldiers' Orphans' Home, J. G. Brown, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses the of General Assembly of the State of Iowa, in joint convention, on Thursday the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Soldiers' Orphans' Home, J. J. Wohlwend having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Mt. Pleasant, D. H. Hurst having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

Attest:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Mt. Pleasant, Geo. H. Spahr having received a majority of all the votes cast for said office, was declared duly elected a Trustee to fill vacancy for the term of two years and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

Attest:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Mt. Pleasant, J. H. Kulp, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

Attest:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Independence, W. E. Roseman having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Independence, J. L. Whitley having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Independence, R. A. Dunkelberg having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees for the Hospital for the Insane at Clarinda, J. D. M. Hamilton, having received a majority of the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees for the Hospital for the Insane at Clarinda, L. B. Raymond having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Hospital for the Insane at Clarinda, Ed. H. Hunter having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees for the Hospital for the Insane at Clarinda, E. J. Hartshorn having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees for the Hospital for the Insane at Clarinda, J. H. Dunlap having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Institution for the Feeble Minded Children, F. M. Schriver having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Industrial Schools, Margaret E. Appleton having received a majority of all the votes cast for said office, was declared duly elected a Trustee to fill vacancy for the term of four years, and until her successor is elected and qualified.

Signed in the presence of the joint convention this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Industrial Schools, Thomas Mitchell having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February, A. D. 1888, for the purpose of electing Trustees of the Iowa Industrial Schools, H. L. Getz having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February, 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention on Thursday the twenty-third day of February, A. D. 1888, for the purpose of electing Warden of the Penitentiary at Fort Madison, Iowa, George W. Crossley having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary at Fort Madison for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this twenty-third day of February, A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, February 23, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the twenty-third day of February A. D. 1888, for the purpose of electing Warden of the Penitentiary at Anamosa, Iowa, Marquis Barr, having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary at Anamosa for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of February A. D. 1888.

JOHN A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

ED. P. SEEDS,
Teller of the Senate.

A. B. CUMMINS,
Teller of the House of Representatives.

The minutes of the joint convention were read and approved.

On motion of Mr. Riley the joint convention dissolved.

The Senate reconvened at 9:08 P. M.

On motion of Senator McVay, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 24, 1888. }

The Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. Joel A. Smith.

PETITIONS AND MEMORIALS.

Senator Young presented petition of A. W. Barton and others, of Shelby county, asking for railway legislation.

Referred to Committee on Railways.

Senator Mattoon presented petition of M. G. Coleman and 63 others, of New Albin, Iowa, same subject.

Same reference.

Also presented resolution adopted by Fayette County Teachers' Association, favoring the addition of the study of civil government to the branches in which teachers are examined and for study in the common schools.

Referred to Committee on Schools.

Also presented petition of Wm. Lease and 195 others of the Society of Friends of Fayette county, in favor of the passage of Senate File No. 139 or of a similar bill.

Referred to the Committee on Judiciary.

Senator McVay presented petition of W. H. Clow and others, favoring railway legislation.

Referred to Committee on Railways.

Also presented petition of B. M. Thurston and others, same subject.

Same reference.

Senator Taylor presented petition of W. M. Wray and 95 others of Davis county, same subject.

Same reference.

Also presented petition of J. W. White and 29 others of Moulton, Iowa, same subject.

Same reference.

Also presented petition C. F. Parker and 27 others of Livingston, Appanoose county, same subject.

Same reference.

Senator Weidman presented petition of R. H. Pierson and 61 others of Mills county, same subject.

Same reference.

Also presented petition of Geo. Parker and 24 others of Mills county, same subject.

Same reference.

Also presented petition of C. King and 35 others of Alaska, Montgomery county, same subject.

Same reference.

Senator Funk presented petition of S. M. Churchill and others of Dickinson county, same subject.

Same reference.

Also presented petition of Martin Christopher and others of Emmet county, same subject.

Same reference.

Senator Dungan presented petition of E. W. Thorn and 18 others of Wayne county, same subject.

Same reference.

Also, presented petition of Thomas Widdup and seventy others, of Wayne county, same subject.

Same reference.

Senator Vale presented petition of James S. Chriswell and thirty-seven others, same subject.

Same reference.

Senator Groneweg presented petition of Wm. Carse and others, of Pottawattamie county, same subject.

Same reference.

Senator Barrett presented remonstrance of A. W. Sleeper and others, of O'Brien county, against further legislation regarding lands in O'Brien county, embraced in the overlapping limits of the Chicago, Milwaukee & St. Paul and the Sioux City & St. Paul Railways.

Referred to Committee on Public Lands.

Also, presented remonstrance of Geo. E. Berray and others, same county, same subject.

Same reference.

Also, presented remonstrance of Wm. H. Knepper, same county, same subject.

Same reference.

Also, presented remonstrance of Milton Morgan, same county, same subject.

Same reference.

Also, presented remonstrance of James Roberts, same county, same subject.

Same reference.

Also, presented remonstrance of Wm. Martin and others, same county, same subject.

Same reference.

Senator Woolson presented petition of A. G. Fitzgerald and 83 others, of Washington county, in favor of railway legislation.

Referred to the Committee on Railways.

Senator Caldwell presented petition of W. J. Campbell and others of Audubon county, same subject.

Same reference.

Senator Brower presented petition of John H. Waddington and others of Geneva, Franklin county, same subject.

Same reference.

Senator Harsh presented petition of A. T. Anderson and others of Ringgold county, same subject.

Same reference.

Senator Gatch presented petition of Levi Kile and 38 others of Polk county, same subject.

Same reference.

Senator Chesebro presented petition of E. R. Eldridge and 42 others of Louisa county, same subject.

Same reference.

Senator Taylor presented petition of S. B. Allison and others of Floyd county, same subject.

Same reference.

Senator Weber presented petition of G. Murphy and others of Hamilton county, same subject.

Same reference.

Senator Barnett presented petition of John McDonnough and 100 others of Clark county, same subject.

Same reference.

Senator Parrott presented petition of H. P. Chesley and other employes of Dubuque & Sioux City and Iowa Falls & Sioux City Railways against railway legislation.

Same reference.

Also, presented petition of J. Irving and others of Raymond, Iowa, on same subject.

Same reference.

Senator Mills presented petition of O. H. Hale and others of Marshall county, in favor of railway legislation.

Same reference.

Senator Garlock presented petition of O. J. Espe and others of Humboldt county, same subject.

Same reference.

Also, presented petition of H. A. Winter and others of Barnum, Iowa, opposing railway legislation.

Same reference.

Also, presented petition of Owen Duggon and other employes of the Dubuque & Sioux City and Iowa Falls & Sioux City Railway Companies on same subject.

Same reference.

Senator Bolter presented petition of T. J. Frazier and 77 others, of Harrison county, in favor of railway legislation.

Same reference.

Also, presented petition of John Woolsoncroft and others, of Crawford county, same subject.

Same reference.

Also, presented petition of Geo. McKnight and others, of Shelby county, same subject.

Same reference.

Also, presented petition of C. J. Johnson and others, of Crawford county, same subject.

Same reference.

Also, presented petition of Geo. S. Kees and others, of Shelby county, same subject.

Same reference.

Also, presented petition of Geo. S. Jordon and others, of Crawford county, same subject.

Same reference.

Also, presented petition of O. P. Murphy and others of Harrison county, same subject.

Same reference.

Also, presented petition of D. P. Dunlaye and others of Shelby county, same subject.

Same reference.

Also, presented petition of C. A. Miller and others, same subject.

Same reference.

Also, presented petition of W. H. Brockelsly and others of Crawford county, same subject.

Same reference.

Also, presented petition of R. Yiesley and others of Harrison county, against railway legislation.

Same reference.

Senator Seeds, presented petition of E. B. Abbott and others of Co. H., 4th Reg. I. N. G. in favor of law, providing increased appropriation for the National Guard.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Dungan, Senate File No. 320, a bill for an act to repeal section 1623 of the Code and enact a substitute therefor, relating to appointment of trustees of the Soldiers' Orphans' Home and Home for Destitute Children at Davenport, Iowa.

Read a first and second time and referred to the Committee on Charitable Institutions.

By Committee on Cities and towns, Senate File No. 321, a bill for an act to amend section 1 of chapter 51, acts of the Fifteenth General Assembly.

Read a first and second time, passed on file and ordered printed.

By Committee on Cities and Towns, Senate File No. 322, a bill for an act to provide for the re-assessment and re-levy of special taxes and assessments.

Read a first and second time, passed on file and ordered printed.

By Committee on Cities and Towns, Senate File No. 323, a bill for an act to repeal section 9 of chapter 116 of the laws of the Twenty-first General Assembly, and to enact a substitute in lieu thereof.

Read first and second times, passed on file and ordered printed.

By Committee on Cities and Towns, Senate File No. 324, a bill for an act to provide for the jurisdiction of justices of the peace in offences less than felony committed within a city of the first class or organized under special charter having a population of five thousand or more, and for the fees of city marshals in state cases.

Read first and second times, passed on file and ordered printed.

By Committee on Cities and Towns, Senate File No. 325, a bill for an act to regulate the appropriation of moneys in cities of the first class and cities organized under special charters.

Read first and second times, passed on file and ordered printed.

By Senator Mattoon, Senate File No. 326, a bill for an act to amend section 1766 of the Code in relation to schools.

Read first and second times and referred to the Committee on Schools.

By Senator McCoy, Senate File No. 327, a bill for an act to authorize certain cities to fund certain outstanding indebtedness and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gatch, Senate File No. 328, a bill for an act to repeal sections 818 and 819 of the Code of Iowa, relating to assessment of property for taxation and to enact a substitute therefor.

Read first and second times and referred to the Committee on Insurance.

By Senator Kelly, by request, Senate File No. 329, a bill for an act to amend sections 249 and 250 of the Code, relating to guarantee companies and official bonds.

Read first and second times and referred to the Committee on Judiciary.

By Senator Brower, Senate File No. 330, a bill for an act to amend section 1588, of chapter 2, of the Code, relating to the election of the Board of Regents of the State University, in case of vacancy for any cause.

Read first and second times and referred to the Committee on Educational Institutions.

Senator Copverse excused for the day.

SPECIAL ORDERS.

The hour having arrived for the consideration of the special order, it being Senate File No. 287, a bill for an act to establish and provide for the government and support of State libraries and make appropriations therefor, with report of committee recommending that it do pass, was taken up and considered.

Senator Wolfe moved to amend section 16 so that it will read:

"SEC. 16. There is hereby appropriated, out of any funds in the State treasury not otherwise appropriated, the sum of \$1,500 for 1888, commencing the first day of January, 1888, and \$2,000 annually, commencing on the first day of January, 1889, to be expended by the trustees of the Iowa Historical Library in the purchase of books for the library."

Carried.

Senator Wolfe moved to amend section 17 as follows:

Strike out the word "two" and insert "one," before the word "thousand," in line 2, and insert "500" before the word "dollars," in same line; also, insert after "1888," in line 3, the words "and \$2,000 annually, commencing on the first day of January, 1889," and strike out all after the word "library," in the 4th line, printed bill.

Carried.

Senator Barnett moved to amend by striking out "twelve," in the first line of section 18, and insert "eight."

Lost.

Senator Davidson moved to by amend striking out the word "twenty-five," in the second line of section 20, and insert the word "fifteen."

Carried.

On the question, shall the bill be engrossed and read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Bolter, Clark, Davidson, Dodge, Garlock, Gatch, Kent, Knight, Poyneer, Sweney, Wolfe and Woolson—12.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Deal, Dooley, Doud, Dungan, Finn, Funk, Groneweg, Hanchett, Hareh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Seeds, Taylor, Vale, Weidman and Young—31.

Absent or not voting:

Senators Barrett, Cassatt, Converse, Reiniger, Schmidt, Smith and Weber—7.

So the bill was lost on engrossment.

INTRODUCTION OF BILLS.

By Committee on Cities and Towns, Senate File No. 331, a bill for an act to amend section 457 of the Code relating to fire districts.

Read first and second times and placed on file.

By Senator Hanchett, Senate File No. 332, a bill for an act to better provide for publishing the proceedings of the county board of supervisors.

Read first and second times and referred to the Committee on Judiciary.

By Senator Hanchett, Senate File No. 333, a bill for an act to amend section 204 of the Code of 1873.

Read first and second times and referred to the Committee on Judiciary.

HOUSE MESSAGES.

House File No. 401, a bill for an act to legalize the organization of the township of Logan, in Sioux county, State of Iowa, and the election and acts of its officers.

Read first and second times and referred to the Committee on Judiciary.

House File No. 402, a bill for an act to legalize the incorporation of the town of Haworden, in Sioux county, Iowa, and the acts of the officers thereof.

Read first and second times and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Sweney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred a series of resolutions adopted by Excelsior Grange of Plate

township, Taylor county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Schools.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred House joint resolution No. 4, for the enactment of a law providing for the licensing of conductors on certain railways within the United States, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be considered in connection with a similar joint resolution already reported back by this committee, and with the further recommendation that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT.—Your Committee on Insurance, to whom was referred Senate File No. 28, a bill for an act to amend section 2584 of the Code of 1873, relating to where insurance companies shall bring certain actions, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

McCoy, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Insurance to whom was referred Senate File No. 70, a bill for an act in relation to the underground insurance, and to provide means for the suppression of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Amend by striking out of line 3, section 1, the word "doing" before business, and inserting the word "soliciting" in printed bill; also, amend by inserting after the word "obtained" in line 7 of said section the words "and to show cause why its certificate to do business in Iowa shall not be revoked"; also, in line 8 of said section strike out the word "notice" and insert the word "time" also amend by inserting after the words "order of the auditor" in line 9 of said section the words "and has failed to show cause why its certificate shall not be revoked;" amend by striking out all of said section, after the word "corporation" in line 10. Amend by striking out all of section 2 (of the printed bill) and inserting sections 2 and 3 as follows, to-wit:

Section 2. Any person who acts as agent for, or in any manner solicits or obtains insurance for any insurance company, association or corporation that has not complied with the laws of this State, or any person who acts as agent for or in any manner obtains insurance for any insurance company, association or corporation, authorized to do business in this State without first obtaining a certificate as pro-

vided by law, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars or be imprisoned in the county jail for a term not exceeding one year.

Section 3. Whenever the auditor determines that the provisions of this act are being violated he shall place the matter in the hands of the county attorney for prosecution, where such offense is committed. Any expense that the auditor may incur by enforcing any of the provisions of this act shall be audited and paid by the executive council upon the itemized and sworn statement of the auditor.

Amend by striking out of section 3 (of the printed bill) the figure "3" and inserting figure "4," and when so amended that it do pass.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 49, a bill for an act to compel insurance companies to insert in their applications for insurance the conditions of the policy and deliver to the assured a copy of the application at the time of making the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Amend by striking out of line 1, section 3, in the printed bill, the words "will constitute", and inserting "shall render." Also, in line 3, strike out the word "can" and insert "may." Also, in line 3, strike out the words "and judgment obtained." Also, in line 4, strike out the words "with the" and insert "and". And when so amended that it do pass.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Senator Seeds, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 202, a bill for an act imposing a tax on corporate franchises and shares of stock, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "one hundred," in line 4, section 1, of the original bill, and by inserting in lieu thereof the words "twenty-five." And as thus amended that it do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 89, a bill for an act to require corporations for pecuniary profit, hereafter organized under the laws of this State, to pay a franchise fee, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, the object of this bill being covered by Senate File No. 202, which has been reported back favorably.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations to whom was referred Senate File No. 235, a bill for an act to amend chapter one (1) title nine (9) of the Code, to repeal section 1058 thereof, and to enact section two (2) of this act in lieu thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ED. P. SEEDS, Chairman.

Ordered passed on file.

Senator Davidson from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings to whom was referred Senate File No. 284, a bill for an act to authorize the Governor to lease lot seven (7), in block thirty-three (33), in the city of Des Moines to the "Governor's Guards," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the words "in full" in the 20th line of part third, section two of the printed bill, and adding after the last word of said section, "The value of which improvements to be determined by appraisers." The Executive Council to select one appraiser and the lessee to select one appraiser and the two so appointed shall select a third one and that when so amended that the bill do pass.

D. B. DAVIDSON, Chairman.

Ordered passed on file.

On motion of Senator Davidson, Senate File No. 284, a bill for an act to authorize the Governor to lease lot seven (7) in block thirty-three (33), in the city of Des Moines, to the "Governor's Guard," with the report of the Committee recommending amendments, and when so amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Woolson moved to strike out the word "lessor" where it first occurs in line 4, section 4, printed bill, and insert "the Executive Council."

Adopted.

Senator Gatch moved to amend by inserting the words, "by the Executive Council" after the word "lessor" in line 5, section 3, printed bill.

Adopted.

Senator Davidson moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Carried.

Senator Sweney moved to reconsider the vote by which the bill was ordered engrossed and read a third time.

Carried.

Senator Sweney moved to amend by striking out the initials "I. N. G." in the 6th line, section 1, printed bill, and that the words "Iowa National Guard" be inserted therein.

Carried.

Senator Davidson moved that the rule be suspended, and the bill

be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cheesbro, Clark, Davidson, Deal, Dooley, Dond, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Woolson—39.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Converse, Dodge, Dungan, Finn, Kent, Knight, Schmidt, Wolfe and Young—11.

Senator Sweney moved to amend the title by adding thereto, "designated in the military organizations of the State as 'Co. A, Third Regiment, Iowa National Guards.'"

Adopted.

So the bill passed and the title as amended was agreed to.

Senator C. H. Gatch, from the Committee on Appropriations, submitted the following minority report:

MR. PRESIDENT—The undersigned, a minority of the Ways and Means Committee, being unable to concur in majority report recommending the indefinite postponement of Senate File 57, providing for the exemption, to a limited amount, after the year 1887, of homesteads from taxation, respectfully submit the following minority report:

Fearing that it will be impossible to secure the valuation of property for taxation at its cash value, as is required by law, and being of the opinion that under the long-continued and generally prevalent practice of under-valuation by assessors throughout the State, \$500 of equalized valuation would be a sufficient, and no more than a reasonable amount for the proposed exemption, we recommend that the bill be amended by striking out "\$1,000" where the same occurs in section one (1) of the bill, and in the title, and inserting in lieu thereof in each place, "\$500," and that as so amended the bill do pass.

C. H. GATCH,
O. M. BARRETT,
J. B. HARSH.

Placed on file and ordered printed.

Senator Clark moved to take up substitute for House File No. 67, a bill for an act to prohibit the selling, giving or furnishing of tobacco in any forms to minors under sixteen years of age.

Lost.

BILLS ON THIRD READING.

Senate File No. 119, a bill for an act to amend chapter 151 of the acts of the Eighteenth General Assembly, relating to the State Board of Health, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Finn, Gatch, Hanchett, Harsh, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Sweney, Vale and Weber—26.

The nays were:

Senators Doud, Funk, Groneweg, Hutchison, Kegler, Kent, Knight, Lawrence, Taylor and Weidman—10.

Absent or not voting:

Senators Bayless, Cassatt, Converse, Deal, Dodge, Dooley, Dungan, Garlock, Kelley, Poyneer, Schmidt, Wolfe, Woolson and Young—14.

So the bill passed and the title was agreed to.

Senator Price moved to take up bills on indefinite postponement.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Brower, Chesebro, Hutchison, Mattoon, McCoy, Price, Reiniger, Weidman and Young—11.

The nays were:

Senators Barrett, Bolter, Caldwell, Clark, Davidson, Dooley, Doud, Gatch, Groneweg, Hanchett, Harsh, Kegler, Knight, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Seeds, Smith, Sweney, Taylor, Vale, Weber and Wolfe—26.

Absent or not voting:

Senator Bayless, Cassatt, Converse, Deal, Dodge, Dungan, Finn, Funk, Garlock, Kelly, Kent, Schmidt and Woolson—13.

So the motion was lost, and the order of bills on third reading continued.

Senate File No. 146, a bill for an act repealing section 1065 of the Code of 1873, and enacting a substitute therefor, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Mills, Poyneer, Price, Reiniger, Seeds, Vale, Weidman, Wolfe, Woolson and Young—35.

The nays were:

Senators Barnett, Funk, Hutchinson, Kelly, Mattoon, Meservey, Parrott, Smith, Sweney, Taylor and Weber—11.

Absent or not voting:

Senators Converse, Doud, Dungan and Finn—4.

So the bill passed and the title was agreed to.

Senator Sweney moved to reconsider the vote by which Senate File No. 105, a bill for an act to amend section 3, chapter 211, laws of the Eighteenth General Assembly of Iowa, passed the Senate.

Carried.

Senator Sweney moved to reconsider the vote by which the rule was suspended the bill considered engrossed and read a third time.

Carried.

Senator Sweney moved to amend by adding after the word "given"

in the fourth line of the bill the words "unless said insurance company has refused to pay such loss".

Carried.

Senator Dungan was excused for the day.

The journal of yesterday was corrected and approved.

On motion of Senator Dodge the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, Feb. 25, 1888. }

The Senate met in regular session at 2 o'clock P. M.

Lieutenant-Governor Hull in the chair.

Prayer by Rev. Mr. Stark.

PETITIONS AND MEMORIALS.

Senator Young presented petition of L. H. Griffith and others in favor of railroad laws.

Referred to Committee on Railways.

Senator Smith presented petition of Wm. Wilson and others of Linn county, same subject, and also in favor of other legislation regarding school text-books, etc.

Same reference.

Senator Hanchett presented petition of Dexter Beal and others of Bremer county, favoring railway legislation and making fraudulently obtained notes valueless.

Same reference.

Senator Bayless presented five petitions of citizens of O'Brien county favoring the passage of House File No. 347, for the reconveyance of said lands to the General Government.

Referred to Committee on Public Lands.

Senator Caldwell presented petition of James Jinkens and others of Colfax township, Dallas county, favoring railway legislation, part of the petitioners objecting to the reduction of passenger fare to two cents per mile.

Referred to the Committee on Railways.

Senator Harsh presented memorial of J. G. Bestor and others of Ringgold county, approving Governor Larrabee's inaugural address and biennial message.

Same reference.

Senator Deal presented petition of H. E. Robbins and others of Sac county favoring railway legislation.

Same reference.

Senator Hutchison presented petition of Geo. A. Warden and others of Ottumwa, protesting against reduction of telegraph rates.

Same reference.

Senator Dooley presented petition of Butterfield & Snowfer and others of What Cheer, protesting against railway legislation and recommending Legislature to adjourn.

Same reference.

Senator Kelly presented petition of Gustave Miller and 49 other farmers asking for cheaper fares and freight.

Same reference.

Senator Bills presented petition of W. H. Sanford and 49 others of Amber, Jones county, same subject.

Same reference.

Senator Caldwell presented petition of John Wragg and others of Dallas county, opposed to radical railway legislation.

Same reference.

Senator Barrett presented petitions of Geo. H. Boutelle and others of Sioux and O'Brien counties, asking for railway legislation.

Same reference.

Senator Deal presented petition of E. E. Cates and others of Sac county, same subject.

Same reference.

Senator Finn presented remonstrance of F. H. Scranton and other volunteer firemen of Corning, against the passage of Senate File No. 200, and in favor of the passage of a law creating a fund for injured firemen, with suggestions as to the distribution.

Referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Reiniger, Senate File No. 334, a bill for an act to amend chapter 910, of the acts of the Eighteenth General Assembly relating to fire insurance.

Read first and second times and referred to the Committee on Insurance.

By Senator Knight, Senate File No. 335, a bill for act providing means for the creation, maintenance and management in the cities of Iowa of public drives, boulevards and parks, and the appointment of park trustees.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Funk, Senate File No. 336, a bill for an act making an appropriation for the State Fish Commission.

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

By Senator Dungan, Senate File No. 337, a bill for an act relating to the registration of voters in cities having a population not exceeding thirty five hundred inhabitants providing but one board of registers in such cities.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Mills, Senate File No. 338, a bill for an act authorizing cities and incorporated towns to construct electric light plants.

Read first and second times and referred to the Committee on Cities and Towns.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to herewith return for amendment Senate File No. 284, a bill for an act to authorize the Governor to

lease lot 7, in block 33, in the city of Des Moines, to the Governor's guards.

D. C. KOLP, *Chief Clerk.*

RESOLUTION.

Senator Bayless presented the following resolution:

WHEREAS, It has been shown that an unnecessarily large expenditure is being made for janitors and other help in charge of the State Library:

Therefore be it Resolved, That the Committee on Library be requested to make a careful examination into said expense and report to this body, by bill or otherwise, such retrenchment as they may deem consistent with the public welfare. ;

Adopted.

LEAVE OF ABSENCE.

Senator Brower excused for the day.

Senator Seeds excused for the day.

Senator Poyneer excused for the day.

Senator Hanchett excused until Tuesday.

Senator Reiniger moved to reconsider the vote by which Senate File No. 284, a bill for an act to authorize the Governor to lease lot 7 in block 33, in the city of Des Moines, to the Governor's Guards, designated in the military organization of the State as Company A, Third Regiment, Iowa National Guards, passed the Senate.

Carried.

Senator Reiniger moved that the Senate reconsider the vote by which the rule was suspended and the bill considered engrossed and read a third time.

Carried.

Senator Reiniger moved to amend by inserting enacting clause "Be it enacted by the General Assembly of the State of Iowa".

Carried.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bayless, Bolter, Caldwell, Chesebro, Clark, Davidson, Deal, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weidman, Wolfe, and Woolson—42.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Converse, Dodge, Finn, Seeds, Weber and Young—8.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Woolson offered the following:

Resolved, That the Committee on Printing is hereby directed to inquire and report to the Senate how and why Senate File No. 284 in its printed form as furnished to the Senate was made to appear differently from the bill as sent to the printer to be printed.

Senator Sweney moved to amend as follows:

And also why the Senate Railroad Committee report, ordered printed ten days ago, has not yet been delivered from the office of the State Printer.

Adopted.

Senator Reigner called for a division of the question.

The first proposition in regard to Senate File No. 284 was adopted.

Second proposition in regard to Railway Committee report was adopted.

REPORTS OF COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 81, a bill for an act authorizing trustees to provide rooms for voting, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 304, a bill for an act to authorize the Auditor of State to extend time of payment by renewal bond of bond No. 2, issued by the State to the permanent school fund, for \$112,202.26, under chapter 80, laws of the Eleventh General Assembly and which became due January 1, 1888, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. G. HUTCHISON, *Chairman*

Ordered passed on file.

Senator Caldwell, from the Committee on Publish Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House File No. 27, a bill for an act to provide for having the report of the State Oil Inspectors made to the Governor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 258, a bill for an act to amend section 1, chapter 137, laws of the Nineteenth General Assembly, relating to registered pharmacists, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 275, a bill for an act to amend section 1 of chapter 137 of the acts of the Nineteenth General Assembly relating to pharmacists, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Meservey, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections to whom was referred Senate File No. 112, a bill for an act to amend section 611 of the Code, relating to the hours of opening and closing the polls at all general elections beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the figure "6" in section 611, and inserting in lieu thereof the figure "8" also, by striking out the figure "7" in section 611 and inserting in lieu thereof the figures "7:30" and that when so amended it do pass.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections to whom was referred Senate File No. 174, a bill for an act to repeal chapter 115, acts of the Nineteenth General Assembly, and enact a substitute therefor relating to the time of holding the general elections beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Vale from the Committee on Banks submitted the following report:

MR. PRESIDENT—Your Committee on Banks to whom was referred Senate File No. 86, a bill for an act to limit the liabilities of State banks, beg leave to report that they have had the same under consideration and a majority of said committee, have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all after the word "following" in section 1, line 4, and all of line 5 in printed bill and insert in lieu thereof

"state banks may receive deposits not to exceed six times the amount of their capital stock," and as so amended it do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks to whom was referred House File No. 251, a bill for an act to protect the makers of negotiable instruments obtained by fraud or circumvention, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

B. R. VALE, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

Senate File No. 105, a bill for an act to amend section 3, chapter 211, laws of the Eighteenth General Assembly of Iowa, was taken up and considered.

Senator Parrott offered the following substitute for section 1.

Section 1. That section 3 of the chapter 211, acts of the Eighteenth General Assembly, be amended as follows: Strike out all after the word "occurred" in line 19, and insert in lieu thereof the words "provided further, that no action shall be begun within thirty days after said notice of such loss has been given, unless said company has refused to pay such loss." All the provisions of this chapter shall apply to and govern all contracts and policies of insurance contemplated in this chapter, anything in the policy or contract to the contrary notwithstanding.

But nothing in this act contained shall be construed as applying to life insurance companies.

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Chesebro, Davidson, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meserve, Mills, Parrott, Price, Reiniger, Smith, Sweney, Taylor, Weidman, Wolfe, Woolson and Young—34.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Converse, Deal, Dodge, Finn, Hanchett, Kent, Knight, Poyneer, Schmidt, Seeds, Vale and Weber—16.

So the bill passed and the title was agreed to.

Senator Price moved to take up bills which have been recommended for indefinite postponement, and that they be considered in their order unless objection be made to the consideration of any bill.

Carried.

Senate File No. 227, a bill for an act to amend section 797 of the Code, relating to property exempt from taxation, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senator Taylor moved that Senate File No. 111, a bill for an act to provide for the assessment of railway property by the board of supervisors, with report of committee recommending that it be indefinitely postponed, be not considered at this time.

Carried.

Senate File No. 199, a bill for an act amending sections 2655 and 2665 of the Code of 1873 in relation to pleading; with report of committee recommending indefinite postponement, was taken up.

On motion of Senator Clark the bill was recommitted to Judiciary Committee.

Senate File No. 214, a bill for an act to punish false pretenses in obtaining registration of cattle and other animals and to punish giving false pedigrees, with report of committee recommending indefinite postponement, was taken up and considered, and the report of the committee was adopted.

Senate File No. 170, a bill for an act to amend section 3798 of the Code, relating to compensation of public officers, with report of committee recommending indefinite postponement, was taken up and report of committee adopted.

Senate File No. 89, a bill for an act to require corporations for pecuniary profit hereafter organized under the laws of the State to pay franchise fee, with report of committee recommending indefinite postponement, was taken up and report of committee adopted.

Senate File No. 29, a bill for an act to compel employers to pay their employees semi-monthly, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House concurrent resolution relative to arrears of pensions, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House File No. 64, a bill for an act to amend section 2273 of the Code, relating to guardians, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 127, a bill for an act to amend section 3798 of the Code of Iowa, relating to compensation of county auditors, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and report of committee was adopted.

Senate File No. 59, a bill for an act granting additional powers to cities organized under special charters with reference to the improvements of streets, highways, avenues or alleys, and to provide a system of payment therefor, with report of committee recommending indefinite postponement, was taken up and report of committee adopted.

Senate File No. 6, a bill for the relief of Adair county, with report of committee recommending that it be indefinitely postponed, was taken up and report of committee adopted.

Senate File No. 238, a bill for an act to amend section 1955 of chapter 6, title 13 of the Code, designating officers who may take acknowledgements of conveyances of real estate, with report of committee recommending indefinite postponement, was taken up and report of committee adopted.

Senate File No. 117, a bill for an act to amend section 391, title 4, chapter 9, of the Code in relation to places of election, and compensation for the use thereof, with report of committee recommending that it be indefinitely postponed, was taken up and report of committee adopted.

Senate File No. 37, a bill for an act providing for the completion of the geological survey of Iowa, with report of committee recommending indefinite postponement was taken up and report of committee adopted.

Senate File No. 177, a bill for an act providing for a topographical survey of Iowa and making appropriations therefor, with report of committee recommending indefinite postponement, was taken up and report of committee adopted.

Senator Harsh moved that Senate File No. 53, a bill for an act to make elective the office of school treasurer in independent school districts which contain within their corporate limits a village, town or city of five hundred or more inhabitants, and to change the date upon which said treasurer is required to make an annual report, be recommended to the Committee on Schools.

Carried.

BILLS ON SECOND READING.

Joint Resolution No. 8, concerning the enactment of a law by Congress for the examination and licensing of conductors of railway trains engaged in inter-State commerce, with report of committee recommending amendment and that it do pass, and House Memorial and Joint Resolution No. 4, relative to licensing conductors on railway trains, with report of committee recommending that it do pass, were taken up and considered together.

Senator Sweney moved to indefinitely postpone Joint Resolution No. 8.

Carried.

Senator Caldwell moved that House Memorial and Joint Resolution No. 4 be indefinitely postponed.

Carried.

Senate File No. 165, a bill for an act to provide for the secrecy of the ballot and prevent undue influence within 100 feet of voting places, with report of committee recommending that it do pass, was taken up and considered.

Senator Dungan moved to amend as follows:

Amend by inserting after the word "place," in the second line, the words "in any incorporated town or city of the second class having a population, according to the last preceding Federal or State census, of not to exceed twenty-five hundred inhabitants."

Senator McCoy offered the following:

Amend by adding after the word "whatsoever or," in the fifth line of the printed bill, the words "or within such distance."

Senator Dungan moved to re commit the bill, with pending amendments, to the Committee on Cities and Towns.

Carried.

Senate File No. 23, a bill for an act to amend section 471, chapter 154, laws of 1874, with report of committee recommending amendment and that the bill do pass, was taken up, considered, and the amendment recommended by the committee was adopted.

Senator Taylor moved to amend by striking out all after the word "thereof," in the third line of section 1, printed bill.

Carried.

Senator Taylor moved to strike out the words "chapter 154, laws of 1874," and insert in lieu thereof the words "the Code."

Carried.

Senator Taylor moved to amend the title by striking out of the title the words "chapter 154, laws of 1874," and insert in lieu thereof the words "the Code."

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Davidson, Deal, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Price, Reiniger, Smith, Sweney, Taylor, Vale, Weidman, Wolfe and Woolson—36.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Converse, Dodge, Finn, Hanchett, Kessler, Knight, Parrott, Poyneer, Schmidt, Seeds, Weber and Young—14.

So the bill passed and the title was agreed to.

Senators Price and Barnett were excused for the day.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 21, a bill for an act to amend sections 766 and 3784 of the Code, and section 1, chapter 184, laws of the Eighteenth General Assembly, relating to the clerk of the district court, the employment of deputies and the compensation of such officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Strike out section 2 of said bill and insert the following:

Section 2. That section 1 of chapter 184, laws of the Eighteenth General Assembly, be and the same is hereby amended by inserting after the word "employed" in the 24th line of said section, the following:

"*Provided*, that in counties having a population in excess of forty thousand the court upon application of the clerk may authorize said clerk to appoint, subject to the approval of the board of supervisors

not more than three deputies, and one or more clerks, and determine in its order the number of such deputies and clerks."

Also, by striking out the word "deputy" in the 27th line thereof and substituting the word "deputies" therefor: Also, by striking out the words "but that the total compensation shall not exceed thirty-five hundred dollars" in the thirty third and thirty fourth lines and substituting therefor the following: "But the total compensation shall not exceed the fees received by such clerk or the sum of five thousand dollars, if such fees be less than said sum," and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senate File No. 22, a bill for an act to repeal section 4275 of the Code, and to enact a substitute relating to grand juries, with report of committee recommending a substitute, and when adopted that it do pass, was taken up, considered, and the substitute recommended by the committee was adopted.

Senator Wolfe moved that the bill be engrossed and read a third time to-morrow.

Carried.

Journal of yesterday corrected and approved.

On motion of Senator Gatch, Senate File No. 304, a bill for an act to authorize the Auditor of State to extend time of payment by renewal bond of bond No. 2, issued by the State to the permanent school fund for \$112,202.26, under chapter 80, laws of Eleventh General Assembly, and which became due January 1, 1888, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Hutchinson moved that the bill be made a special order for 2:30 o'clock P. M., on Tuesday next, February 28.

Carried.

On motion of Senator McVay, the Senate adjourned to Monday at 2 o'clock P. M.

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, February 27, 1888. }

The Senate met in regular session at 2 o'clock P. M.
Lieutenant Governor Hull in the chair.
Prayer by Rev. Mr. Stetson.

LEAVE OF ABSENCE.

Senator Doud was excused until Wednesday.
Leave of absence was granted to Lieutenant-Governor Hull until Wednesday next.

PETITIONS AND MEMORIALS.

Senator Smith presented petition of John Dicken and others of Linn county, asking for railway legislation.

Referred to Committee on Railways.

Senator McVay presented petition of J. C. Frick and other of Calhoun county, same subject.

Same reference.

Senator Clark presented petition of Roy Chamberlain and other volunteer firemen of Clarinda, opposed to the passage of Senate File No. 200.

Same reference.

Also, presented petition of C. W. Davy and others of Fremont county, in favor of the continuance of the present system of appointment of railroad commissioners, in favor of giving them increased powers, and opposed to railroad legislation.

Same reference.

Senator Bayless presented petition of James H. Williams and other farmers and shippers of Clayton county, in favor of railway legislation.

Same reference.

Also, presented petition of S. H. F. Shoulte and others, same county, same subject.

Same reference.

Senator Dodge presented petition of Wm. Jackson and others of Des Moines county, same subject.

Same reference.

Also, presented petition of A. H. Kuhlemier and others of Des Moines county, asking for repeal of laws prohibiting the manufacture of intoxicating liquors for export to other States and countries.

Referred to the Committee on Suppression of Intemperance.

Senator Schmidt presented petition of J. E. Peck and others of Wolcott, Scott county, against fixing of telegraph rates.

Referred to Committee on Corporations.

Also, presented remonstrance of 40 citizens of Big Rock, Scott county, same subject.

Same reference.

Senator Bills presented petition of Elisha J. Rye and 21 others of Cedar county, asking legislation upon railroad freights, etc.

Same reference.

Also, presented petition of Samuel Armstrong and 68 others of Cedar county, same subject.

Same reference.

Senator Groneweg presented petition of J. M. Rhodes and others of Pottawattamie county, same subject.

Same reference.

Senator Mattoon presented petition of Lewis Hirth and 68 others of Allamakee county, same subject.

Same reference.

Also, E. B. Nichols and 31 others of Fayette county, same subject.

Same reference.

Senator Bolter presented petition of H. S. Hawley and others of Shelby county, in favor of a bill making the chairman of each township board of trustees a member of a committee who will meet at the county seat previous to each general election, for the purpose of fixing the salaries of the county officers to be elected for the ensuing term of office.

Referred to Committee on Compensation of Public Officers.

Also, presented petition of J. H. Thilsen and others of Shelby county, asking for railway legislation.

Referred to the Committee on Railroads.

Senator Taylor presented petition of J. M. Smith and 40 others of Pulaski, Iowa, protesting against reduction of telegraph message rates, and against the passage of Senate File No. 237.

Referred to Committee on Corporations.

Senator Weidman presented petition of L. K. Mason and others of Hastings, Mills county, same subject.

Same reference.

Also, presented petition of Wm. B. Sandell and others of Villisca, asking that abstractors be compelled to give bonds for faithful performance of duty.

Referred to the Committee on Judiciary.

Senator Wolfe presented petition of W. T. Blinn and 300 others of Clinton, Iowa, opposed to railroad legislation.

Referred to Committee on Railways.

Also, presented petition of T. C. Harmaker and others of Lyons, Iowa, same subject.

Same reference.

Also, presented petition of M. E. Mattersen and others of Clinton county, same subject.

Same reference.

Senator Harsh presented petition of B. Kirby and others of Decatur county against reduction of telegraph rates.

Referred to Committee on Corporations.

Senator Caldwell presented petition of James M. Lord and others of Wauke, Iowa, same subject.

Same reference.

Senator Kent presented petition of Frank Williams and others, of Charleston, Lee county, same subject.

Same reference.

Senator Woolson presented petition of W. H. Febse and 495 others, of Henry county, against adoption of two cent fare bill.

Referred to Committee on Railways.

Senator Kegler presented petition of J. H. Sokol and others, of Baldwin, Iowa, opposed to interference with telegraph rates.

Referred to Committee on Corporations.

Senator Finn presented petition of L. L. Hodge and others, of Brooks, same subject.

Same reference.

Also presented petition of Lew E. Darrow and others, of Corning, Iowa, same subject.

Same reference.

Senator Caldwell presented petition of J. B. Brush and 60 others, of Guthrie Center, same subject.

Same reference.

Senator Barnett presented petition V. W. Brown and others, of Warren county, in favor of railroad legislation.

Referred to the Committee on Railways.

Senator Garlock presented petition of Wm. M. Smith and others, of Buena Vista county, same subject.

Same reference.

Also presented petition of T. G. Hess and others, against reduction of railway rates.

Same reference.

Senator Harsh presented petition of Millard F. Stookey and others, of Decatur county, asking for railroad legislation.

Same reference.

Senator Vale presented petition of Wm. M. Tharp and others, against legislation as to telegraphy.

Referred to Committee on Corporations.

Senator Young presented petition of J. H. Yarger and 5 others, of Cass county, against radical railroad legislation.

Referred to Committee on Railways.

Senator Young presented petition of John Huff and others, asking for railway legislation.

Same reference.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 444, a bill for an act to legalize the incorporation and ordinances of the town of Northwood, Worth county, Iowa.

House File No. 449, a bill for an act to legalize the ordinances of the city of Shenandoah.

House File No. 25, a bill for an act to prevent certain combinations by insurance companies, their officers and agents.

House File No. 460, a bill for an act to legalize deed of Polk county, Iowa, to Judson P. Taylor for southeast quarter northeast quarter section 24, township 78, range 23, west of 5th P. M.

House File No. 468, a bill for an act to legalize the ordinances and resolutions of the town of Panora, Guthrie county, Iowa.

House File No. 478, a bill for an act to legalize the incorporation of the town of Holstein.

House File No. 483, a bill for an act to change the name of the county seat of Boone county from Boonesboro to Boone.

House File No. 487, a bill for an act to legalize certain acts and ordinances of the incorporated town of Aurelia, in Cherokee county, Iowa.

D. C. KOLP, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Taylor, Senate File No. 339, a bill for an act to amend chapter 3 of title 9 of the Code, and to suppress and punish gambling on fair grounds of agricultural societies.

Read first and second times and referred to the Committee on Agriculture.

By Senator Sweney, Senate File No. 340, a bill for an act authorizing the mayor of any city or town to cause investigation in cases of burning of property suspected to have been set on fire.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Weidman, Senate File No. 341, a bill for an act to amend section 620 of the Code.

Read first and second times and referred to the Committee on Elections.

RESOLUTIONS.

Senator Weber offered the following resolution:

Resolved, That the Secretary of State is requested to furnish for the use of the Senate the following information:

First. Cost of the binding and printing done for the State by parties other than the State Binder and Printer; the character and kind of the same and the per cent higher or lower it cost if it had been done by the State Binder and Printer, and also names of parties performing the work.

Second. Cost and kind of stationery and material used for the State printing and binding and who furnished the same.

Third. His judgment as to the number actually necessary for distribution of the documents and reports now published by the State.

Adopted.

Senator Davidson offered the following joint resolution No. 10:
Be it resolved by the Twenty-second General Assembly of the State

of Iowa, That all buildings hereafter erected within the State for educational purposes shall not be built to exceed two stories in height above the basement.

Read first and second times and referred to the Committee on Educational Institutions.

Senator Weidman presented the following:

Resolved. That there be a committee of three appointed to investigate and find the number of committees that have no further use for clerks at this session, and that the same may be discharged from further service at this session.

Adopted.

Journal of Saturday corrected and approved.

HOUSE MESSAGES.

House File No. 25, a bill for an act to prevent certain combinations by insurance companies, their officers and agents.

Read first and second times and referred to the Committee on Insurance.

House File No. 444, an act to legalize the incorporation and ordinances of the town of Northwood, Worth county.

Read first and second times and referred to the Committee on Judiciary.

House File No. 449, a bill for an act to legalize the ordinances of the city of Shenandoah.

Read first and second times and referred to the Committee on Judiciary.

House File No. 460, a bill for an act to legalize deed of Polk county, Iowa, to Judson K. Taylor for se. qr. of ne. qr. section 24, town. 78, range 23, west 5 P. M.

Read first and second times and referred to the Committee on Judiciary.

House File No. 468, a bill for an act legalizing the acts of the council of the town of Panora, Guthrie county, Iowa, and legalizing the ordinances passed and adopted for the government of said town.

Read first and second times and referred to the Committee on Judiciary.

House File No. 478, a bill for an act to legalize incorporation of the town of Holstein.

Read first and second times and referred to the Committee on Judiciary.

House File No. 483, a bill for an act to change the name of the county seat of Boone county, Iowa, from Boonsboro to Boone.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 487, a bill for an act to legalize the acts and ordinances of the town council of the incorporated town of Aurelia, in Cherokee county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

Senator Bills presented the following minority report:

MR. PRESIDENT—The undersigned, a minority of the committee to

whom was referred Senate File No. 275, entitled "a bill to amend section 1, of chapter 137, of the acts of the Nineteenth General Assembly, relating to pharmacists," is unable to concur in the report of the majority of said committee, that the bill be indefinitely postponed, and most respectfully begs leave to submit his reasons, therefor, viz.: That inasmuch as said committee do recommend the passage of an amendment in the form of a proviso to said chapter 137 of the acts of the Nineteenth General Assembly which annuls and renders inoperative the clause that Senate File No. 275 seeks to repeal, thereby conceding, by implication, the unjustness of said clause—by virtue of which citizens of the State, who had been engaged in the practice of pharmacy for many years were, upon their removal for two years from the place where they were first registered as pharmacists or druggists, and while yet engaged in the active duties of their profession, obliged to put themselves to the trouble and expense of an examination before the Board of Pharmacy, or be stricken from the register and prohibited from continuing in a business to which perhaps they had been accustomed all their lives and in which all their means may be invested.

The minority, believing that the operation of the clause referred to, has been as unjust in the past as it will be in the future, in depriving citizens of the State of what they consider their vested rights, are of the opinion that those persons whose names have been stricken from the register for the simple reason of their removal from the place of original registration, should have an opportunity to be reinstated upon the register within a reasonable time, if they so desire, without additional expense to themselves; therefore, the minority, with due deference to the majority, do recommend that Senate File No. 275 do pass.

E. B. BILLS, *Minority.*

REPORTS OF STANDING COMMITTEES.

Senator Sweney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 13, a bill for an act to repeal section 2, chapter 68, laws of the Fifteenth General Assembly, and to enact a substitute relating to railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that a bill covering the same ground has already been favorably reported to the Senate.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 16, a bill for an act to prevent the use of free passes on railroads by public officers and others, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that a bill containing

similar provisions has already been reported by this committee with the recommendation that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred Senate File No. 20, a bill for an act to repeal section two (2) of chapter sixty-eight (68) of the laws of the Fifteenth General Assembly of the State of Iowa, in relation to rates of fare upon railroads, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that a bill containing similar provisions has already been reported by this committee with the recommendation that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Railways, to whom was referred Senate File No. 98, a bill for an act to regulate the operating of railroads on the Sabbath day, or first day of the week, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate without recommendation.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator Bayless moved that the bills just reported by the Railway Committee for indefinite postponement be now taken up.

Carried.

Senate File No. 16, a bill for an act to prevent the use of free passes on railroads by public officers and others, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of committee was adopted.

Senate File No. 13, a bill for an act to repeal section 2, chapter 68, laws of the Fifteenth General Assembly and to enact a substitute relating to railways, with report of committee recommending that it be indefinitely postponed was taken up, considered and the report of the committee was adopted.

Senator Reiniger from the Committee on Constitutional Amendments and Suffrage, submitted the following report:—

MR. PRESIDENT.—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 5 of the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ROBT. G. REINIGER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 7 of the Senate, beg leave to report that they have had the same under con-

sideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ROBT. G. REINIGER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 9 of the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ROBT. G. REINIGER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Senate File No. 167, a bill for an act conferring on women the right to vote at municipal and school elections beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the word "one" after the word "twenty" in the sixth line of section 1, and a majority of the committee recommend that when so amended the bill do pass.

ROBT. G. REINIGER, *Chairman*.

Ordered passed on file.

Senator Seeds, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 190, a bill for an act to regulate the charges of telegraph companies in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 154, a bill for an act to amend chapter six (6), title ten (10) of the Code of Iowa of 1873, providing for a maximum charge for transmitting telegraph messages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate File No. 22, a bill for an act to amend section 4275 of the Code relating to the appointment of a clerk for the grand jury, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 158, a bill for an act to legalize the addition of territory to the town of North Des Moines.

D. C. KOLF, *Chief Clerk*.

RESOLUTION.

Senator Dodge presented the following resolution:

WHEREAS, On Wednesday, Jan. 11th, 1888, a bill was introduced as Senate File No. 11, being an act to prohibit the employment of children under fifteen years of age in mines, work shops and factories; and

WHEREAS, The said bill has been endorsed by the commissioners of labor statistics in all the states having a Bureau of Labor, as shown by the various letters accompanying this resolution; therefore,

Be it resolved, That the Senate Committee on Labor be requested to report to the Senate said Senate File No. 11 by March 1st, 1888.

Referred to Committee on Labor.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being concurrent resolution, by Reiniger, relative to extraordinary appropriations and restricting same to the surplus revenues of the State, to be considered in connection with House concurrent resolution relative to appropriations by the Twenty-second General Assembly, with the report of committee recommending amendments and that it do pass, was taken up and considered.

Senator Reiniger moved that the House resolution be first considered.

Carried.

Senator Price moved to postpone further consideration of this resolution until March 7th at 2:30 P. M., and that it be made a special order for that time.

On this the yeas and nays were demanded.

The yeas were:

Senators Finn, Kegler, Mattoon, McCoy, McVay, Parrott, Price, Schmidt, Wolfe, Woolson and Young—11.

The nays were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Deal, Dodge, Dooley, Dungan, Funk, Garlock, Groneweg, Harsh, Hutchison, Kelley, Kent, Lawrence, Meservey, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber and Weidman—30.

Absent or not voting:

Senators Brower, Clark, Converse, Davidson, Doud, Gatch, Hanchett, Knight and Mills—9.

So the motion was lost.

Senator Dooley offered the following as a substitute for the amendment offered by the committee:

Amended by adding: "*Provided*, The Senate bill providing for an extra half mill levy tax be passed into law."

Carried.

Senator Woolson moved to amend by inserting after "\$550,000," the words "in outstanding warrants."

Carried.

The House concurrent resolution as amended was concurred in.

The question being upon the adoption of the concurrent resolution by Senator Reiniger, Senator Reiniger moved to amend as follows:

By inserting after the word "appropriations," in the first line, the words, "in view of the passage of Senate File No. 290 by the Senate."

Lost.

The resolution was adopted.

The chair announced Senators Weidman, Lawrence and Dodge as the special committee to ascertain the number of committee clerks necessary and report the same.

BILLS ON THIRD READING.

Senate File No. 22, a bill for an act to repeal section 4275 of the Code, and to enact a substitute, relating to grand juries, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Davidson, Deal, Dodge, Dooley, Dungan, Funk, Garlock, Groneweg, Harsh, Hutchison, Kelly, McVay, Meservey, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weidman Wolfe and Woolson—27.

The nays were:

Senators Barnett, Bills, Bolter, Caldwell, Cassatt, Chesebro, Finn, Kegler, Kent, Lawrence, Mattoon, McCoy, Price, Weber and Young—15.

Absent or not voting:

Senators Brower, Clark, Converse, Doud, Gatch, Hanchett, Knight and Mills—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution No. 14, in which the concurrence of the Senate is asked.

Relative to the pension bill in Congress for the benefit of the 37th regiment of Iowa volunteers.

D. C. KOLF, *Chief Clerk.*

BILLS ON SECOND READING.

Senate File No. 194, a bill for an act to provide for the greater safety of passengers on board all sail and steamboats on the inland waters of the State of Iowa, with report of committee recommending amendments and when adopted it do pass, was taken up and considered and the amendments of the Committee were adopted.

Senator Funk offered the following amendment: Amend by insert in line 3 of section 5, after "\$10.00" "provided that steamers with a capacity of 20 or less passengers shall be inspected for \$5.00."

Adopted.

Senator Deal offered the following amendment:

Add to section 1: Provided, that the provisions of this act shall not apply to any sail or steamboat duly licensed under laws of the United States during the term covered by such license.

Adopted.

Senator Schmidt offered the following:

Amend by adding the following section: Section 6. Said inspectors shall report on or before January 1st of each year to the Governor of the State the whole number of licenses granted by them to pilots and engineers, and to whom granted; the total number of sail boats and steam boats inspected by them. Also the total amount of fees received by them for such licenses and inspections.

Adopted.

Senator Deal moved to strike out the words "and not subject to inspection by the officers of the government of the United States."

Adopted.

Senator Kelly moved to amend by striking out the words "sober habits" in eighth line, section 4, and insert in lieu thereof the words "good moral character."

Lost.

Senator Lawrence moved to amend section 2 as follows:

Amend by inserting in section 2, line one, after the word "shall" in said line, the words "on or before the second Monday in May in each year." And by striking out the word "first" in line two of section 2, and inserting in lieu thereof the word "second," and by striking out the word "January," in line two section 2, and inserting instead thereof the word "May."

Adopted.

Senator Kegler moved to amend as follows:

Add to end of section 2: The mayor of any city or incorporated town, or any justice of the peace shall have power and may act as such inspector for sail boats and their pilots.

Lost.

Senator Davidson moved to amend as follows:

Strike out the article "a" at the end of the fourth line in section 1, and insert the words "an annual."

Lost.

Senator Cassatt moved to amend as follows:

Amend section 4: Strike out all of line eight after the word "habits," and all of line nine up to and including the word "otherwise."

Adopted.

Senator Deal moved to amend as follows:

Strike out the word "such" in line 1, section 3, and substitute the word "any."

Adopted.

Senator McCoy moved to amend as follows:

By inserting after the word "without" in line 4, section 1, "each year before the boating season and before its use."

Carried.

Senator Caldwell moved to amend by adding section 7:

SECTION 7. This act being deemed of immediate importance shall take effect from and after its passage and publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Adopted.

The bill was ordered engrossed and read a third time to-morrow.

On motion of Senator Harsh, Senate File No. 30, a bill for an act to amend chapter 143, acts of the Sixteenth General Assembly, and chapter 24, acts of the Nineteenth General Assembly, increasing the powers of superior courts and increasing the pay of jurors therein, with report of committee recommending a substitute, and when adopted it do pass, was taken up and considered.

Senator Harsh moved that the bill be made a special order for 3 o'clock, P. M., to-morrow.

Carried.

BILLS ON SECOND READING.

Senate File No. 230, a bill for an act authorizing the Railway Commissioners to change the names of railway stations in certain cases, with report of committee recommending amendments and that it do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

Senator Kelly moved to amend as follows: "Provided said change would not duplicate names on said railway line within the State."

Lost.

Senator McCoy moved to amend as follows: Amend section 3 by striking out all of the section after the word "dollars," in line 4 thereof.

Adopted.

Senator Woolson moved to amend as follows: Insert in line 3, section 1, after "state," "upon hearing and after notice thereof." Add to section 1, "said notice may be served upon the same persons and in the same manner as provided for service upon said railway company of original notice, at least ten days before the date named for hearing."

Adopted.

Senator Funk moved to reconsider the vote by which the amendment of the committee was adopted, striking out the publication clause.

Carried.

The question being upon the adoption of the amendment of the committee, striking out the publication clause, it was not adopted.

So the publication clause was not stricken out.

On motion the bill was ordered engrossed and read a third time to-morrow.

Senator Bayless moved that the Senate adjourn until to-morrow at 10 o'clock A. M.

Senator Deal moved to amend by inserting 2 o'clock P. M. in lieu of 10 o'clock A. M.

Carried.

The motion as amended was adopted and the Senate adjourned until to-morrow at 2 o'clock P. M.

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, February 28, 1898. }

The Senate met in regular session at 2 o'clock P. M.
President pro tem Senator Poyneer in the chair.
Prayer by Rev. B. St. John.

PETITIONS AND MEMORIALS.

Senator Davidson presented petition of H. E. Carpenter and others of Roland, Iowa, against telegraph legislation.

Referred to Committee on Corporations.

Also presented petition of Mrs. M. E. Gilbert and others of Story county, asking for enactment of a law for women's suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Parrott presented petition of E. M. Wyant and 110 others of Waterloo, against telegraph legislation.

Referred to Committee on Corporations.

Senator Bills presented resolutions of Highland farmers' alliance in favor of establishment of maximum freight rates, and of House File No. 374, and for reduction of passenger rates, etc.

Referred to Committee on Railways.

Senator Groneweg presented petition of L. W. Bayless and others of Patton, asking for railway legislation.

Referred to Committee on Railways.

Senator Caldwell presented petition of J. O. Risser and 60 others of Dallas county, against railroad legislation.

Same reference.

Also presented petition J. Bryan and 20 others of Dallas county, asking for railway legislation.

Same reference.

Also presented petition of A. A. Worrell and 25 other members of Spring Valley Alliance, same subject.

Same reference.

Senator Bolter presented petition of M. Hathaway and others of Harrison county, against Senate File No. 154, House File No. 207, and Senate Files Nos. 148 and 237.

Referred to Committee on Cities and Towns.

Also, presented petition of M. Pughley and others of Woodburn, Iowa, against Senate Files Nos. 154, 207, 190, 148, 237.

Same reference.

Senator Hutchison presented petition of Josephine Burnham and others of Ottumwa asking for woman suffrage.

Referred to Committee on Suffrage.

Senator Lawrence presented petition of W. P. Heath and others of Woodbury county, asking for railroad legislation.

Referred to Committee on Railways.

Senator Harsh presented protest of J. P. Bernard and 35 citizens of Redding, Ringgold county, against proposed telegraph legislation.

Referred to Committee on Corporations.

Also, presented petition of S. W. Turner and 57 citizens of Decatur county for railroad legislation.

Referred to Committee on Railways.

Senator Vale presented petition of W. H. Bradshaw and 26 others of Decatur county, same subject.

Same reference.

Senator Mills presented remonstrance of E. Cunningham and 34 others of Marshall county, against reduction of rates of telegraphy.

Referred to Committee on Corporations.

Also, presented petition of G. A. Fraser and others of Marshall county, asking for railroad legislation.

Referred to Committee on Railways.

Also, presented petition of Thos. Swearingen and others of Marshall county, relating to State University.

Referred to Committee on Educational Interests.

Senator Gatch presented petition of Margaret W. Campbell and 39 others of Delaware township, Polk county, asking for woman suffrage.

Referred to Committee on Constitutional Amendment and Suffrage.

Senator Kelly presented petition of E. J. Freeman and 39 others of Iowa county, against reduction of telegraph charges.

Referred to Committee on Corporations.

Senator Young presented petition of Morrison McElfresh and others, of Shelby county, in favor of railroad legislation.

Referred to Committee on Railways.

Also, presented petition of John Blanchard and 200 others, of Monona county, same subject.

Same reference.

Also, presented resolutions and letters of Farmers' Alliance of Shelby county, same subject.

Same reference.

Senator Dungan presented petition of F. M. Hazlewood and others, of Promise City, against reduction of telegraph legislation.

Referred to Committee on Corporations.

Senator Garlook presented petition of C. H. Brown and others, of Humboldt county, asking for railroad legislation.

Referred to Committee on Railways.

Senator Weber presented petition of O. T. Stover and 41 others, of Hamilton county, same subject.

Same reference.

Also, D. H. Palmer and 42 others, same county, same subject.

Same reference.

Also, H. Means and 22 others, same county, same subject.

Same reference.

Also, presented petition of Melvin McCoy and 36 others of Hamilton county, praying for a law to prevent collection of unlawful interest.

Referred to Committee on Corporations.

Also, presented petition of C. N. Overbaugh and 35 others, of Wright county, asking for railroad legislation.

Referred to Committee on Railways.

Senator Poyneer presented petition of B. F. Hammitt and 45 others, of Tama county, same subject.

Same reference.

Also, presented petition of J. Odlin and others, of Guernsey, Iowa, against telegraph legislation.

Referred to Committee on Corporations.

Also, presented petition of C. C. Rouse and twenty-one others, of Poweshiek county, same subject.

Same reference.

Senator Funk presented petition of Wm. P. Stephenson and others, of Palo Alto county, same subject.

Same reference.

Senator Bills presented petition of Koshuth Pauls and thirty-seven others, of Cedar county, same subject.

Same reference.

Also, presented petition of Gus Baumgart and twenty-seven others, of Cedar county, same subject.

Same reference.

Also, presented petition of H. A. Richman and eight others of Cedar county, same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Harsh, Senate File No. 342, a bill for an act to extend the privileges of high schools to pupils from rural districts, under certain conditions.

Read first and second times and referred to the Committee on Schools.

By Senator Groneweg, Senate File No. 343, a bill for an act to cure any defects that may exist in the title of the city of Council Bluffs to what is known as Fairmount Park, embracing Williams' 2d addition and a part of Snow & Guen's addition to the city of Council Bluffs, by reason of any defect in the city proceedings of condemnation for park purposes of said additions or parts thereof to said city for said purposes.

Read first and second times and referred to the Committee on Judiciary and be considered with Senate File No. 274, and that it be not printed.

Senators Caldwell and Converse were excused until to-morrow.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 502, a bill for an act to legalize the organization and acts of the Clinton & Illinois Bridge Co.

Also, Senate File No. 284, with amendments.

D. C. KOLP, *Chief Clerk*.

HOUSE MESSAGES.

Joint resolution No. 14, a bill granting pensions to the surviving members of the 37th regiment of Iowa volunteer infantry, and to the widows of deceased members of said regiment.

Read first and second times and referred to the Committee on Military.

House File No. 502, a bill for an act to legalize the organization and acts of the Clinton & Illinois Bridge Co.

Read first and second times and referred to the Committee on Corporations.

Senator Meservey filed the following motion:

To reconsider vote by which Senate File No. 194 was ordered engrossed.

The hour having arrived for the consideration of the special order, it being Senate File No. 304, a bill for an act to authorize the Auditor of State to extend time of payment by renewal of Bond No. 2 issued by the State to the permanent school fund for \$112,202.26, under chapter 80, laws of the Eleventh General Assembly, and which became due January 1, 1888, with report of committee recommending that it do pass, it was taken up and considered.

Senator Hutchison moved to amend as follows:

Strike out of the last line of the bill the words "not to exceed 8" and insert in lieu thereof the word "six."

Carried.

Senator Reiniger moved to amend as follows:

"SEC. 2. That all moneys that may be received by the State from the Government of the United States to reimburse the State for moneys expended by the State for war purposes during the war of the rebellion, including direct taxes paid by the State shall be applied in payment of the bond specified in the act and the other bonds of the State now held by the school fund of the State in the order of their maturity until all of said bonds shall be paid."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Dooley, Finn, Harsh, Kegler, Mattoon, McCoy, McVay, Meservey, Mills, Reiniger, Sweney, Taylor, Weber and Young—17.

The nays were:

Senators Barrett, Bolter, Chesebro, Davidsen, Deal, Dungan, Funk,

Garlock, Gatch, Groneweg, Hutchison, Kelly, Kent, Lawrence, Parrott, Poyneer, Price, Seeds, Smith, Vale, Weidman and Woolson—22.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Clark, Converse, Dodge, Doud, Hanchett, Knight, Schmidt and Wolfe—11.

So the amendment was lost.

Senator Dooley moved to amend as follows: By striking out in line 5 (five) "1908" and inserting "1898."

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Chesebro, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—37.

The nays were:

Senator Sweeney—1.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Clark, Converse, Deal, Doud, Garlock, Hanchett, Knight, Reiniger and Wolfe—12.

So the bill passed and the title was agreed to.

Senator Woolson from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 299, a bill for an act to legalize the incorporation of the town Panama, Shelby county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 62, a bill for an act to prevent fraud in the sale of lard, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith submitted be adopted, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 157, a bill for an act to repeal section No. 2445 of the Code of Iowa of 1873, and to enact a substitute therefor, beg leave to report that they have had the same under consideration

and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary, to whom was referred Senate File No. 80, a bill for an act to legalize the addition of territory to the town of North Des Moines, and also a remonstrance against the passage of the bill, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out of line 3, in section 2, the word "daily," and by adding at the end of said section the following: "said publication to be without expense to the State;" and that as amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary to whom was referred Senate File No. 264, a bill for an act changing the terms of office of justices of the peace and constables, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary to whom was referred Senate File No. 169, a bill for an act to legalize the voting and levy of the tax for depot grounds, in the incorporated town of Rock Rapids, Lyon county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

The journal of yesterday corrected and approved.

SPECIAL ORDER.

The hour having arrived for the consideration of special order, it being Senate File No. 80, a bill for an act to amend chapter 143, acts of the Sixteenth General Assembly, and chapter 24, acts of the Nineteenth General Assembly, increasing the powers of superior courts, and increasing the pay of jurors therein, with report of committee recommending a substitute and that it do pass, was taken up and considered.

Senator Finn offered the following amendment to the substitute:

In line 7, section 7, strike out the word "all" and insert the word "no," and strike out the word "including" and insert the word

"excepting," and insert after the word "jury" in line 8 the following: "unless defendant waive it."

Lost.

Senator Dodge moved to amend the substitute as follows: strike out the words "and without a jury" in line 8, section 7.

On this the yeas and nays were demanded.

The yeas were:

Senators Cassatt, Chesebro, Dodge, Dooley, Finn, Kegler, Kelly and Mattoon—8.

The nays were:

Senators Dungan, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—26.

Absent or not voting:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Funk, Knight, Schmidt and Young—16.

So the amendment was lost.

Senator Finn offered the following amendment:

Add to section 7, providing that in all cases for the violation of a State law, of which a justice court might have jurisdiction, a change of venue may be taken to a justice court in the manner provided for a change from one justice to another.

Lost.

The question recurring on the adoption of the substitute recommended by the committee, and with the title as proposed in said substitute, the substitute was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bills, Davidson, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, and Woolson—31.

The nays were:

Senators Barnett, Cassatt, Chesebro, Dodge, Finn and Kegler—6.

Absent or not voting:

Senators Bayless, Bolter, Brower, Caldwell, Clark, Converse, Deal, Doud, Knight, Mattoon, Schmidt, Taylor, and Young—13.

Senator Woolson moved to add to the title the words, "relating to superior courts and proceedings therein."

Adopted.

So the bill passed and the title as amended was agreed to.

On motion of Senator Woolson House File No. 21, a bill for an act to amend sections 766 and 3784 of Code, and section 1, chapter 184, laws of the Eighteenth General Assembly, relating to the clerk of the district court, the employment of deputies and the compensation of such officers, with report of Committee on Judiciary recommend-

ing amendments, and that it do pass, was taken up and considered, and amendments of committee were adopted.

Senator Bayless offered the following amendment:

Add after words "actually employed," in twenty-fourth line of said section, "provided, however, that in all counties having a population of 25,000 and not over 30,000 as shown by the last State census, where the board of supervisors find it necessary to have a deputy clerk, deputy treasurer, and deputy auditor there shall be allowed as compensation to such deputy clerk, deputy treasurer, and deputy auditor, for their service, a sum equal to not less than one-half ($\frac{1}{2}$) and not more than two-thirds ($\frac{2}{3}$) the salary or compensation of the county clerk, county treasurer and county auditor of such county respectively, or the board of supervisors may direct."

Adopted.

Senator Dodge moved to amend by striking out 30,000 and insert 36,000.

Adopted.

Senator Woolson moved to amend the amendment by striking out the words "not less than one-half ($\frac{1}{2}$) and."

Adopted.

Senator Kegler offered the following amendment:

Add to bill section 3. That section 3 of chapter 184, of the Eighteenth General Assembly be amended by striking out the words twenty-five in the eighth line, and inserting the word ten in lieu thereof.

Lost.

Senator Gatch moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Chesebro, Deal, Dodge, Dooley, Dungan, Garlock, Gatch, Groneweg, Harsh, Hanchett, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—35.

The nays were:

Senator Davidson—1.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Clark, Converse, Doud, Finn, Funk, Kent, Knight, Lawrence, Schmidt and Young—14.

Senator McCoy offered the following amendment to the title:

Strike out the word "deputies" and insert the words "deputy clerk, deputy auditor and deputy treasurer."

Adopted.

So the bill passed and the title as amended was agreed to.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined, Senate File No. 198, an act giving Legislative assent to the purposes of the Congressional act of March

2, 1887, in regard to the establishment of agricultural experiment stations in connection with agricultural colleges.

And find the same correctly enrolled.

JOHN K. DEAL, *Chairman*.

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred the following resolution:

“Resolved, That the Committee on Retrenchment and Reform be instructed to inquire into the amount of support funds given different institutions of the State under existing laws, with a view of ascertaining whether any reduction can be made in any case without interfering or impairing the efficiency of the public service of any institution:”

Beg leave to report that they have had the same under consideration, and having sent for and received a written report from the superintendent of each State charitable institution, have instructed me to report the same back to the Senate with the recommendation that the abstracts of said reports, herewith submitted, be placed in the journal of the Senate.

N. F. WEBER, *Chairman*.

Ordered passed on file.

*Abstract from the Reports of Superintendents of State Charitable Institutions, in answer to Senate resolution
adopted February 7, 1888.*

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INSTITUTIONS.	1. The number of inmates, if any, not county or State patients and which are maintained at the expense of other States or by private individuals.	2. The number of inmates not county charges but which are maintained by the State, the counties from which they are committed, and the number from each county.	3. The name, number and residence of such inmates, if any, whose residence is not known.	4. AVERAGE COST PER CAPITA PER WEEK OF THE FOLLOWING ITEMS OF EXPENSE:						Total Average.	Average allowed by law.	Increase or decrease.	5. The amount, if any, of the support fund which has in the last biennial period been used in making repairs and improvements upon buildings or grounds.	6. The number and age of the criminal insane attending the hospital for the insane, and the counties they are from.
				Provisions, excluding farm and garden.	Products of farm and garden.	Fuel and light.	Officers and employees.	Medicines.	Clothing.					
Hospital for Insane, Mt. Pleasant	0	115	115	\$ 1.04	\$.19	\$.35	\$ 1.08	\$.03	\$.24	2.93	\$ 4.00	\$ 1.07	\$ 1,392.31	23
Hospital for Insane, Independence	0	86	86	1.08	.30	.32	.99	.07	.35	3.11	4.00	.80	12,420.54	3
Asylum for Deaf and D., Council Bluffs..	0	306	306	1.14	.07	.44	2.03	.01	.00	3.69	2.33	1.35	14,469.62	0
College for Blind, Vinton	Dak. 7	96	96	1.50	.....	.46	2.09	.07	.12	4.24	2.66	1.58	1,686.99	0
Institut'n for Feeble-Minded, Glenwood	0	363	363	.77	.....	.19	1.15	.02	.24	2.37	2.50	.13	1,000.00	0
Industrial School, Boys, Eldora	0	354	354	.56	.28	.16	.63	.01	.18	1.82	2.00	.18	2,268.28	0
Soldiers' Orphans' Home, Davenport.	0	56	56	.60	.....	.12	.70	.02	.25	1.69	2.50	.81	2,429.23	0
Industrial School, Girls, Mitchellville	0	112	112	1.17	.....	.09	.67	.11	.39	2.43	2.00	.43	400.00	0
Total	7	1,488	1,488	Av. .98	Av. .21	Av. .26	Av. 1.16	Av. .04	Av. .52	Av 2.78	—		\$ 36,066.97	25

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 212, a bill for an act to provide for appointment of a public examiner of accounts and defining his duties, beg leave to report that they had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

N. F. WEBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 314, a bill for an act to amend section 2, chapter 197, laws of the Twentieth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. F. WEBER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 310, a bill for an act to empower married women to devise, by will, one third of her husband's estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

N. F. WEBER, *Chairman*.

So referred.

On motion of Senator Dooley, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, February 29, 1888. }

The Senate met in regular session at 2 o'clock P. M.
President pro tem. Senator Poyneer in the chair.
Prayer by Rev. W. H. Van Antwerp.

PETITIONS AND MEMORIALS.

Senator Weber presented petition of J. A. Lawrence and 19 others against telegraph legislation.

Referred to the Committee on Corporations.

Also presented remonstrance of E. R. Bicknell and others of Hardin county, same subject.

Same reference.

Also presented petition of J. W. Angell and 93 others of Hardin county, praying for the repeal of section 9, chapter 104, acts of the Twenty-first General Assembly, relating to the practice of medicine and surgery.

Referred to Committee on Public Health.

Senator Finn presented petition of F. McLelland and 500 others, members of State Music Teachers' Association, asking that vocal music be made a required study in the public schools.

Referred to the Committee on Schools.

Senator Meserve presented petition of D. H. Humphreys and others of Cherokee county, against the reduction of telegraph rates.

Referred to Committee on Corporations.

Senator Barrett presented petition of John Foley and others of Sioux county, same subject.

Same reference.

Senator Barnett presented petition of D. Pilmer and others of Warren county, asking that cities of the first class be required to erect and construct viaducts over or under railroads on public streets, and also asking for compensation to owners of property and buildings on such streets.

Referred to Committee on Cities and Towns.

Senator Funk presented petition of J. B. Stump and 39 others against reduction of telegraph rates.

Referred to Committee on Corporations.

Senator Weidman presented petition of John Packer and 54 others of Mills county, in favor of railroad legislation.

Referred to Committee on Railroads, with privilege of withdrawing.

Also presented petition of N. L. Shepherds and 18 others of Villisca, Montgomery county, against railroad legislation.

Same reference, with privilege of withdrawing.

Also presented petition of C. A. Hough and 50 others of Red Oak, same subject.

Same reference, with privilege of withdrawing.

Senator Price presented petition of C. F. Wood and 135 others of Madison county, asking for passage of bill authorizing cities to require railway companies to construct and maintain viaducts at dangerous points.

Referred to the Committee on Cities and Towns.

Senator McVay presented petition of J. W. Craig and others, of Calhoun county, against passage of Senate Files Nos. 154, 190, 143, 237, and House Files Nos. 207, 254.

Referred to Committee on Corporations.

Also, presented petition of G. W. Wells and others, of Calhoun county, asking for railway legislation.

Referred to Committee on Railways.

Also, presented petition of George Earhart and others of Calhoun county, same subject.

Same reference.

Senator Vale presented petition of J. H. Mulligan and thirty six others of Bentonport, Van Buren county, against telegraph legislation.

Referred to Committee on Corporations.

Also, presented petition of J. B. Harlan and others, of Selma, Iowa, same subject.

Same reference.

Also, presented petition of W. A. Fellows and others, of Van Buren county, asking for railroad legislation.

Referred to Committee on Railways.

Senator Mills presented remonstrance of J. R. McBrown and others, of Laurie, Marshall county, against reduction of telegraph rates.

Referred to Committee on Corporations.

Senator Brower presented petition of R. F. Sullivan and others, of Sheffield, Iowa, same subject.

Same reference.

Also, petition of H. I. Smith and others, of Cerro Gordo county, in favor of Senate File No. 139.

Passed on file.

Senator Cassatt presented petition of J. E. Fleck and others of Marion county, asking for railroad legislation.

Referred to Committee on Railways.

Also, presented petition of J. E. Graves and 48 others of Marion and Warren counties, same subject.

Same reference.

Also, presented petition of G. T. Clark and others, of Marion county, same subject.

Same reference.

Also, presented petition of F. M. Moss and others of Monroe county, against Senate File No. 237.

Referred to Committee on Corporations.

Also, presented petition of citizens of Tracy, Iowa, against Senate File No's 154, 190, 237 and House File No. 207.

Same reference.

Senator Smith presented petition of C. K. Larimer and others of Cedar Rapids, asking for railroad legislation.

Referred to Committee on Railways.

Also presented petition of Mr. Stratton and others of Linn county, same subject.

Same reference.

Senator Sweney presented petition of John H. Smith and 50 others of Worth county, same subject.

Same reference.

Also, presented petition of C. F. Jewett and 80 others of Worth county, same subject.

Same reference.

Senator Young presented petition of M. J. Murphy and others of Cass county against reduction of telegraph rates.

Referred to Committee on Corporations.

Senator Poyneer presented petition of W. W. Adams and 60 others of Poweshiek county in relation to notes obtained fraudulently and railroad matters.

Referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Seeds, by request, Senate File No. 344, a bill for an act to appropriate money to assist the defendants in the driven well suits, to pay the expenses of the defense.

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

By Senator Bills, Senate File No. 345, a bill for an act to prevent fraud in the sale of flour and other mill products.

Read first and second times and referred to the Committee on Commerce.

By Senator McCoy, Senate File No. 346, a bill for an act to repeal section 1, chapter 85 of the acts of the Twenty-first General Assembly, and to enact a substitute therefor, relating to the establishment and change of highways.

Read first and second times and referred to the Committee on Highways.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 373, by Committee on Railroads and Commerce, a bill for an act to regulate railroad corporations and other common carriers in this State, and to further increase their powers, and further define the duties of the Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal

section 11, chapter 77 of the acts of the Seventeenth General Assembly, in relation to the Board of Railroad Commissioners, and all laws in force in direct conflict of the provisions of this act.

House File No. 65, a bill for an act to amend section 467 of the Code in relation to repairing sidewalks.

House File No. 179, a bill for an act to fix maximum rates of toll for grinding or grinding and bolting grain.

House File No. 216, a bill for an act to amend section 4546 of the Code in relation to impeachment.

Substitute for House File No. 45, a bill for an act in relation to the levy of taxes in counties of 20,000 population.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill with amendments, in which the concurrence of the Senate is asked:

Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa and keep the same in good repair.

D. C. KOLP, *Chief Clerk.*

RESOLUTIONS.

Senator Seeds presented the following concurrent resolution of the General Assembly of Iowa providing for an investigation of the affairs of the State University at Iowa City:

WHEREAS, One Prof. G. Hinrichs, of Iowa City, has made various charges against certain professors of the State University at Iowa City, of a serious character, which charges tend to harm and cripple said Institution and to bring it into disrepute. And

WHEREAS, If said charges so made are in any particular true, they are a disgrace to the government of said Institution which should be wiped out at the earliest possible moment, and

WHEREAS, Other persons have been and are now making serious charges as to the management and methods of said Institution.

Be it Resolved by the Senate the House concurring, That a committee of five, consisting of two from the Senate and three from the House of Representatives be appointed to make a thorough inquiry into said charges and report the same to the Legislature by March 18th, 1888, and that said committee have power to call before it persons and papers, and to swear all witnesses brought before it.

Laid over under the rule.

Senator Dodge, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 194, a bill for an act to provide for the greater safety of passengers on board all sail and steam boats on the inland waters of the State of Iowa.

And Senate File No. 230, a bill for an act authorizing the Railway Commissioners to change the name of railway stations in certain cases, and find the same correctly engrossed.

W. W. DODGE, *Chairman.*

Senator Meservey moved to reconsider the vote by which Senate File No. 194, a bill for an act to provide for the greater safety of passengers on board all sail and steamboats on the inland waters of the State of Iowa was ordered engrossed.

Carried.

Senator Meservey moved to amend as follows: Amend by striking out the word "accordingly" in last line of section 3, and adding to said section 3 after said word "accordingly" is stricken out the following: "by a fine not less than twenty dollars nor more than one thousand dollars."

Adopted.

Senator Meservey moved to amend as follows: Amend section 4 by striking out word "accordingly" in fourth line of said section 4, and inserting in lieu thereof the following: "By a fine not less than ten dollars nor more than five hundred dollars."

Adopted.

Senator Meservey moved to amend as follows: After the word "thereof" in 10th line the following: "And said certificate or a copy thereof shall be posted in a conspicuous place on said boat or a place near where said boat is kept for hire."

Adopted.

Senator Sweney moved to reconsider the vote by which the amendment was adopted.

Carried.

Senator Sweney moved to amend the amendment as follows: insert after the word "on" before the words "said boat" the words "or in" and to strike out all after the words "said boat".

Adopted.

The question being upon the adoption of the amendment as amended. It was adopted.

Senator Kegler moved to amend as follows:

Insert in second line of section 3, after the word "sail," "boats having a capacity of ten passengers or more."

Lost.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Davidson, Deal, Dooley, Dungan, Funk, Garlock, Gatch, Grone-weg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman and Young—37.

The nays were:

Senator Kegler—1.

Absent or not voting:

Senators Caldwell, Cassatt, Clark, Converse, Dodge, Doud, Finn, Lawrence, Schmidt, Taylor, Wolfe and Woolson—12.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly, in relation to the Board of Railroad Commissioners, and all laws in force in direct conflict with the provisions of this act.

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

House File No. 65, a bill for an act to amend section 467 of the Code, in relation to repairing sidewalks.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 179, a bill for an act fixing maximum rate of toll for grinding or grinding and bolting grain.

Read first and second times and referred to the Committee on Commerce.

House File No. 153, a bill for an act to legalize the annexation of certain territory to the incorporation of North Des Moines.

Read first and second times and referred to the Committee on Judiciary.

House File No. 216, a bill for an act to amend section 4546 of the Code, in relation to impeachment.

Read first and second times and referred to the Committee on Judiciary.

House File No. 45, a bill for an act to repeal subdivision 2 of section 796 of the Code of 1873, chapter 28 of the acts of the Fifteenth General Assembly; chapter 13 of the acts of the Eighteenth General Assembly, and chapter 182 of the acts of the Twentieth General Assembly, and to enact a substitute therefor.

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

REPORTS OF STANDING COMMITTEES.

Senator Woolson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 259, a bill for an act to tax mineral estates where the surface and such mineral estates are owned by different parties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Ways and Means.

JOHN S. WOOLSON, *Chairman*.

So referred.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 273, a bill for an act to amend section 1381, chapter 2, title 12 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out of line 1, section 1, the words "chapter 2, title 12;" also, that the title to said bill be amended by striking out of said title the words "chapter 2, title 12," and by adding at end of said title the words "and relating to use of unappropriated bridge fund."

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 224, a bill for an act to change the burden of proof in actions grounded upon negligence of corporations, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 222, a bill for an act to amend chapter 35 of the acts of the Nineteenth General Assembly, being a substitute for section 2742 of the Code of Iowa, as amended by chapter 145 of the Seventeenth General Assembly, relating to the trial of equitable actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred joint resolution No. 5, in relation to judgment liens in federal courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that no further action be taken on said resolution, for the reason that a resolution covering the same points has already passed the Senate.

JOHN S. WOOLSON, *Chairman*.

Laid on the table subject to call.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 193, a bill for an act to amend section 3173, of chapter 2, title 19, of the Code of 1873, and limiting appeals to the Supreme Court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9, of the Code of Iowa, relating to mutual insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 276, a bill for an act to amend section 3074 of the Code of Iowa, relating to exemptions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 222, a bill for an act to repeal section 1453 of the Code, as amended by chapter 70 of acts of the Fifteenth General Assembly and by chapter 188 of the acts of the Eighteenth General Assembly, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 300, a bill for an act to repeal sections 1495 and 1508 of the Code, relating to partition fences, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 100, a bill for an act to amend section 1508 of the Code in relation to line fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, as the committee has already favorably reported Senate File No. 300, pertaining to the same subject.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was

referred House File No. 286, a bill for an act restricting non-resident aliens in their right to acquire and hold real estate and repealing section 1908 and 1909 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Senator Harsh, from the Committee on Educational Institutions, submitted the following report :

MR. PRESIDENT—Your Committee on Educational Institutions to whom was referred Senate File No. 279, a bill for an act to amend sections 2 and 3, chapter 129, acts of the Sixteenth General Assembly, making the Superintendent of Public Instruction a member of the board of directors of the State Normal School, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate the accompanying substitute with the recommendation that it be adopted, and when adopted that it do pass.

J. B. HARSH, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report :

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 204, a bill for an act to authorize cities organized under special charters to provide for the construction of sewers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 43, a bill for an act to authorize cities organized under special charters to refund their outstanding bonded debt, and to provide for the payment of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 318, a bill for an act to amend chapter 89 of the Fifteenth General Assembly, in relation to supervisors districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 58, a bill for an act to authorize cities

organized under special charters to refund their outstanding bond debt and to provide for the payment of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed for the reason that a similar bill has been previously reported.

MATT PARROTT, *Chairman.*

Senator Schmidt moved that the report of the committee be adopted.

Carried.

So the bill was indefinitely postponed.

Senator Sweney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 158, a bill for an act declaring express companies operating and doing business in this State common carriers and providing for their regulation and control by the Railroad Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that this committee has already reported with recommendation that it do pass a bill containing the same provisions.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House concurrent resolution to instruct the Railway Commissioners to recommend the use of automatic or power brakes on freight cars, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 105, a bill for an act to repeal chapter 123, acts of the Sixteenth General Assembly, also chapter 173, acts of the Seventeenth General Assembly, relating to voting tax and bonds to aid railroads, beg leave to report that they have had the same under consideration and with one dissenting vote, have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 106, a bill for an act to empower the Board of Railroad Commissioners to fix freight and passenger rates upon railways within this State and to prescribe penalties for a violation of the judgment of said Board, beg leave to report that they have had the same under consideration, and have instructed me to report the

same back to the Senate with the recommendation that it be indefinitely postponed, this committee having already reported favorably a bill covering the same grounds.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator Hanchett, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 271, a bill for an act to amend the military code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 41, a bill for an act to provide for the relief of Union soldiers, sailors and marines, and the indigent wives, widows and minor children of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after the word children, in line 6, of section 1, the following: not over fourteen years of age in the case of boys, and not over sixteen years of age in the case of girls; also amended by inserting after the word marines in line 7, section 1, the words having a legal residence in said county; also, amended by inserting in line 5, section 1, after the word relief the words "and for funeral expenses," with the recommendation that it do pass as amended.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 302, a bill for an act to better provide for publishing the proceedings of the county board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Printing to whom was referred a resolution relative to the insertion in Senate File No. 204, of an enacting clause not embodied in the original bill, beg leave to report that they have made inquiry at the office of the State Printer with reference to the matter and are informed that the omission was supplied because it was thought to be necessary and as a matter of accommodation to parties interested. We are informed further that compositors in State printing office will "follow copy" sent from

this body even if it goes out of the window, if it is the desire of the Senate.

A. B. FUNK, *Chairman*.

Ordered passed on file.

The journal of yesterday corrected and approved.

Senator Dodge offered the following resolution:

Resolved, by the Senate, the House concurring, that the Commissioner of Labor Statistics be, and is hereby directed to investigate the subject matter of child labor in the mines, factories and work shops of Iowa, the extent to which it is employed, the effect thereof, if any, upon the physical and mental condition of the children, the kind of labor in which they are employed, and as to any other matters relating to said subject or connected therewith, and that said commissioner report such information with any recommendations relating thereto he may deem proper in his next biennial report with out additional expense to the State.

Adopted.

BILLS ON THIRD READING.

Senate File No. 230, a bill for an act authorizing the railway commissioners to change the names of railway stations in certain cases.

Was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Chesebro, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Bolter, Caldwell, Cassatt, Clark, Converse, Doud, Knight, Schmidt, Smith and Wolfe—10.

Senator Woolson offered the following substitute for the title:

A bill for an act providing for change of name of railway stations in certain cases and prescribing penalties for non-compliance therewith.

Adopted.

So the bill passed and the title as substituted was agreed to.

Senate File No. 284, a bill for an act to authorize the Governor to lease lot 7 in block 33, in the city of Des Moines, to the Governor's Guards, designated in the military organization of the State, as Co. A, Third Regiment Iowa National Guards, with House amendments, was taken up.

Senator Gatch moved that the bill with pending amendments be referred to Committee on Military.

Carried.

Senate File No. 7, a bill for an act requiring railroad companies to

fence their tracks within the state of Iowa, and to keep the fences in good repair, with House amendments was taken up.

Senator Sweney moved that the bill with pending amendments be referred to Committee on Railways.

Carried.

Chair held in regard to committing a bill, Senate File returned to the Senate from House, that while the motion to commit might be entertained that no change or amendment can be made to the bill in committee, but it must be returned in same condition as it is now. Question being on concurring in House amendments.

BILLS ON SECOND READING.

Senate File No. 65, a bill for an act to provide that owners or keepers of pure bred thoroughbred or standard bred stallions for service shall post notice of their registration.

With report of committee recommending amendments, and when adopted that the bill do pass, was taken up and considered and the amendments recommended by the committee were adopted.

Senator Barnett moved to amend as follows:

Strike out of line 1, section 2, the words "pure bred, thoroughbred or standard bred."

Adopted.

Senator Kelly moved to amend as follows:

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

Adopted.

Senator Meservey moved to strike out the word "a" after the word "of" in line 1, section 2, and insert in lieu thereof the word "such."

Adopted.

Senator Reiniger moved to amend as follows:

Amend by inserting in section three the words "twenty days after" before the word "its."

Adopted.

The bill was ordered engrossed and read a third time to-morrow.

Senator Kegler moved to reconsider the vote by which the bill was ordered engrossed.

Lost.

Senator Young moved that 200 copies of House File No. 373, as engrossed be printed for the use of the Senate.

REPORTS OF COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 154, a bill for an act to amend section 4218 of the Code of Iowa, relating to arrests without warrants, beg leave to re-

port that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out in the 9th and 10th lines of section 1 the word "commitment" and inserting the word "statement"; also, amend by striking out in lines 13 and 14 of said section the words "and demanding that he be detained until discharged," and inserting the words "and thereupon the jailer shall detain such person until he is discharged."

And that as amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 159, a bill for an act to legalize the ordinances of the incorporated town of Peterson, in Clay county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 277, a bill for an act to amend section 1996 of the Code of Iowa, relating to homesteads, beg leave to report that that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS.

Senator Harsh by consent, Senate File No. 347, a bill for an act for the promotion of the safety of the public traveling on railway trains.

Read first and second times and referred to the Committee on Railways.

Senator Bayless by consent, Senate File No. 348, a bill for an act to apportion the state into representative districts and declaring the ratio of representation.

Read first and second times and referred to the Committee on Senatorial and Representative Districts.

REPORTS OF STANDING COMMITTEES.

Senator Woolson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 225, a bill for an act to amend sections 4691 and 4697 of the Code of Iowa, relating to appeals from justices of the peace in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out in line 10 of section 1, the words "in its order," and inserting the words "as other criminal cases;" also amend by insert-

ing in line 6 of section 2, after the word "trial" the words as other "criminal cases," and that as so amended the bill do pass.

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 232, a bill for an act to amend section 506, chapter 10, title 4, of the Code, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding to section 1 of the bill the following words: "And

Also, by inserting after the word "town," in the fifth line of said section the following words: "*Provided*, however, that in all criminal cases, except for violation of ordinances, the same shall be paid by the county."

And that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 1, a bill for an act to provide for the formation of independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 84, a bill for an act to provide for the formation of independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that House File No. 1 covers the same subject matter.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Meservey moved that the vote by which Senate File No. 7 was referred to the Committee on Railways be reconsidered.

Carried.

Senator Meservey moved that Senate File No. 7 be made a special order for 2:30 P. M. next Tuesday.

Carried.

Senator Gatch moved that the vote by which Senate File No. 284 was referred to the Military Committee be reconsidered.

Carried.

Senator Gatch moved that Senate File No. 284 be placed on the calendar with bills on third reading.

Carried.

On motion of Senator Seeds the Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, March 1, 1888. }

The Senate met in regular session at 9 o'clock A. M.

Lieut. Gov. Hull in the chair.

The hour having arrived for the consideration of the special order, it being the bills reported by the Railway Committee to be considered in their order as follows:

Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa, with report of committee reporting amendments and that it do pass.

Senate File No. 15, a bill for an act amendatory to chapter 77, acts of the Seventeenth General Assembly, making and defining the duties of railroad commissioners, with report of committee reporting amendment and that it do pass.

Also, a substitute reported by Railway Committee for the following named bills, viz.:

Senate File No. 8, a bill for an act to repeal section two (2), chapter seventy-seven (77), acts of the Seventeenth General Assembly, and providing for the election of Railroad Commissioners by the people.

Senate File No. 26, a bill for an act to change the manner of electing Railroad Commissioners, to increase their number and enlarge their powers, and to repeal section 2, chapter 77, acts of the Seventeenth General Assembly.

Senate File No. 48, a bill for an act providing for the manner of appointment and removal of Railroad Commissioners.

Senate File No. 102, a bill for an act to provide for the election of Railway Commissioners, and to repeal section two, of chapter seventy-seven, title eleven, laws of the Seventeenth General Assembly, and to enact a substitute therefor.

Senate File No. 108. By Deal. A bill for an act to amend chapter 77, laws of 1878, relating to the duties and establishment of a board of railroad commissioners.

And part of Senate File No. 39, a bill for an act to regulate railroads, prevent unjust discriminations and unreasonable charges, provide for the election of a board of railroad commissioners by the people, define its duties and powers, repeal chapter 68 of the acts of the Fifteenth General Assembly, chapter 77 of the Seventeenth General Assembly, and all amendments and substitutes therefor, and all laws in conflict herewith, and to cause the laws of Iowa relating to common carriers, conform to the national inter-State commerce law.

Senate File No. 292, by Committee on Railways, a bill for an act to repeal chapter 77, acts of the Seventeenth General Assembly.

Senate File No. 9, a bill for an act fixing the rate of passenger fares on railroads and to repeal section 2, chapter 68, acts of the Fifteenth General Assembly, with report of committee recommending that it do pass.

Senate File No. 293, by Committee on Railways, a bill for an act providing for the establishment of freight and passenger stations at points where railroads cross each other, defining certain duties of railroad companies relating to transfer at such points of freight and passengers, and conveyance of railroad commissioners and clerical force over railroads, the duty of railroad commissioners as to change of schedule time of roads to cause trains to connect with trains on other railroads and requiring railroad companies to comply with said orders, and repealing chapter 24 of the acts, etc., with report of committee, recommending that it do pass.

Senator Sweney moved that the consideration of the special order be postponed until 9:30 o'clock A. M.

Carried.

PETITIONS AND MEMORIALS.

Senator Young presented petition of L. C. Shepherd and others of Shelby county, in favor of railroad legislation.

Referred to the Committee on Railways.

Senator Seeds presented three petitions of Oscar Wellman and others against radical railroad legislation.

Same reference.

Senator Parrott presented protest of A. A. Hoag and 178 others of Cedar Falls and Waterloo, Iowa, same subject.

Same reference.

Senator Caldwell presented petition of E. B. Gippb and others of Audubon county, in favor of railroad legislation.

Same reference.

Senator Meservey presented petition of F. Beck and 44 others, opposed to radical railroad legislation.

Same reference.

Senator Hanchett presented protest of A. G. Clark and others of Bremer county, same subject.

Same reference.

Senator Clark presented protest of M. W. Joyce and others, of Norwich, against interference with telegraph rates.

Referred to Committee on Corporations.

Senator Funk presented petition of B. F. Abell and others, of Star Alliance, Lincoln township, Clay county, for reasonable reduction of railroad rates.

Referred to the Committee on Railways.

Senator Poyneer presented protest of George T. Jackson and others, of Searsboro, against interference with telegraph rates.

Referred to Committee on Corporations.

Senator Knight presented petition of A. T. Greene and others of Coggon, against radical railroad legislation.

Referred to Committee on Railways.

Senator Harsh presented petition of L. Raguet and 1023 others, requesting passes on all palace and dining cars, and also for other convenient accommodations. Respectfully requested without mental reservation.

Referred to Committee on Railways.

Senator Reiniger presented petition of W. B. Towner and others, of Floyd county, in favor of railroad legislation.

Same reference.

Also, presented petition of George L. Spaulding and 8 others, of Nashua, against radical railroad legislation.

Same reference.

Senator Harsh presented petition of T. M. Hughey and others of Wirt, Iowa, against interference with telegraph rates.

Referred to Committee on Corporations.

Senator Kent presented petition of John Downs and others of Lee county, protesting against fixing schedule of maximum rates, in favor of continuance of present system of appointment of Railroad Commissioners, and of increasing their powers.

Referred to Committee on Railways.

Senator Sweney presented protest of W. A. Arnold and others of Orchard, Iowa, against radical railroad legislation.

Same reference.

Senator Kelly presented petition of E. Sanster and others of Tiffin, Iowa, opposed to the passage of Senate File No. 237.

Referred to Committee on Corporations.

Senator Dungan presented petition of R. L. Weeden and others of Nugent, Iowa, opposed to radical railroad legislation, and in favor of laws to prevent discriminations.

Referred to the Committee on Railways.

Also presented petition of J. A. Carver and others of Wayne county, in favor of reduction in freight rates and asking the consideration of freight and passenger rates at the same time.

Same reference.

Senator Taylor presented petition of W. A. Johnson and 35 others of Moravia against telegraph legislation.

Referred to Committee on Corporations.

Senator Weidman presented petition of S. S. Davis and 52 others of Montgomery county, in favor of railroad legislation.

Referred to Committee on Railways.

Senator Finn presented petition of A. E. Hughes and others of Clearfield, Iowa, against telegraph legislation.

Referred to Committee on Corporations.

Also presented letter of A. V. Penn expressing sentiments of citizens of Fremont county, in favor of two cent fare bill.

Referred to Committee on Railways.

Also presented petition of Amos Cole and others of Taylor county, in favor of railroad legislation.

Same reference.

Senator Knight presented petition of Fred McLeod and 117 others of Central City, against railroad legislation proposed.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator McCoy, Senate File No. 349, a bill for an act to enable administrators, guardians, trustees and referees to deposit funds and securities due or to become due to heirs, legatees, devisees or other

persons, with the clerk of the district court, and to facilitate settlements of estates.

Read first and second times and referred to the Committee on Judiciary.

By Senator Garlock, Senate File No. 350, a bill for an act relating to amendment of pleadings in civil cases.

Read first and second times and referred to the Committee on Judiciary.

By Senator Parrott, Senate File No. 351, a bill for an act making an appropriation for the purpose of procuring a water supply for the Normal School at Cedar Falls.

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

By Senator McCoy, Senate File No. 352, a bill for an act to amend section 829 of the Code, and to provide for the payment of boards of equalization in such cities and incorporated towns as elect township assessors, and fixing their compensation.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Harsh, Senate File No. 353, a bill for an act to amend section 5, of chapter 75, of the acts of the Eighteenth General Assembly, relating to registered pharmacists.

Read first and second times and referred to the Committee on Public Health.

By Senator McVay, Senate File No. 354, a bill for an act to legalize the division of Sumner township, Webster county, Iowa, into the townships of Burnside and Sumner, as the same was ordered to be divided by the board of supervisors of said county, at their June session, 1886, the organization of the township of Burnside pursuant to such division, and all the subsequent acts of the officers of each of said townships.

Read first and second times and referred to the Committee on Judiciary.

Senator Seeds moved that the Senate take up concurrent resolution relative to investigation of State University.

Carried.

SPECIAL ORDER.

The hour, 9:30 o'clock, having arrived, the Senate resumed consideration of the special order, being sundry railway bills.

Senator Sweney moved that the bills in the special order for this day be continued in their order from day to day as special order until disposed of.

Carried.

The Senate then took up Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa, with report of committee recommending amendments and when adopted that the bill do pass.

The first committee amendment, the enacting clause, was adopted.

The second amendment recommended by the committee, re-numbering the sections, was adopted.

The question being upon the adoption of the third amendment recommended by the committee, striking out the words "undue or unreasonable," in section 2.

Pending which, Senator Poyneer offered the following resolution:

Resolved, That hereafter, unless otherwise ordered, the sessions of the Senate shall be from ten A. M. to twelve M., and from two to five P. M. of each day.

Senator Bayless moved to amend by striking out "five" and inserting "six."

Lost.

The question recurring on the resolution, it was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, Senate File No. 198, which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

D. C. KOLP, *Chief Clerk*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Senate File No. 203, a bill for an act providing for the appointment of policemen.

House File No. 484, a bill for an act to legalize the incorporation of the town of Primghar.

House File No. 492, a bill for an act to legalize the acts of Joseph A. Elliott, of Appanoose county, as notary public.

House File No. 526, a bill for an act to provide for the payment of the expenses of the committees appointed to visit State institutions.

D. C. KOLP, *Chief Clerk*.

The question being upon the adoption of the amendments recommended by the committee to section 2, being the third amendment, to strike out certain words, it was adopted.

The fourth committee amendment was adopted.

The fifth committee amendment was adopted.

The sixth committee amendment, adding a certain proviso to the end of section 6, was adopted.

Senator Gatch moved that the hour of adjournment for to-day, 12 M., be postponed until Senate File No. 284, a bill for an act to authorize the Governor to lease lot 7, block 33, in the city of Des Moines, to the Governor's Guards, designated in the military organization of the State as Company A, Third Regiment, Iowa National Guard, could be disposed of.

Carried.

So the Senate took up the bill.

The question being upon concurring in the House amendments, the yeas and nays were as follows:

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kessler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Young—41.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Finn, Knight, Lawrence, Mills, Schmidt, Wolfe and Woolson—9.

So the Senate concurred in the House amendments to the bill.

Senate adjourned.

AFTERNOON SESSION.

The Senate met at 2 o'clock p. m.

The journal of yesterday was corrected and approved.

Senate File No. 18, being under consideration, at the hour of adjournment, it was resumed.

The question being on the adoption of amendment No. 7, recommended by the committee.

The seventh amendment by the committee to strike out certain words in section 9 was adopted.

The eighth amendment by the committee was adopted.

The ninth amendment by the committee was adopted.

The tenth amendment by the committee it being adding.

Section 11 was adopted.

The Senate then proceeded to consider the bill by sections.

Senator Reiniger moved to amend section 2 by adding at the end thereof the words, "and any person, firm, company or corporation paying such charge may recover the excess without protesting against its payment before action is brought."

Senator Price moved to amend as follows:

Amend section 2, lines 3 and 4 by striking out "receivings, delivery, storage or hauling" and insert the words "receiving, delivering, storing or handling."

Adopted.

Senator Finn moved to amend section 2 by striking out the word "and" before the word "unreasonable" in line 4 and insert the word "or."

Adopted.

Senator Woolson moved to amend section one as follows:

Add to section one the words "provided that this act shall not apply to street railways."

Adopted.

Senator Dungan moved to strike out the words "every common carrier" in line 5, section 3, and insert the words "all common carriers."

Adopted.

Senator Reiniger moved to amend by adding to section 3 the following: "But this section shall not prevent common carriers from expediting the transportation of live stock and perishable property."

Adopted.

Senator Davidson moved to amend section 3 as follows: Strike out the word "particular" where it occurs in the 2nd, 3d and 4th lines of section 3, and insert in lieu thereof in the 4th line the words "person, company;" also strike out the words "according to their respective powers" in line 6 of section 3.

Senator Sweeney asked for a division of the question.

The motion to strike only out the word "particular" in 2nd, 3d and 4th lines, and insert in the 4th line "person, company."

It was adopted.

The question being upon the last part of the motion to strike out certain words in line 6, the motion was lost.

Senator Woolson offered the following substitute for section 3:

Strike out section 3 and insert in lieu thereof the following: Section 3. It shall be unlawful for any common carrier, subject to the provisions of this act, to make or give any undue or unreasonable preference or advantage to any person, company, firm, corporation or locality, or any description of traffic in any respect whatsoever, or to subject any person, company, firm, corporation or locality, or any description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever. All common carriers subject to the provisions of this act shall, according to their respective powers, afford all reasonable, proper and equal facilities for the interchange of traffic between their respective lines, and for receiving, forwarding and switching cars and receiving, forwarding and delivering passengers and property to and from their several lines, and to and from other lines and places connected therewith, and shall not discriminate in their accommodation, rates or charges between such connecting lines and places; but this provision shall not be construed as requiring any such common carriers to give the use of its tracks or terminal facilities to another carrier engaged in like business, except upon payment of reasonable compensation, to be determined by the Railroad Commissioners. But this section shall not prevent common carriers from expediting the transportation of live stock and perishable property.

Pending which, Senator Meservey moved that the Senate continue in session until 6 o'clock.

Lost.

By consent, Senator Hutchison presented a petition of John Morrison and others, against reduction of telegraph rates.

Referred to Committee on Corporations.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval Senate File No. 198, an act giving legislative assent to the purposes of the Congressional act of March 2, 1887, in regard to the establishment of agricultural experiment stations in connection with agricultural colleges.

JOHN K. DEAL, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House File No. 21.

Also, the House has concurred in Senate concurrent resolution relative to the investigation by the Commissioner of Labor Statistics into the condition of children working in mines, factories, etc.

D. C. KOLP, *Chief Clerk.*

Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 2, 1888. }

The Senate met in regular session at 10 o'clock, A. M.
Lieutenant-Governor Hull in the chair.
Prayer by Rev. W. F. Wallace.

SPECIAL ORDER.

The bill, it being Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa, being the special order for this hour, was taken up.

The question being the adoption of the substitute for section three, proposed by Senator Woolson, on yesterday.

Pending which, the following messages were received:

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, March 1, 1888. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State:

Senate File No. 198, an act giving legislative assent to the purposes of the congressional act of March 2, 1887, in regard to the establishment of agricultural experiment stations in connection with agricultural colleges.

FRED'K W. HOSSFELD, *Private Secretary.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 514, a bill for an act to legalize the acts, ordinances and proceedings of the city council of the city of Council Bluffs, in the condemnation of lands and the lots embraced in the public park known as Fairmount Park.

D. C. KOLF, *Chief Clerk.*

Senator Sweney offered the following amendment to the substitute:

Amend the substitute by striking therefrom the words "undue or unreasonable" wherever the same occurs. And, also, to strike from said substitute the following: "But this provision shall not be construed as requiring any common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business (except upon payment of reasonable compensation to be determined by the railway companies)."

Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M., and called to order by the President.

The journal of yesterday was corrected and approved.

Senator Converse submitted a report from the committee to ascertain mileage due to the members of the committees to visit the different State institutions.

MR. PRESIDENT—Your Committee appointed under House concurrent resolution of February 6th, to ascertain and report mileage and expenses due to the several visiting committees, would respectfully report that we have carefully examined the items of mileage and expense as handed in to us and find the following persons entitled to the amounts set opposite their respective names:

COMMITTEE TO VISIT STATE UNIVERSITY AT IOWA CITY.

N. V. Brower.....	\$22.00
J. F. Thompson.....	24.85
Jas. A. Smith.	22.10
Total	\$68.95

COMMITTEE TO VISIT AGRICULTURAL COLLEGE AT AMES.

B. B. Vale	\$ 5.00
D. J. Nicoll.....	5.00
L. D. Hotchkiss.....	5.00
Total.....	\$15.00

COMMITTEE TO VISIT INSTITUTION FOR DEAF AND DUMB AT COUNCIL BLUFFS.

J. S. Lawrence	\$14.20
S. E. Field.....	19.10
C. G. Hipwell	19.10
Total.....	\$52.40

COMMITTEE TO VISIT COLLEGE FOR THE BLIND AT VINTON.

W. D. Mills	\$23.40
Oliver Horton.....	22.40
H. L. Byers.....	22.40
Total.....	\$67.90

COMMITTEE TO VISIT THE SOLDIER'S ORPHANS HOME AND HOME FOR INDIGENT CHILDREN AT DAVENPORT.

J. H. Sweeney.....	\$23.85
W. W. Buell.....	25.00
Total.....	\$47.85

COMMITTEE TO VISIT HOSPITAL FOR INSANE AT MT. PLEASANT.

T. J. Caldwell.....	\$20.00
W. M. McFarland.....	20.00
P. Dietz.....	20.00
Total.....	\$60.00

COMMITTEE TO VISIT HOSPITAL FOR THE INSANE AT CLARINDA.

F. D. Bayless	\$26.50
Sam'l W. Jones.....	26.50
Augustus Anderson.....	26.50
Total.....	\$79.50

COMMITTEE TO VISIT NORMAL SCHOOL AT CEDAR FALLS.

D. B. Davidson.....	\$12.00
E. W. Wilbur.....	12.00
J. C. Beem.....	12.00
Total	\$36.00

COMMITTEE TO VISIT FT. MADISON PENITENTIARY.

A. B. Funk.....	\$30.00
J. R. Burgess.....	25.00
Edgar L. Hobbs.....	25.00
Total.....	\$80.00

COMMITTEE TO VISIT PENITENTIARY AT ANAMOGA.

Ben. McCoy.....	\$14.00
G. L. Dobson.....	14.00
John T. Hamilton.....	14.00
Total.....	\$42.00

COMMITTEE TO VISIT ASYLUM FOR FEEBLE MINDED CHILDREN AT GLENWOOD.

J. D. McVay.....	\$31.70
G. D. Darnall	15.00
W. H. Robb.....	15.00
Total.....	\$61.70

COMMITTEE TO VISIT FISH HATCHING HOUSE AT SPIRIT LAKE.

L. S. Hanchett	\$ 33.85
James E. Blythe.....	33.85
I. S. Hunter.....	33.85
Total.....	<u>\$100.05</u>

COMMITTEE TO VISIT INDUSTRIAL SCHOOL FOR BOYS AT ELDORA.

Thos. Weldman	\$17.95
John E. Craig.....	23.88
John Homrighaus.....	18.62
Total.....	<u>\$60.43</u>

COMMITTEE TO VISIT INDUSTRIAL SCHOOL FOR GIRLS AT MITCHELLVILLE.

Richard Price.....	\$ 2.95
W. A. Davie.....	2.95
A. D. Clarke.....	2.95
Total.....	<u>\$ 8.85</u>

COMMITTEE TO VISIT SOLDIERS' HOME AT MARSHALLTOWN.

Lafe Young.....	\$11.80
A. J. Chantry.....	9.90
Ed. C. Russell.....	9.90
Total.....	<u>\$31.60</u>

The Senate journal of January 17th, 1888, shows that Senator Kelly was appointed on the part of the Senate to visit asylum at Clarinda. He being absent the name of Senator F. D. Bayless was substituted, but the Secretary of Senate failed to note the change. This explains what might appear as an error in this report.

S. A. CONVERSE,
On the part of the Senate.

JAMES. A. SMITH,
J. F. DAYTON,
On the part of the House.

MR. PRESIDENT--Your Committee appointed under concurrent resolution of February 6th, to ascertain and report on mileage and expenses of visiting committees, would make the following additional report:

That by an error in copying the report submitted February 24th, they left out the expenses of committee to visit Insane Hospital at Independence, which was as follows:

L. B. Mattoon.....	\$31.50
J. Doron.....	28.00
C. W. Fillmore.....	28.00
Total.....	\$87.50

S. A. CONVERSE,
On the part of the Senate.

JAS. A. SMITH,
J. F. DAYTON,
On the part of the House.

Adopted.

Senator Price moved that House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9 of the Code of Iowa, relating to mutual insurance companies be withdrawn from the Committee on Judiciary and referred to the Committee on Insurance.

Carried.

PETITIONS AND MEMORIALS.

Senator Davidson presented petition of J. A. Peterson and others, asking for railroad legislation.

Referred to Committee on Railways.

Senator Weidman presented petition of Wm. Evans and 28 others of Red Oak, Iowa, against all proposed telegraph legislation.

Referred to Committee on Corporations.

Also, presented petition, of E. S. Rodgers and 105 others of Montgomery county, asking the passage of Senate File No. 271, a bill for an act to amend the military code.

Referred to Committee on Military.

Senator Dungan presented petition of Spring Hill Farmers' Alliance No. 663, Lucas county, asking for railroad legislation.

Referred to Committee on Railways.

Senator Dooley presented petition of James Sturgeon and 100 others of Keokuk county, same subject.

Same reference.

Senator Gatch presented petition of Wesley Redhead and 118 other business men and citizens of Des Moines, asking for the passage of House File No. 374, fixing maximum railroad rates.

Same reference.

Senator Weber presented petition of L. E. Tuttle and 82 others of Hamilton county, praying for reduction of freight and opposing reduction of passenger fare.

Same reference.

Senator Reiniger presented petition of G. B. Haney and others of Floyd county, favoring legislation to control railroads.

Same reference.

Senator Brower presented petition of Thomas Chappell and others of Rockwell, Cerro Gordo county, same subject.

Same reference.

Senator Seeds presented petition of F. Jennings and others of Independence, favoring the passage of Senate File No. 271, "a bill to amend the military Code."

Referred to Committee on Military.

Senator McCoy presented petition of Oskaloosa quarterly meeting of Friends, representing 1,000 members, requesting sale of all alcoholic liquors needed for medical and mechanical purposes into the hands of State agents.

Referred to Committee on Suppression of Intemperance.

Also, presented petition of M. Hedge and others of Marion and Mahaska counties favoring the passage of laws that will enable the formation of new or separate school districts of territory lying in contiguous counties when the same is remote from school houses in such territory, and there is not sufficient territory in either to form new districts.

Referred to Committee on Schools.

Also, presented petition of Alva Vickers and 25 others of New Sharon against reduction of telegraph rates.

Referred to Committee on Corporations.

Also presented petition of Joseph Snook and others of Salina, Jefferson county, against radical legislation.

Same reference.

Also presented petition of A. H. Duffin and others of Fairfield, Ia., against radical legislation.

Same reference.

Senator Schmidt presented petition of D. N. Richardson and fifty others of Davenport Iowa, asking for no decrease of telegraph rates.

Referred to Committee on Corporations.

Also presented petition of J. S. Smith and others of Jasper county favoring reduction of fares and rates.

Same reference.

Senator Vale presented petition of E. F. Cheadle and others of Wilton, Iowa, against any telegraph legislation.

Referred to Committee on Corporations.

Also presented petition of F. P. Thompson and others of Germanville, Jefferson county, against radical legislation.

Referred to Committee on Railways.

Also presented petition of J. D. Hoover and 18 others of Jasper county, favoring a reduction of fares and freights and also the election of railroad commissioners by the people.

Same reference.

Also presented petition of Geo. McCad and other citizens of Jasper county, against telegraph legislation.

Referred to Committee on Corporations.

Also presented resolutions of Buena Vista alliance favoring anti monopoly legislation.

Referred to Committee on Railways.

Senator Deal presented petition of B. F. Hadden and others of Carroll county in favor of railroad legislation.

Referred to Committee on Railways.

Senator Doud presented resolution of Local Assembly No. 2761 of Newton, Iowa, favoring local option in regard to school books and supplies and against State uniformity.

Referred to Committee on Schools.

Also, presented petition of J. L. Callison and others of Jasper county favoring reduction of railroad freights.

Referred to Committee on Railways.

Senator Reiniger petition of S. F. Farnham and others asking that the death sentence shall be executed in the penitentiary of the State as proposed by Senate File No. 139.

Referred to Committee on Penitentiaries and Pardons.

INTRODUCTION OF BILLS.

By Senator Caldwell, Senate File No. 355, a bill for an act to amend section 8844 of the Code of 1873.

Read first and second times and referred to the Committee on Judiciary.

By Senator McCoy, Senate File No. 356, a bill for an act to allow contiguous territory in adjoining counties to be formed into independent school districts in certain cases.

Read first and second times and referred to the Committee on Schools.

By Senator Doud, Senate File No. 357, a bill for an act to legalize certain acts of the board of Supervisors of Jasper county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Hanchett, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military to whom was referred Senate File No. 272, a bill for an act to amend chapter 175 of the laws of the Nineteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military to whom was referred Senate File No. 270, a bill for an act to amend section 2, chapter 62, of the acts of the Twenty-first General Assembly, providing for the erection of soldiers' monuments, beg leave to report that they have had the same under consideration, and have instructed me to re-

port the same back to the Senate with the recommendation that it do not pass.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military to whom was referred Joint Resolution by Anderson of Warren, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Senator Mills, from the Committee on Highways, submitted the the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 117, a bill for an act to compel owners of hedges along highways to keep them within certain bounds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 155, a bill for an act to provide for and require the trimming of hedge fence along the public highways and upon partition lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 168, a bill for an act repealing section 981 of the Code, relating to working highways, and providing a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 61, a bill for an act creating a board of school book commissioners, and to provide for furnishing text books for the use of the common schools of the State, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

In section 1, line one, strike out the word "and," and in section 1, line two, after the word "instruction" insert the words "and the principal of the State Normal School."

In section 2, line three, strike out the word "six" and substitute

therefor the word "four," and after the word "weeks" insert the words "and by furnishing a copy of said notice to all leading school-book publishing houses in the United States."

In section 2, line six, strike out the word "eight" and substitute the word "five."

In section 3, line six, strike out the word "five" and insert the word "six."

In section 3, at the end of line ten, insert the words "or in such sum as the board of school-book commissioners may require."

In section 4, line three strike out the word "eight" and substitute the word "five," and in section 4, line ten, strike out the word "eight" and substitute the word "five."

In section 5, line four, after the word "and" insert the words "after re-advertising."

In section 7, line four, after the word "act" insert the words "as many of," and in the same line after the word "text-books" insert the words "as may be necessary."

In section 9, line five, after the word "cash" transfer the following clause to the end of section 7, viz.: "Provided, however, that any patron of the schools aforesaid shall have the right to purchase any and all of such school text books necessary for the use of himself or his family, at the prices indicated in such contract, or of the State at cost, as the case may be."

In section 10, at the end of said section, add the words "provided, however, that said board may require the prices of said books to be paid them in advance, before ordering the same."

In section 11, line three, strike out the word "eight" and substitute therefor the word "five."

And as so amended the same do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Seeds, from the Committee on Corporations submitted the following report:

MR. PRESIDENT—Your Committee on Corporations to whom was referred House File No. 502, a bill for an act to legalize the organization and acts of the Clinton and Illinois Bridge Company, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Senator Wolfe moved that House File No. 502, a bill for act to legalize the organization and acts of the Clinton and Illinois Bridge Company, with report of committee recommending that the bill do pass, be taken up.

Carried.

So the bill was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—47.

The nays were none.

Absent or not voting:

Senators Cassatt, Kent and Poyneer—3.

So the bill passed and the title was agreed to.

The Senate resumed consideration of Senate File No. 18.

The question being upon the adoption of the amendment offered by Senator Sweney to the substitute offered by Senator Woolson to section 3.

Senator Seeds moved that the session continue until six o'clock.

Lost.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 203, an act to provide for the appointment and removal of policemen in cities organized under special charters.

And find the same correctly enrolled.

JOHN K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 21, an act to amend sections 766 and 3784 of the Code and section 1, chapter 184, laws of the Eighteenth General Assembly, relating to the clerk of the district court, the employment of deputy clerk, deputy auditor and deputy treasurer, and the compensation of such officers, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

INTRODUCTION OF BILLS.

By Senator Kent, Senate File No. 358, a bill for an act to authorize the townships of any county in State of Iowa to build public halls for elections and public meetings.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Funk, Senate File No. 359, a bill for an act designating officers who may take acknowledgements of conveyances of real estate and encumbrances affecting the same.

Read first and second times and referred to the Committee on Judiciary.

PETITIONS AND MEMORIALS.

Senator Davidson presented petition of D. A. Craig and others of Boone county, Iowa, asking for railway legislation as to schedule reasonable maximum freight rates, reducing passenger rates to 2 cents per mile, etc.

Referred to Committee on Railways.

Senator Caldwell asked leave to withdraw certain petitions from the Committee on Public Health, that they might be introduced in the House.

Granted.

Senator Barrett asked leave to withdraw a certain petition from the Committee on Public Lands.

Granted.

The Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, March 8, 1888. }

The Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Hull in the chair.

Senators Clark, Finn, Lawrence and Page were excused.

Senator Hanchett moved that Senate File No. 270, a bill for an act to amend section 2, chapter 62, of the acts of the Twenty-first General Assembly, providing for the erection of soldiers' monuments, be referred to the Committee on Military.

Carried.

PETITIONS AND MEMORIALS.

Senator Weber presented petition of J. S. Ross and others of Eldora, Iowa, against telegraph legislation.

Referred to Committee on Corporations.

Senator Dungan presented petition of W. J. Farris and 3 others of Cambria, Iowa, same subject.

Same reference.

Senator Hutchinson presented petition of Samuel McCullough and 116 others of Wapello county, in favor of law establishing a two-cent passenger rate, for elective railroad commissioners, and against free passes and all discriminations. Also, to make it a criminal offense for any legislator or judge to receive or use any free pass.

Referred to Committee on Railways.

Also presented petition of T. E. Call and 12 other citizens of Wapello county, asking a law establishing reasonable freight rates; for a two cent passenger rate; for election of Railroad Commissioners, and against free passes and all discrimination.

Referred to Committee on Railways.

Senator Brower presented petition of Geo. W. Beed and others, of Franklin county, against telegraph legislation.

Referred to Committee on Corporations.

Also presented petition of Egbert P. Hill and others, of Latimer, Franklin county, Iowa, against reduction of telegraph rates.

Same reference.

Senator Kegler presented petition of Patrick C. Norman and 64 others, asking for reasonable maximum freight rates, and two-cent passenger rates on first-class roads.

Referred to Committee on Railways.

Senator Bolter presented petition of E. A. Noon and others, of Shelby county, asking laws to regulate and control railways.

Same reference.

Senator Harsh presented petition of 24 citizens of Decatur county,

asking that Railroad Commissioners be made elective, and for a two-cent fare bill, etc.

Same reference.

Also presented memorial of 57 citizens of Creston, on proposed railway legislation.

Same reference.

Senator Barrett presented petition of Eugene Chilson and others, of Ochegedan, opposed to legislation to reduce telegraph rates.

Referred to Committee on Corporations.

Senator Weidman presented petition of John Hanson and 21 other business men of Glenwood, Mills county, Iowa, protesting against hasty railroad legislation, fixed passenger rates, fixed freight rates, and elective Railway Commissioners.

Referred to Committee on Railways.

Senator Funk presented memorial of Model Alliance No. 520, the urging passage of Senate bill to harmonize the Iowa laws with the inter-state commerce law.

Same reference.

Senator Bills presented petition of James Jennings and 90 others, of Cedar county, in favor of railroad legislation.

Referred to Committee on Railways.

Senator Converse presented printed petition against railroad legislation accompanied by a letter from John Farnsworth, of Cresco, Iowa. We beg to say that the above petitions prepared by the railroad companies for our signatures does not express the views or feelings of this community. In view of the fact that the only railroad we have ever had, has extorted from the people of this city and vicinity in the way of excessive charges a sum of money amounting to, during the past twenty years, a greater sum than the assessed valuation of this city and vicinity. We respectfully protest against the intent of the above petition.

Referred to Committee of Railways.

Senator Garlock presented petition of H. C. Jordan and others, of Humboldt and Pocahontas counties, same subject.

Same reference.

Senator Vale presented petition of W. W. Dunlavey and others, against any telegraph legislation.

Referred to Committee on Corporations.

Senator Woolson presented petition of Jacob Weugle and 47 others, asking for protection to owners of stallions.

Referred to Committee on Agriculture.

Also, presented petition of David Burden and others, of Henry county, against the spirit of the bills Senate File No. 154, House File No. 207, Senate File No. 109 and No. 148, House File No. 254 and also Senate File No. 237, believing it would work injustice and result in general dissatisfaction.

Referred to Committee on Railways.

Senator Converse presented petition of A. A. Sage and others of Lime Springs, Howard county, opposed to railroad legislation regarding fixing a schedule of maximum rates and in favor of continuance of the present system of appointment of the railroad commission.

Referred to Committee on Railways.

Senator Groneweg presented petition of M. F. Rohrer, mayor, and others, of Council Bluffs, asking that a relief fund for firemen of Iowa be established.

Referred to Committee on Ways and Means.

Senator McVay presented petition of H. W. Dyer and other registered pharmacists of his district in favor of the passage of the Custer bill to take the sale of intoxicating liquors out of the hands of pharmacists.

Referred to Committee on Public Health.

Senator Converse presented petition of W. H. Senith and others of Howard county against radical legislation, and asking for continuance of present system of appointing Railroad Commissioners.

Referred to Committee on Railways.

Also, presented petition of John Stead and others of Burr Oak, Winnebago county, favoring railroad legislation.

Referred to Committee on Railways.

RESOLUTIONS.

Senator Dungan offered the following:

Resolved, That that portion of the biennial message of Governor Larrabee, recommending a consolidation of judicial districts, so as to reduce the number of judges from forty-four to forty, be referred to the Judiciary Committee with instructions to inquire whether a reduction in the number of the judges of the district courts is practicable and desirable, and to report by bill or otherwise.

Referred to the Committee on Judiciary.

Senator Schmidt offered the following:

Resolved, That when the Senate adjourns it be to Tuesday next, March 6, 1888, at 9 o'clock A. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bills, Brower, Caldwell, Chasebro, Converse, Deal, Dodge, Doud, Dungan, Gatch, Groneweg, Hanchett, Hutchison, Kessler, Knight, Mattoon, McCoy, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Weber, Wolfe and Woolson—27.

The nays were:

Senators Barnett, Bayless, Bolter, Davidson, Dooley, Funk, Harsh Kelly, McVay, Meservey, Mills, Price, Taylor, Vale, Weidman and Young—16.

Absent or not voting:

Senators Cassatt, Finn, Kent, Parrott, Lawrence, Garlock and Clark—7.

So the resolution was adopted.

INTRODUCTION OF BILLS.

By Senator Mills, Senate File No. 360, a bill for an act to prepare and place on exhibition the agricultural and other resources and products of the State of Iowa at the coming centennial exposition of the Ohio Valley and Central States to be held at Cincinnati, Ohio, to open July 4, 1888, and close October 27, 1888.

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

By Senator McCoy, Senate File No. 361, a bill for an act to amend section 3979 of the Code, relating to malicious mischief and trespass on property.

Read first and second times and referred to the Committee on Judiciary.

Senator Dodge, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 65, by Barnett, being a bill for an act to provide that owners and keepers of pure bred, thoroughbred or standard bred stallions shall post notice of their registration and find the same correctly engrossed.

W. W. DODGE, *Chairman.*

On motion of Senator Meservey, Senate File No. 65, a bill for an act to provide that owners and keepers of pure bred, thoroughbred or standard bred stallions shall post notice of their registration, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cheesbro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—45.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Clark, Finn and Lawrence—5.

Senator Poyneer moved to amend the title by inserting after the word "stallion" the words "or bull."

Adopted.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

Senate File No. 203.

House File No. 21.

D. C. KOLF, *Chief Clerk.*

Senator Young moved that the further consideration of the special order, it being sundry railway bills be postponed until Tuesday next at 9:30 o'clock A. M.

Adopted.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 203, an act to provide for the appointment and removal of policemen in cities organized under special charters.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval House File No. 21, an act to amend sections 766 and 3784 of the Code, and section 1, chapter 184, laws of the Eighteenth General Assembly, relating to the clerk of the District Court, the employment of deputy clerk, deputy auditor, and deputy treasurer, and the compensation of such officers.

JNO. K. DEAL, *Chairman*.

On motion of Senator Gatch House File No. 196, a bill for an act to amend chapter 22 of the acts of the Twenty first General Assembly, relating to the bonding of county indebtedness, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—41.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Davidson, Deal, Finn, Kelly, Lawrence, Mattoon, and Young—9.

So the bill passed and the title was agreed to.

On motion of Senator Sweney, House File No. 62, a bill for an act to prevent fraud in the sale of lard, and to provide punishment for the violation thereof, with report of committee recommending a substitute, and when adopted, it do pass, was taken up, considered, and the substitute recommended by the committee was adopted.

Senator Sweney moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price

Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—43.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Deal, Finn, Groneweg, Hanchett and Lawrence—7.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

House File No. 484, a bill for an act to legalize the incorporation of the town of Primghar.

Read first and second times and referred to the Committee on Judiciary.

House File No. 492, a bill for an act to legalize the acts of Joseph A. Elliott of Appanoose county, as notary public.

Read first and second times and referred to the Committee on Judiciary.

House File No. 514, a bill for an act to legalize the acts, ordinances and proceedings of the city of Council Bluffs, in the condemnation of the lands and lots embraced in the public park, known as Fairmount Park.

Read first and second times and referred to the Committee on Judiciary.

House File No. 526, a bill for an act to provide for the payment of the expenses of the committee appointed to visit the State institutions.

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

On motion of Senator Schmidt, House File No. 43, a bill for an act to authorize cities organized under special charters to refund their outstanding bonded debt and to provide for the payment of the same, with report of committee recommending that it do pass, was taken and considered.

Senator Schmidt moved to amend by adding after the word "of," in line 14, section 6, printed bill, the words "the holder of."

Adopted.

Senator Schmidt moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesbro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—43.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Deal, Finn, Lawrence, Groneweg and Brower—7.

So the bill passed and the title was agreed to.

On motion of Senator Sweney, Senate File No. 87, a bill for an act providing for the payment of bank examinations and fixing the fees for the same, with report of committee recommending amendments and when adopted that it do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seede, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Clark, Deal, Finn, Groneweg, Lawrence, Mattoon and Schmidt—10.

Senator Sweney moved to amend the title to read as follows:

"A bill for an act providing for the appointment of bank examiners, fixing their fees for examinations of banks, and for the payment of the same."

Adopted.

So the bill passed and the title as amended was agreed to.

Senator Woolson moved that the session continue until 12:30 p. m. to-day.

Carried.

On motion of Senator Doud, Senate File No. 279, a bill for an act to amend sections 2 and 3, chapter 129, acts of the Sixteenth General Assembly, making the superintendent of public instruction a member of the board of directors of the State Normal School, with report of committee recommending a substitute, and when adopted that it do pass, was taken up, considered, and the substitute of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Chesebro, Converse, Davidson, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Clark, Deal, Dodge, Finn, Groneweg, Knight, Lawrence, Poyneer and Schmidt—12.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 228, a bill for an act to repeal section 1112 of the Code and to enact a substitute therefor, relating to county and district fairs, and providing for the holding of farmers' institutes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 401, a bill for an act to legalize the organization of the township of Logan, in Sioux county, Iowa, and the election and acts of its officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 402, a bill for an act to legalize the incorporation of the town of Hawarden, Sioux county, Iowa, and the acts of officers thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 478, a bill for an act to legalize the incorporation of the town of Holstein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Sweeney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom were referred Senate File Nos. 91 and 316, the first being a bill for an act to repeal section 1289 of the Code and enact a substitute therefor, relating to damages by railways to live stock and by fire. The second a bill for an act making railway companies liable for damages by fire set out or caused by operating railway, beg leave to report that they have had the same under consideration and have instructed me to

report to the Senate the accompanying substitute therefor with the recommendation that it be adopted, and when adopted that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

On motion of Senator Barrett House File No. 401, a bill for an act to legalize the organization of the township of Logan, in Sioux county, Iowa, and the election and acts of its officers, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Barrett moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Clark, Deal, Finn Groneweg, Knight, Lawrence, Schmidt, Sweney and Vale—12.

So the bill passed and the title was agreed to.

On motion of Senator Barrett, House File No. 402, a bill for an act to legalize the incorporation of the town of Hawarden, Sioux county, Iowa, and the acts of the officers thereof, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Barrett moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Clark, Deal, Finn, Groneweg, Lawrence, Schmidt and Vale—10.

So the bill passed and the title was agreed to.

The journal of yesterday was corrected and approved.

On motion of Senator McCoy House File No. 41, a bill for an act to provide for the relief of Union soldiers, sailors and marines and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines, with report of committee recom-

mending amendments, and when so amended that it do pass, was taken up, considered and the amendments recommended by the committee were adopted.

Senator Dooley moved that the Senate adjourn.

Lost.

Senator McCoy moved that the time of the session of the Senate be extended fifteen minutes.

Carried.

The question recurring upon the consideration of the bill, House File No. 41, it was resumed

Senator Seeds moved to amend as follows: Add to end of section 4 "and said commissioners shall receive \$2.50 per calendar day each when acting as said commission, provided that they be paid for not more than four days in any one year."

Senator McCoy moved that further consideration of the bill under discussion be postponed, and that it be made a special order for Tuesday morning at 9 o'clock A. M.

Carried.

Senator Bayless moved that the Senate adjourn.

Carried.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 6 1888. }

The Senate met in regular session at 9 o'clock A. M.
Lieutenant Governor Hull in the chair.

SPECIAL ORDER.

The special order for this hour, it being House File No. 41, a bill for an act to provide for the relief of Union soldiers, sailors and marines, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines. It was passed until the preliminary business of the session was disposed of.

PETITIONS AND MEMORIALS.

Senator Parrott presented petition of Richard Blanche and fifty others of Conrad Grove, Grundy county, asking for railroad legislation.

Referred to Committee on Railways.

Also, presented petition of L. B. De Seelhorst and thirty-six others of Grundy county, asking for railroad legislation except reduction of passenger fare.

Same reference.

Senator Davidson presented petition of Charles Samples and others asking for railroad legislation.

Same reference.

Senator Doud presented petition of Macy Johnson & Co. and other citizens of Sully, Iowa, against telegraph legislation.

Referred to Committee on Corporations.

Senator Taylor presented petition of E. Williams and others of Appanoose county, against telegraph legislation.

Referred to Committee on Corporations.

Also, presented petition of John W. McGee and others of Brazil, Iowa, against telegraph legislation.

Same reference.

Senator Converse presented petition of V. E. Strayer and others of Calmar, Iowa, against telegraph legislation.

Referred to Committee on Corporations.

Senator Weidman presented petition of Mills county Pomona Grange No. 1, asking passage of House File No. 374 after reducing the schedule of rates therein mentioned at least 20 per cent.

Referred to Committee on Railways.

Also, presented petition of same persons asking legislation against bucket shops and speculative deals.

Referred to Committee on Corporations.

Senator Garlock presented petition of M. A. Haven and others against telegraph legislation.

Same reference.

Also, presented petition of W. J. Busby and others, same subject. Same reference.

Senator Seeds presented petition of Stephen Bray and others of Buchanan county, asking for railroad legislation.

Referred to Committee on Railways.

Senator Mills presented remonstrance of H. J. Howe and others of Marshalltown, against the passage of a bill giving the power to cities to operate electric plants.

Referred to Committee on Cities and Towns.

Senator Kent presented petition of E. Stewart and others of Lee county, against radical railroad legislation.

Referred to Committee on Railways.

Senator Funk presented petition of A. Johnson and others of Palo Alto county, favoring railroad legislation.

Same reference.

Senator Garlock presented petition of J. N. Prouty and others of Humboldt county, asking for laws to hang all the druggists in the State, to abolish railroad companies and send their officers to the penitentiaries, to provide a public guardian in each township to see that no person within the township makes a bad bargain, to compel banks to loan money at 4 per cent without excessive security, and we further petition your august and honorable body to then adjourn and move out of the State and send the clerks of the committees to the Orphans' Home.

Referred to Committee on Retrenchment and Reform.

REPORTS OF STANDING COMMITTEES.

Senator Brower, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 38, a bill for an act to amend section 2077, Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that its provisions are included in House File No. 26, already reported by this committee.

N. V. BROWER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred House File No. 26, a bill for an act to amend paragraph 7 of section 2077 of the Code of Iowa, relating to the rate of interest upon written contracts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

N. V. BROWER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 231, a bill for an act to amend sections 1 and 3 of sections 1863 and 1864 of chapter 12, title 12, of the acts of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 269, a bill for an act to encourage the manufacture of sugar and provide a bounty for its manufacture, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Strike from the 3d line of section 1 the words "or plants." Strike from the 5th and 6th lines of section 2 the words "shall without unnecessary delay," and insert in lieu thereof the word "may." Strike the letter "d" from the word "required," in the last line of section 2. Strike the word "the," before the word "care," from the second line of section 3. Strike the word "bounty" from the 4th line of section 4, and insert in lieu thereof the word "warrant." Insert in the 5th line of section 4, after the word "be," the words "issued or." Strike the word "adoption" from the 5th section, and insert in lieu thereof the words "taking effect." And that when so amended it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 161, a bill for an act to repeal sections 1, 2, 3 and 4 of chapter 12, of the acts of the Eighteenth General Assembly, relating to the management of permanent school funds, and enact substitutes therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding, and the publication and distribution of the public documents and journals of the two houses, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate with the recommendation that it be amended as follows:

Amend section 2 by inserting the words "to do" between the words "and" and "all" in line 2; also by striking out the words "in the printing to be done by the State Printer" occurring in lines 5 and 6.

Amend section 8 by striking out the word "and" where it occurs the first time in line 14; also, by striking out the words "those of" in line 14; also, by inserting the word "state" between the words "the" and "normal" in line 14; also by striking out the words "to accompany the last named" in line 15.

Amend section 11 by inserting the words "six thousand copies" after the word "pharmacy" in line 7; also, by adding the letter "s" to the word "hospital" in line 9; also, by striking out the words "twenty-five hundred" in line 11, and substituting the words "three thousand". Add to said section 11 the following: "Of said reports 500 copies each shall be bound in cloth, and the remainder in double thick paper covers"; also add; "reports of legislative visiting and special committees shall be printed and stitched without covers."

Amend section 12 by striking out the word unbound in line 63.

Amend section 17 by striking out the word "unbound" in line 5, and substituting the word "remaining".

Amend section 19 by inserting the words "Senate and" between the words "the" and "house" in line 1.

Amend section 23 by striking out the word "seventy-five" in line 4, and inserting the word "seventy"; also by striking out the word "two" in line 5 and inserting the word "three"; also by striking out the words "one dollar" in line 6 and substituting the words "ninety cents" also by striking out paragraph "b" and in lieu thereof inserting the following: "For book press work the compensation shall be \$2.50 for the first 1,000 impressions of 16 pages, and \$1.50 per 1,000 for each additional 1,000 impressions from the same form. If, in finishing a job of press work, it shall be necessary to print an 8 page form the compensation shall be the same as for a 16 page form, and if there shall not be 1,000 impressions in any one book form the compensation shall be the same as for 1,000"; also, by striking first four lines from paragraph "c" and substituting the following: "c" "For printing blanks on one side of a sheet of folio post or larger paper, \$2.50 for the first 100 impressions, and 75 cents per 100 for each additional 100 impressions, up to 500; each additional 100 above 500 40 cents per 100. On paper smaller than folio post, \$2 for first 100 impressions, and 50 cents per 100 for each additional 100 impressions up to 500, each additional 100 30 cents. Where both sides of a blank can be printed at once only one impression shall be paid for", also by inserting in line 22 the words "on composition" between the words "allowed" and "therefor".

Amend section 24 by striking out the word "composition" in line 2; also by inserting in same line between the words "work" and "and" the word "done"; also by striking out the word "law", in line 5, and inserting in lieu thereof the words "this act"; also by striking out the word "tokens" and substituting the words "number of impressions" in line 6; also by adding to the section the following: "Where type set for messages or documents shall be used twice the

State Printer shall have pay for the same but once, but he shall be allowed \$1.50 for reimposing each 16 page form where it is to be used a second time.

Amend section 25 by striking out the word "twelve" in line 3 and substituting the word "ten"; also by inserting the words "of sixteen pages or less" after the words "copies" in line 6; also by inserting the words "or less" after the words "sixteen pages" in line 9; also by striking out the word "twenty" and substituting the word "eighteen" in line 12; also by striking out the figures "30" in line 14 and substituting the figures "25"; also by striking out the word "fifty" in line 17 and substituting the word "forty"; also by striking out the figures "12½" in line 20 and substituting the figures "11"; also by striking out the words "sixty-five" and substituting the words "fifty-five" in line 23.

Amend section 32 by striking out the number "1678" and substituting the number "1677" in line 1.

Amend section 41 by inserting the number "3765" after the number "3764" in line 2.

And that as herein amended the bill do pass.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Funk moved that the report be printed and that the bill be made a special order for Wednesday, March 14, at 2:30 o'clock P. M.

Carried.

SPECIAL ORDER.

The Senate then took up the special order, it being House File No. 41, which was passed at the opening of the session.

The question being upon the amendment by Senator Seeds, add to end of section 4 "said commissioners shall receive \$2.50 per calendar day each when acting as said commissioners, provided that they be paid for not more than four days in any one year."

By consent, Senator Finn moved that Senate File No. 61, a bill for an act creating a Board of School Book Commissioners and to provide for furnishing text-books for the use of the common schools of the State, be made a special order for Thursday, March 15, at 2:30 o'clock P. M., and 200 copies of amended bill be printed.

Carried.

The hour having arrived for the consideration of the special order, it being Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa, on motion of Senator McCoy it was postponed until 10 o'clock.

Senator Seeds, by consent, withdrew his amendment.

Senator McCoy offered the following amendments to the bill: Strike out all after section 1 and insert the following:

Sec. 2. The board of supervisors in each county of this State shall on or before the first Monday of September, 1888, appoint three persons, who are residents of such county, at least two of whom shall be honorably discharged Union soldiers, one to serve three years, one to serve two years, one to serve one year from date of appointment, and each year thereafter one person to serve for three years, such persons

so appointed, when organized by the selection of one of their number as chairman, and one as secretary, shall be designated and known as "The Soldiers' Relief Commission." In the event of a vacancy in said commission occurring from any cause, the board of supervisors shall fill the vacancy for the unexpired term.

Sec. 3. The Soldiers' Relief Commission shall meet at the county auditor's office on the first Monday in September of each year, and at such other times as is deemed necessary, and shall examine and determine who are entitled to relief under the provisions of this act, and shall make lists of such persons, and at the September meeting such commission, after determining the probable amount necessary for the purpose provided herein, shall certify the amount to the board of supervisors, and the board of supervisors of each county, at its September meeting each year, shall make such levies as shall be necessary to raise the required relief fund, not exceeding three-tenths of a mill on the taxable property of such county. The Soldiers' Relief Commission shall fix the amount to be paid in each case and shall certify the lists to the county auditor. The auditor shall, within twenty days thereafter, transmit to the township clerks in his county a list of the names of the persons in the respective townships to whom relief has been awarded and the amount thereof. The auditor, on the first day of each month after said fund is ready for distribution, shall issue his warrant to the Soldiers' Relief Commission, upon the county treasurer, for the several amounts awarded. Such commission shall disburse the same to the person or persons named in the lists, taking receipts therefor; or such fund may be disbursed in any other manner directed by the commission: *provided, however*, that when said commission is satisfied that any person entitled to relief under this act will not properly expend the amount allowed, the commission may pay the amount to some suitable person who shall expend the same for such person in such manner as the commission may direct; *and, provided, further*, that said commission, at any meeting, may decrease, increase, or discontinue any amount before awarded, and may add new names to the lists, which shall be certified to the county auditor. The Soldiers' Relief Commission shall, at the end of each year, make to the board of supervisors a detailed report of the transactions of such commission; such report shall be accompanied with vouchers for all moneys disbursed.

Senator Seeds moved to amend as follows:

Add to end of section 3, "and said commissioners shall receive \$2.50 per calendar day each when acting on said commission; provided that they be paid for not more than four days in any one year, and that the same be paid out of the county funds."

Lost.

Senator Sweney offered the following amendment to the amendment of Senator McCoy:

Amend section 3 by adding after the word "case" in line 9 of said section 3 the words "the aggregate not to exceed the levy of said tax for any one year."

Adopted.

The hour having arrived for the consideration of the special order, it being the consideration of Senate File No. 18.

On motion of Senator McCoy, it was postponed for fifteen minutes. Senator Poyneer offered the following amendment:

Insert after the word "commission" in line 7 of section 3, printed bill, "the members of said commission shall qualify by taking the usual oath of office, and shall each give bond in the sum of five hundred dollars for the faithful performance of their duties."

The hour having arrived for the consideration of the special order, it being Senate File No. 18.

On motion of Senator McCoy the further consideration of the special order, Senate File No. 18, was postponed until two o'clock.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked.

House File No. 332, a bill for an act extending to cities organized under special charters the provisions of chapter 192 of the acts of the Twentieth General Assembly.

Also, substitute House File No. 520, a bill for an act to legalize the incorporation of the town of Ackworth, in Warren county, to legalize the ordinances of the town council of said town and to legalize the acts of the officers of said incorporated town under the ordinances of said town with an amendment by way of rider.

D. C. KOLP, *Chief Clerk.*

The question recurring on the amendment by Senator Poyneer, it was adopted.

Senator Brower offered the following amendment: Add in section 3 as amended by Senator Sweney, after the word "year" the following words: "But said relief in no instance to exceed the sum of four dollars per week to any one beneficiary."

Lost.

Senator Caldwell moved to strike out the word "day" in line 13, section 3, and insert in lieu thereof the word "Monday."

Adopted.

Senator Reiniger offered the following amendment: Add as section 4:

SEC. 4. The Board of Supervisors may at any time remove any member of the commission for neglect of duty or mal-administration and appoint others in the place of members thus removed.

Adopted.

Senator Dooley offered the following amendment as section 5:

SEC. 5. Any soldier, sailor or marine having no relatives to care for, or be cared for by such relatives, shall not be affected by this bill with the exception of paying his way to the soldiers' home.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Converse, Dooley, Finn, Funk, Groneweg, Kelly, Knight, Mills, Parrott, Sweney and Taylor—12.

The nays were:

Senators Barnett, Barrett, Bayless, Brower, Caldwell, Davidson,

Deal, Doud, Dungan, Garlock, Hanchett, Harsh, Hutchison, Mattoon, McCoy, McVay, Meservey, Poyneer, Price, Reiniger, Seeds, Vale, Weidman, Woolson and Young—25.

Absent or not voting:

Senators Bills, Cassatt, Chesebro, Clark, Dodge, Gatch, Kegler, Kent, Lawrence, Schmidt, Smith, Weber and Wolfe—13.

So the amendment was lost.

Senator Mills moved to amend as follows:

Strike out in line 5, section 1, "honorably discharged indigent Union soldiers, sailors and marines;" also the word "and" where it occurs the first time in sixth line, also the word "such" in sixth line.

Senator McCoy moved that the hour for adjournment be postponed for fifteen minutes.

Carried.

The question recurring upon the amendment offered by Senator Mills to section 1.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Bolter, Converse, Dodge, Finn, Gatch, Groneweg, Knight, Mills, Schmidt and Taylor—19.

The nays were:

Senators Barrett, Bayless, Brower, Caldwell, Davidson, Deal, Dooley, Dungan, Funk, Garlock, Hanchett, Harsh, Hutchison, Kelly, Kent, McCoy, McVay, Poyneer, Price, Reiniger, Vale, Woolson and Young—23.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Doud, Kegler, Lawrence, Mattoon, Meservey, Parrott, Seeds, Smith, Sweney, Weber, Weidman and Wolfe—15.

So the amendment was lost.

Senator Harsh moved that the time of adjournment be extended for fifteen minutes.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Brower, Caldwell, Davidson, Deal, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kelly, McCoy, McVay, Mills, Poyneer, Price, Reiniger, Sweney, Vale, Woolson and Young—23.

The nays were:

Senators Barnett, Bills, Bolter, Converse, Dodge, Dooley, Finn, Groneweg, Knight, Parrott, Schmidt, Taylor and Weidman.—13.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Doud, Garlock, Kegler, Kent, Lawrence, Mattoon, Meservey, Seeds, Smith, Weber and Wolfe—14.

So the motion prevailed and the time was extended for fifteen minutes.

Senator Sweney moved to amend as follows:

Insert after the word "marines" in line 6 of section 1 the words, "with families."

MESSAGE FROM THE GOVERNOR.

IOWA EXECUTIVE OFFICE, March 5, 1888.

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, Senate File No. 203, an act to provide for the appointment and removal of policemen in cities organized under special charters.

FREDK. W. HOSSFELD, *Private Secretary*.

The Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met at 4 o'clock P. M., and called to order by Lieutenant Governor Hull.

The journal of March 8d was corrected and approved.

PETITIONS AND MEMORIALS.

Senator Dodge presented petition of J. L. Swank and others, of Des Moines county, favoring railroad legislation.

Referred to Committee on Railways.

Also presented petition of C. W. Smith and others, of Des Moines county, same subject.

Same reference.

Also presented petition of J. H. Crabtree and other citizens of Hawkeye Alliance, Des Moines county, same subject.

Same reference.

Senator Harsh presented the report of the minority of the Committee on Schools.

MR. PRESIDENT—The undersigned members of your School Committee, being unable to agree with the majority of said committee in the action reporting back Senate File No. 61, with recommendation that the same do pass, beg leave to submit this their minority report. We cannot agree with the report for the following among many reasons, to wit:

Senate File No. 61 creates a State Board of School Commissioners with power to edit and publish school books. We do not think the State should engage in the book publishing business.

Senate File No. 61 provides for uniform text-books throughout the State. We do not favor State uniformity as applied to school text-books.

Senate File No. 61 takes matters connected with local schools out of the hands of the people at their homes, and places them in control of a body of men far removed therefrom, the majority of whom as provided by said bill will always be selected without reference to their fitness for the performance of their duties as enumerated in said bill.

Senate File No. 61 provides for the transaction of business with reference to purchase of school books only with wealthy publishing houses by requiring excessive bonds in connection therewith.

We believe the people want cheaper books, and therefore submit it would be bad policy to foster and protect a monopoly in the matter of book making, but on the contrary think such course should be par-

sued as will invite new houses to enter the field and thus cause greater competition.

Your minority present herewith a bill which has our sanction, and ask that it be substituted for Senate File No. 61, and when so substituted that it do pass. The following is the bill:

SENATE MINORITY SCHOOL COMMITTEE BILL.

A bill for an act in relation to school districts, authorizing the purchase of text books and supplies at wholesale contract prices, and allowing electors of said districts to decide the question of free text books. *Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. The board of directors of any district, township or independent district school in this state is hereby empowered to adopt text books for the teaching of such branches as are now authorized, or may hereafter be authorized by law, to be taught in the public schools of this state, and to contract for and purchase said books and any other necessary school supplies at wholesale contract prices, and sell the same to the pupils at actual cost price to the district.

SEC. 2. The board of directors of any school district, township or independent district, upon the petition of one-fourth of the electors of such school district, ten days' notice having been given by posting notices in four different places in said district, and by giving said notice at least one publication in some newspaper in said school district, if one be published there, at the next regular annual meeting in March, or a meeting specially called therefore and to be held prior to July 1, 1888, the following proposition: Shall the board of directors purchase and supply necessary school text books and school supplies to the pupils free of charge? Electors voting in favor of the above proposition shall write or print the word "yes" opposite such proposition so affirmatively voted for, and when voting against such proposition shall write or print the word "no" opposite such proposition as voted against. Text books and supplies may be included in the same proposition, or they or either of them may be submitted separately.

SEC. 3. If a majority of the votes cast at such election shall be in favor of the proposition submitted, the board of directors shall, in the manner hereinafter provided, purchase the necessary text-books and other necessary supplies, for the use of the schools in said district; *provided*, that in case of district townships said text-books shall be uniform in the several sub-districts therein. Said board of directors shall prescribe all necessary rules and regulations, and shall provide a proper depository for the care and preservation of said school books.

SEC. 4. Said text-books and other necessary school supplies, purchased under provisions of this act, shall be paid for from the contingent fund, and the board of directors, in levying the contingent fund tax, shall annually provide for such amount as they shall find necessary to purchase said text books and school supplies, but they shall contract no debt for that purpose.

SEC. 5. It shall be the duty of the board of directors in the purchase of text-books to take into consideration the books which are at

such time in use in the schools of their respective districts, and they may purchase such additional number of said books as may from time to time be necessary to supply the pupils of said district, and they may arrange on equitable terms for exchange of old books or books in use for new books.

SEC. 6. If at any time, the publishers of such books as shall have been adopted in any school district, shall neglect, or refuse, to furnish such books, when ordered by any board of directors, in accordance with the provisions of this act, at the lowest contract, or wholesale price, at which such text-books are furnished to any school district, or State board elsewhere, then said board of directors may adopt and purchase other similar school text books at the lowest wholesale, or contract prices, as hereinbefore provided.

SEC. 7. It shall be the duty of any board of directors, before purchasing text books under this act, to advertise by publishing a notice for three consecutive weeks in some one or more newspapers published in said county, one of which shall be a paper, selected by the board of supervisors of the county in which to publish their official proceedings; said notice shall state the date up to which all bids will be received, and also in general terms the text books or supplies to be contracted for; and said board shall award the contract for said books or supplies to any responsible bidders offering suitable text books or supplies, at the most satisfactory prices, or the board may reject any or all bids, or any part thereof, and readvertise therefor.

SEC. 8. Said board of directors shall not change or displace any text book obtained under the provisions of this act before five years from and after the date of the adoption thereof, unless authorized to do so by a majority of the electors present and voting at the regular annual meeting, or election in March, and notice of the submission of said proposition to change or displace said text books shall be included in the notice provided by law for calling said annual meeting.

SEC. 9. Any person or firm desiring to furnish books or supplies under this act, in any county, shall at or before the time of filing his bid hereunder, deposit in the office of the county superintendent samples of all text books included in his bid, accompanied with lists, giving the lowest wholesale or contract price lists therefor. And said samples and lists shall remain as a part of the county records in the county superintendent's office and shall be delivered by him, to his successor, and shall be kept in such safe and convenient manner as to be open at all times to the inspection of such school officers, school patrons and school teachers as may desire to examine and compare the same for the purpose of use in the public schools.

SEC. 10. All acts and parts of acts inconsistent or in conflict herewith are hereby repealed.

SEC. 11. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader.

J. B. HARSH.
WM. O. SCHMIDT.
JOHN S. WOOLSON.
L. R. BOLTER.

Ordered passed on file and 300 copies printed.

Senator Finn from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 201, a bill for an act to amend section 1802 of the Code, in relation to the board of directors in independent school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to inquiry and report by the Superintendent of Public Instruction as to the number of children in schools, at work, etc.

D. C. KOLP, *Chief Clerk*.

SPECIAL ORDER.

The special order being sundry railway bills were taken up. The bill under discussion being Senate File No. 18, a bill for an act to regulate commerce by railroads within the limits of the State of Iowa, the question being upon the amendment offered by Senator Sweney to the substitute offered by Senator Woolson to section 3 of the bill, to strike out the words "undue or unreasonable" wherever the same occur, and to strike out, "but this provision shall not be construed as requiring any common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business, except upon payment of reasonable compensation to be determined by the railway companies.

Senator Weber moved that the time of adjournment be postponed to 5:30 o'clock P. M.

Lost.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 7, 1888. }

The Senate met in regular session at 10 o'clock, A. M.

Lieutenant-Governor Hull in the chair.

Prayer by Rev. Dr. Ames.

Senators Clark and Page excused indefinitely owing to sickness.

RESOLUTION.

Senator Young offered the following resolution.

Resolved that the State Binder is directed to stitch into separate volumes the extra copies of the Senate Journal heretofore ordered by the Senate and not yet delivered, and that said volumes be complete to the date of binding, and that thereafter all copies be delivered to the Senate as contemplated by the original order of the Senate.

Adopted.

INTRODUCTION OF BILLS.

By Senator Price, Senate File No. 362, a bill for an act to amend section 1320 of the Code, as amended by chapter 153, laws of the Sixteenth General Assembly, relating to the assessment and taxation of the property of railway corporations.

Read first and second times and referred to the Committee on Railways with printing.

By Senator McCoy, Senate File No. 363, a bill for an act to organize and manage the department for criminal insane at the penitentiary at Anamosa, and to fix the compensation of the additional officers.

Read first and second times and referred to the Committee on Penitentiaries.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House File No. 43.

Also, concurred in the Senate substitute for House File No. 69.

I also herewith present for your signatures the following bills: House Files Nos. 196 and 509, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

D. C. KOLF, *Chief Clerk.*

SPECIAL ORDER.

The Senate resumed consideration of the special order, it being sundry railway bills. The bill under discussion being Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa, it was taken up.

The question being on the adoption of the amendment offered by Senator Sweney to the substitute offered by Senator Woolson for section 8 of the bill.

On motion of Senator Weber, resolution relative to the disposition of petitions now on file was taken up and considered.

Senator Weber moved to amend the resolution by adding after the word "remonstrances" the words "memorials."

Adopted.

On the question shall the resolution be adopted the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Caldwell, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Hutchinson, Kent, Mattoon, McVay, Meservey, Mills, Poyneer, Smith, Taylor, Weber, Weidman, Woolson and Young.—25.

The nays were:

Senators Brower, Chesebro, Converse, Garlock, Gatch, Groneweg, Harsh, Kegler, Kelly, Lawrence, McCoy, Reiniger, Seeds, Sweney, Vale and Wolfe—16.

Absent or not voting:

Senators Barnett, Barrett, Cassatt, Clark, Hanchett, Knight, Parrott, Price and Schmidt—9.

So the resolution was adopted.

The Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M., and was called to order by Lieutenant Governor Hull.

The journal of yesterday was corrected and approved.

Senate File No. 18 being under discussion at the time of adjournment, it was resumed.

The question being upon the adoption of the amendment offered by Senator Sweney to the substitute for section 8 offered by Senator Woolson.

Senator McCoy at the request of Senator Sweney, who was then addressing the chair, moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Converse, Deal, Garlock, Gatch, Groneweg, Harsh, Hutchison, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Schmidt, Smith, Sweney, Vale, Wolfe and Woolson—20.

The nays were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Chesebro, Davidson, Dodge, Dooley, Dungan, Funk, Hanchett, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Price, Reiniger, Seeds, Taylor, Weidman and Young—25.

Absent or not voting:

Senators Cassatt, Clark, Doud, Finn and Weber—5.

So the motion was lost.

Senator Reiniger moved that the further consideration of the bill be postponed until to-morrow at 10 o'clock.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Converse, Deal, Dodge, Dooley, Dungan, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Knight, Lawrence, McCoy, Mills, Parrott, Price, Reiniger, Schmidt, Smith, Vale, Wolfe and Woolson—26.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Davidson, Doud, Finn, Funk, Hutchison, Kelly, Kent, Mattoon, McVay, Meservey, Poyneer, Seeds, Taylor, Weber, Weidman and Young—31.

Absent or not voting:

Senators Cassatt, Clark and Sweney—3.

There not being a two thirds vote in affirmative the motion was lost.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully

report that they have examined House File No. 502, a bill for an act to legalize the organization and acts of the Clinton and Illinois Bridge Company, and find the same correctly enrolled.

JOHN K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 196, a bill for an act to amend chapter 22 of the acts of the Twenty-first General Assembly, relating to the bonding of county indebtedness, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 502, a bill for an act to legalize the organization and acts of the Clinton & Illinois Bridge Co.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval House File No. 196, a bill for an act to amend chapter 22 of the acts of the Twenty-first General Assembly, relating to the bonding of county indebtedness.

JNO. K. DEAL, *Chairman*.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred House File No. 526, a bill for an act to provide for the payment of the expenses of the committees appointed to visit the State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, March 8, 1889. }

The Senate met in regular session at 10 o'clock, A. M.

Lieut.-Gov. Hull in the chair.

Prayer by Rev. Will F. Barclay, of Tipton.

The special order under consideration at the time of adjournment, being sundry railway bills, was resumed.

The bill under discussion being Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa, was taken up.

The question being upon the adoption of the amendment offered by Senator Sweney to the substitute offered for section 3 by Senator Woolson.

On this the yeas and nays were demanded.

Senator Wolfe announced that Senator Clark having been called home by sickness in his family, Senator Cassatt is paired with him on pending amendments to the bill, Senate File No. 18, and that on the amendment offered by the Senator from Mitchell, Senator Cassatt would vote "yea" and Senator Clark would vote "no," and on the substitute offered by the Senator from Henry, Senator Cassatt would vote "no" and Senator Clark "yea."

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cheesbro, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Kegler, Kelly, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—35.

The nays were:

Senators Barrett, Doud, Garlock, Gatch, Hanchett, Kent, Knight, Lawrence, McCoy, Parrott, Schmidt, Smith and Woolson—13.

Absent or not voting:

Senators Clark and Cassatt—2.

So the amendment was adopted.

The question being on the adoption of the substitute as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Deal, Dooley, Doud, Garlock, Gatch, Hanchett, Hutchison, Kent, Knight, Lawrence, McCoy, Parrott, Poyneer, Smith, Vale, Weber and Woolson—18.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cheesbro, Converse, Davidson, Dodge, Dungan, Finn, Funk, Groneweg, Harsh, Kegler, Kelly, Mattoon, McVay, Meservey, Mills, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weidman, Wolfe and Young—30.

Absent or not voting:

Senators Cassatt, Clark—2.

So the substitute was lost.

Senator Seeds moved to strike out the word "unjust" before the word "discrimination" in line 7 of section 4, printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dodge, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—35.

The nays were:

Senators Barrett, Brower, Deal, Dooley, Doud, Gatch, Hanchett, Hutchison, Knight, Reiniger, and Woolson—11.

Absent or not voting:

Senators Cassatt, Clark, Lawrence and Schmidt—4.

So the motion was adopted.

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M. and was called to order by Lieut.-Gov. Hull.

The Journal of yesterday was corrected and approved.

PETITIONS AND MEMORIALS.

Senator Reiniger presented petition of citizens of Floyd county in favor of railway legislation.

Referred to Committee on Railways.

Also presented petition of Rev. Wm. Morse and other citizens of Charles City, Floyd county, in favor extending the right of suffrage to women, by amending the state constitution.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Seeds presented petition of E. J. Carpenter and others of Delaware, Delaware county, same subject.

Same reference.

Senator Bolter presented petition of citizens of Shelby county, in favor of a county board to regulate the salaries of county officers each year before election.

Referred to the Committee on Compensation of Public Officers.

Also presented petition of E. F. Fish and others of Shelby county, in favor of railroad legislation.

Referred to Committee on Railways.

Senator Price presented petition of J. E. Middleton and others of Ohio township, Madison county, asking that a law be passed that will embody the following principles, viz: That the common school text books be made uniform and furnished at cost, and that the township boards of education be compelled to canvass their respective townships for the purpose of securing a list of all pupils not able to pay for their books, and to deliver to such homes free of charge all necessary text books.

Referred to Committee on Schools.

Senator Lawrence presented petition of Wm. L. Jay and 60 other members of the bar of Woodbury county against the passage of the bill now before the Senate of the Twenty-second General Assembly, providing for the holding of terms of district court in Correctionville in said county.

Referred to Committee on Judiciary.

Also, presented petition of Jas. V. Mahoney and 80 other jobbers and manufacturers of Sioux City, same subject.

Same reference.

Also, presented petition of A. D. Benedict and 78 others of Sargent's Bluffs and vicinity, same subject.

Same reference.

Also, presented petition of M. L. Jones and 43 others of Smithland and vicinity, same subject.

Same reference.

Also, presented petition of Geo. H. Mayo and other barbers of Sioux City asking for a law prohibiting the operating and running of barber shops on Sunday.

Same reference.

Also presented petition of H. H. Hawman and 55 others of the fire department of Sioux City asking for establishment of a relief fund for crippled, sick and disabled firemen.

Referred to Committee on Appropriations.

Senator Taylor presented petition of A. W. Hunt and 30 others of Unionville and vicinity, Appanoose county, in favor of railroad legislation.

Referred to Committee on Railways.

Also, presented petition of W. H. McAchran and 69 other voters, and 15 ladies of Bloomfield, Iowa, asking for the amendment of the constitution of Iowa by striking out the word "male."

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Dungan presented petition of J. H. Wertz and 25 others of Lucas county, asking for railway legislation.

Referred to Committee on Railways.

Senator Gatch presented petition of Isaac Brandt and 495 others of Iowa in favor of female municipal suffrage.

Referred to Committee on Constitutional amendments and Suffrage.

Senator Converse presented petition of Warren Hoyt and others of Elma, Iowa, in favor of amending the constitution of Iowa by striking out the word "male."

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Caldwell presented petition of James Merrill and Mrs. Alma Merrill and 75 others of Bear Grove, Guthrie county, Iowa, asking the legislature to amend the constitution by striking out the word "male."

Same reference.

Also, presented petition of E. M. Crosewart and about 70 others of Dexter, Dallas county, same subject.

Same reference.

Senator Smith presented petition of J. W. Brayton and others, of Linn county, Iowa, in favor of railroad legislation.

Referred to Committee on Railways.

Senator McVay presented petition of W. H. Meeker and others, of Calhoun county, Iowa, same subject.

Same reference.

Also, presented petition of J. F. Townsend and others, of Douglass township, Webster county, Iowa, same subject.

Same reference.

Senator Weber presented petition of Elliott Munson and twenty-nine others, of Wright county, asking for railroad legislation.

Referred to Committee on Railways.

Also, presented petition of J. H. Johnson and twenty-six others, of Hardin and Hamilton counties, same subject.

Same reference.

Also, presented petition of W. T. R. Humphrey and nineteen others, of Wright county, opposing railroad legislation.

Same reference.

Also, presented petition of J. D. Dennison and 109 others, of Wright county, praying for fixing of maximum freight rates and law to prevent discrimination.

Same reference.

Senator McCoy presented petition of F. G. Welch and 18 others of Mahaska county, asking for railroad legislation.

Same reference.

Senator Hutchison presented petition of Lemuel Howell and 109 others of Wapello county, asking for the passage of the 2 cent fare bill, and also a law establishing reasonable freight rates.

Referred to Committee on Railways.

Senator Garlock presented petition of E. H. Brown and others of Humboldt county, asking the legislature to amend the constitution of Iowa by striking out the word "male."

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Barrett presented petition of R. M. Dyer and others of Orange City, against telegraph legislation.

Referred to Committee on Corporations.

INTRODUCTION OF BILLS.

By Senator Harsh, Senate File No. 364, a bill for an act to amend chapter 2, title 24 of the Code, chapter 74 of the Fourteenth General Assembly, in relation to offenses against public policy in such way as to provide further protection for the song birds and birds of beautiful plumage in this State.

Read first and second times and referred to the Committee on Fish and Game.

By Senator Meservey, Senate File No. 365, a bill for an act to amend section 3639, chapter 1, title 22, Code of Iowa, relating to evidence.

Read first and second times and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 266, a bill for an act amending sections 1757 of the Code, in relation to the filing of teachers' contracts, beg leave to report that they have had the same under consideration

and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools to whom was referred House File No. 115, a bill for an act authorizing boards of directors to change the boundaries of independent school districts within the same civil township, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Deal, from the Committee on Compensation of Public Officers submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 283, a bill for an act to provide for medical and surgical attendance upon paupers and prisoners in county jails and poor houses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JNO. K. DEAL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 250, a bill for an act in relation to the duties of county surveyors, amendatory of section 8844 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, together with a report of the Judiciary Committee to whom it was referred, with the recommendation that it be indefinitely postponed.

JNO. K. DEAL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 296, a bill for an act in relation to the duties of county surveyors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JNO. K. DEAL, *Chairman*.

Ordered passed on file.

Senator Brower, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 216, a bill for an act requiring all goods put up in packages, for sale by the package, to have the exact weight of the contents put on each package, beg leave to report that they have had the same under consideration, and have instructed me to report

the same back to the Senate, with the recommendation that it be indefinitely postponed.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred House File No. 179, a bill for an act fixing maximum rate of toll for grinding or grinding and bolting grain, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9, of the Code of Iowa, relating to mutual insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 328, a bill for an act to repeal sections 818 and 819 of the Code of Iowa, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

BEN MCCOY, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 334, a bill for an act to amend chapter 210 of the acts of the Eighteenth General Assembly, relating to fire insurance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate File No. 256, a bill for an act to amend section eleven hundred and forty-four (1144) of chapter 4, title 9 of the Code of Iowa, relating to foreign insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and that the substitute do pass when adopted.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Senator Converse moved that the Senate take up House File No. 526, a bill for an act to provide for the payment of the expenses of the committees appointed to visit the State institutions, with the report of committee recommending that it do pass, and that the special order be resumed after this bill be disposed of.

Carried.

So House File No. 526 was taken up and considered.

Senator Converse moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—44.

The nays were none.

Absent or not voting:

Senators Bolter, Clark, Cassatt, Knight, Schmidt and Vale—6.

So the bill passed and the title was agreed to.

Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa being under consideration at the time of adjournment it was resumed.

Senator Barnett moved to amend as follows:

Strike out in line 3 and insert in line 5, section 4 the words "or persons," and insert the words "firm, corporations or company."

Lost.

Senator Dungan moved to amend by striking out the words "subject to the provisions of this act" in lines four and five of section 4.

Lost.

Senator Price moved to amend as follows:

Strike out in line four, section 5, the words "the shorter being included within the longer distance."

Lost.

SPECIAL ORDER.

The President called attention to the special order for four o'clock it being Senate File No. 142, a bill for an act to repeal chapter 45 of the acts of the Seventeenth General Assembly of Iowa, and abolishing the office of the Iowa weather service, with report of committee on Retrenchment and Reform recommending that it do pass.

Senator Weber moved that its consideration be postponed and that it be made a special order to follow immediately after Senate File No. 293 is disposed of.

Carried.

The Senate resumed consideration of the special order, Senate File No. 18.

Senator Bolter moved to amend section 5 by striking out all after the word "distance" in line four.

Senator Price moved that the hour of adjournment be postponed to half-past five.

Lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 374, by the Committee on Railroads and Commerce, a bill for an act to establish maximum rates of charges for the transportation of freights and property on the different railroads of this State.

D. C. KOLP, *Chief Clerk.*

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval House File No. 43, an act to authorize cities organized under special charters to refund their outstanding bonded debt, and to provide for the payment of the same.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 401, an act to legalize the organization of the township of Logan in Sioux county, State of Iowa, and the election and acts of its officers.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 402, an act to legalize the incorporation of the town of Hawarden, in Sioux county, Iowa, and the acts of the officers thereof.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 62, an act to prevent fraud in the sale of lard and to provide punishment for violation thereof.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval, Senate File No. 284, an act to authorize the Governor to lease lot 7 in block 33, in the city of Des Moines to the Governor's Guard

designated in the military organization of the State as company A, Third Regiment Iowa National Guard.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT.—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 284, an act to authorize the Governor to lease lot 7, in block 33, in the city of Des Moines, to the Governor's Guard, designated in the military organization of the State as Company A, Third Regiment Iowa National Guard, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT.—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 62, an act to prevent fraud in the sale of land and to provide punishment for the violation thereof, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Also,

MR. PRESIDENT.—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 43, an act to authorize cities organized under special charters to refund their outstanding bonded debt and to provide for the payment of the same, and find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

Also:

MR. PRESIDENT.—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 401, an act to legalize the organization of the township of Logan, in Sioux county, State of Iowa and the election and acts of its officers, and find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

Also:

MR. PRESIDENT.—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 402, an act to legalize the incorporation of the town of Hawarden, in Sioux county, Iowa, and the acts of the officers thereof, and find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

Senator McVay, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT.—Your Committee on Charitable Institutions, to whom was referred Senate File No. 320, a bill for an act to repeal section 1623 of the Code, and enact a substitute therefor, relating to the appointment of trustees of the Soldiers' Orphans' Home and Home for Destitute Children at Davenport, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

J. D. McVAY, *Chairman.*

Ordered passed on file.
Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 9, 1888. }

The Senate met in regular session at 10 o'clock, A. M.
Lieutenant-Governor Hull in the chair.

RESOLUTION.

Senator Parrott offered the following resolution:

Resolved, That hereafter no member of the Senate shall speak more than fifteen minutes, nor more than once on the same question, and no Senator shall speak more than once nor longer than five minutes on each amendment; provided that the author or Senator in charge of a bill or resolution shall be allowed an additional ten minutes to close debate.

Senator Weidman moved that the further consideration of the resolution be postponed until next Monday at 2 o'clock P. M.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File Nos. 7, 102, 126, 143, 168, 170, 223, 254 and 310.

House File No. 7, a bill for an act to prohibit the incorporation of towns and cities within three miles of the incorporated limits of any city of the first class, and to prevent the extension of the limits of towns and cities already organized within such three mile limit.

House File No. 102, a bill for an act to amend chapter 175, acts of the Nineteenth General Assembly, and to repeal section 1583 of the Code and enact a substitute therefor.

House File No. 126, a bill for an act to legalize certain ordinances of the town of Kingsley in Plymouth county, Iowa, and the acts of its officers thereunder.

House File No. 143, a bill for an act to amend the election laws of the state and to more fully define the duties and powers of the judges of election.

House File No. 168, a bill for an act to amend sections 1495 and 1508 of chapter 4, title 11 of the Code of 1873, in relation to line fences.

House File No. 170, a bill for an act to amend section 1571 of the Code of 1873, in relation to publishing quarterly statements.

House File No. 223, a bill for an act to prevent fraud, bribery or

undue influence in elections, primary elections, conventions and caucuses.

House File No. 254, a bill for an act to provide for the assessment and taxation of telegraph and telephone lines, and to repeal chapter 59 of the acts of Seventeenth General Assembly.

House File No. 310, a bill for an act to protect breeders from breeding to animals having bogus pedigrees.

D. C. KOLP, *Chief Clerk.*

HOUSE MESSAGES.

Senator Bayless moved to take up House messages.

Carried.

House File No. 374, a bill for an act to establish reasonable maximum rates of charges for the transportation of freight and property of the different railroads of this State.

Read first and second times and referred to the Committee on Railways.

House File No. 332, an act extending to cities organized under special charters the provisions of chapter 193 of the acts of the Twentieth General Assembly.

Read first and second times and referred to Committee on Cities and Towns.

House concurrent resolution:

Resolved by the House, the Senate concurring, That the Superintendent of Public Instruction be requested to ascertain from the city independent districts of over 1,000 inhabitants of this State, the number of children—

1. Between the ages of 8 and 16, inclusive.
2. The number between these ages at work in stores, shops and factories.
3. The number between such ages not in a school of any kind.

These statistics shall be embodied in his next biennial report to the Governor; it is also made the duty of the secretaries of such districts to fill out and return such blanks as the Superintendent may deem necessary in order that he may comply with this resolution.

Adopted.

House File No. 520, a bill for an act to legalize the incorporation of the town of Ackworth, in Warren county, Iowa, to legalize the ordinances of the town council of said town, and to legalize the acts of officers of said incorporated town under the ordinances of said town.

Read first and second times and referred to the Committee on Judiciary.

House File No. 7, a bill for an act to prohibit the incorporation of towns and cities within three miles of the incorporated limits of any city of the first class, and to prevent the extension of the limits of cities and towns already organized within such three mile limit.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 102, a bill for an act to amend chapter 175, acts of the Nineteenth General Assembly, and to repeal section 1583 of the Code and enact a substitute therefor.

Read first and second times and referred to the Committee on Schools.

House File No. 126, a bill for an act to legalize certain ordinances of the town of Kingsley, in Plymouth county, Iowa, and the acts of its officers thereunder.

Read first and second times and referred to the Committee on Judiciary.

House File No. 143, a bill for an act to amend the election laws of the State, and to more fully define the duties and power of the judges of election.

Read first and second times and referred to the Committee on Elections.

House File No. 168, a bill for an act to amend sections 1495 and 1508 of chapter 4, title 11 of the Code of 1873, in relation to line fences.

Read first and second times and referred to the Committee on Agriculture.

House File No. 170, a bill for an act to amend section 1571, Code of 1873, in relation to publishing quarterly statements.

Read first and second times and referred to the Committee on Banks.

House File No. 223, a bill for an act to prevent fraud, bribery or undue influence in elections, primary elections, conventions and caucuses.

Read a first and second time and referred to the Committee on Elections.

House File No. 254, a bill for an act to provide for the assessment and taxation of telegraph and telephone lines, and to repeal chapter 59 of the acts of the Seventeenth General Assembly.

Read first and second times and referred to the Committee on Ways and Means.

House File No. 310, a bill for an act to protect breeders from breeding to animals having bogus pedigrees.

Read first and second times and referred to the Committee on Agriculture.

On motion of Senator Knight, House File No. 332, a bill for an act extending to cities organized under special charters the provisions of chapter 192, of the acts of the Twentieth General Assembly, was taken up and considered.

Senator Knight moved to amend by prefixing the words "a bill for" to the title.

Adopted.

Senator Knight moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan,

Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—46.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Mills and Vale—4.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 366, a bill for an act to legalize the incorporation of the Boone Valley Pure Bred Horse Association at Eagle Grove, Iowa, the election of its officers and all acts done by it.

Read first and second times and referred to the Committee on Judiciary.

By Senator Davidson, by request, Senate File No. 367, a bill for an act to amend sections 8, 9, 10 and 14, chapter 21, acts of the Twentieth General Assembly of the State of Iowa.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Young, by request, Senate File No. 368, a bill for an act legalizing the validity of mechanics' liens, or between contractor and sub-contractor, and for the more perfect protection of the sub-contractor against the acts of a contractor, and for amending section 6 and repealing sections 7 and 8 of the Code as relating thereto.

Read first and second times and referred to the Committee on Judiciary.

PETITIONS AND MEMORIALS.

Senator Meservey presented petition of Geo. C. Jones and others of O'Brien county asking for passage of House File No. 347.

Referred to Committee on Public Lands.

Also, presented petition of D. Hackett and others, same county, on same subject.

Same reference.

Also, presented petition of Steve Anderson and others, same county, on same subject.

Same reference.

Also presented petition of W. H. Clush and others, same county, same subject.

Same reference.

Senator Deal presented petition of E. A. Strahl and others, of Sac county, asking for railway legislation.

Referred to Committee on Railways.

Senator Weber presented petition of L. D. McFarland and 9 others, of Tipton township, Hardin county, same subject.

Same reference.

Senator Chesebro presented petition of Felix Rock and 75 others, of Muscatine county, same subject.

Same reference.

Senator Kelly presented petition of M. L. Grimes and others, of Iowa county, same subject.

Same reference.

Senator Converse presented petition of Fred A. Eckstein and others, of Chester, Howard county, same subject.

Same reference.

Senator Funk presented resolution of Virgen Lake Farmers' Alliance, requesting all due influence in securing the passage of a bill to lower freight rates.

Referred to Committee on Railways.

Senator Weber presented petition of J. H. Stephenson and others, of Abbott, Iowa, against legislation interfering with telegraph rates.

Referred to Committee on Corporations.

REPORTS OF STANDING COMMITTEES.

Senator Bayless, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT.—Your Committee on Public Lands, to whom was referred Senate File No. 233, a bill for an act to resume and reconvey to the United States all lands and right to lands granted to the State of Iowa by the act of Congress entitled, "An act for a grant of land to the State of Iowa in alternate sections to and in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been carried pursuant to the provisions of said act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator T. J. Caldwell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT.—Your Committee on Public Health, to whom was referred Senate File No. 67, a bill for an act to amend section 8, chapter 104 of the acts of the Twenty-first General Assembly, entitled an act to regulate the practice of medicine and surgery, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed, for the reason that the subject matter of the bill is covered by Senate File, No. 228.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Public Health, to whom was referred Senate File No. 209, a bill for an act to amend sections 8 and 9 of chapter 104 of the acts of the Twenty-first General Assembly, relating to the practice of medicine, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it

be indefinitely postponed, for the reason that the subject matter of the bill is covered by Senate File No. 226.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 226, a bill for an act to amend chapter 104, acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 32, a bill for an act to establish a uniform system of weighing coal at the mines of this state and to punish certain irregularities connected therewith, beg leave to report that they have had the same under consideration and the majority have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

1st. Amend section 1 by inserting after the word "ton" in line 4 the words "unless otherwise agreed upon."

2d. Amend by striking out all of section 5.

3d. Amend section 6 by striking out all after the word "act" in line 5. And that when so amended that it do pass.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 122, a bill for an act to regulate the mining and screening of coal and to fix a basis for wages of coal miners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining to whom was referred Senate File No. 14, a bill for an act to regulate payment to miners for mining coal by mine operators, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, as another bill has been favorably reported, covering substantially the same ground.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining to whom was referred Senate File No. 163, a bill for an act entitled an act to regulate the weighing of coal in mines and to establish a uniform system of weights and measures between the operators of coal

mines and their employes, beg leave to report that they have had the same under consideration and the majority have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Senator Woolson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 188, a bill for an act to amend section 2351, chapter 2, title 16 of the Code of 1873, in relation to the probate and validity of foreign wills, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 207, a bill for an act to provide that administrators, executors and referees may pay certain money to the clerk of the district court and making clerks liable therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 217, a bill for an act to amend chapter 15, of title 17, of the Code, and to require residents of the State to give bonds to secure payment of costs in suits brought by them in any county of which they are not residents, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 444, a bill for an act to legalize the incorporation and ordinances of the town of Northwood, Worth county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding after the words "complied with" in line ten of section one the following, "relative to the incorporation of cities and towns" and that as amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 311, a bill for an act to repeal section 3787 of

the Code, and to enact a substitute therefor in relation to fees of clerks of the district court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Compensation of Public Officers.

JNO. S. WOOLSON, *Chairman*.

So referred.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 358, a bill for an act to authorize the townships of any county in the State of Iowa to build public halls for elections and public meetings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 352, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

House Files Nos. 43, 62, 401 and 402.

Senate File No. 284.

D. C. KOLF, *Chief Clerk*.

Senator Gatch offered the following Concurrent Resolution in relation to swamp land indemnity:

WHEREAS, The provisions of the act of Congress of March 2, 1855, as extended by act of Congress of March 3, 1857, granting indemnity to the States for swamp and overflowed lands disposed of by the United States, are held not to apply to sales and locations made after March 3, 1857, and,

WHEREAS, A large amount of land properly falling to the State and counties in Iowa, under the swamp grant, have been disposed of by the government since March 3, 1857, thereby compelling the counties and their grantees to abandon their claims to such lands or litigate with the purchasers of the government, and,

WHEREAS, On the eighth day of February, 1888, the Hon. Mr.

McRae, from the Committee on Public Lands, made a report to accompany bill (H. R. 6897) in the House of Representatives in Congress, to extend said indemnity provisions of said act of March 2, 1855, and making the same applicable to sales and locations made since March 3, 1857, which bill is pending in Congress.

WHEREAS, Under the rulings of the department, certificates—called scrip, or indemnity scrip—issued for indemnity for swamp lands located with warrants, cannot be located on lands outside of the State, and there being no vacant land in Iowa on which scrip can be located, many of the counties in this State, after great expense, are unable to realize anything for their swamp lands so disposed of by warrant locations, and by that means are damaged to a large amount, therefore,

Be it resolved by the Senate of the State of Iowa, the House concurring,

That our Senators be instructed and our Representatives in Congress be requested to use all proper and lawful means in their power to secure the passage of said bill (H. R. 6897) or by the enactment in some other bill, of provision substantially as therein contained.

Resolved, further, That the Secretary of State transmit to each of our Senators and Representatives in Congress, a copy of this resolution.

Referred to the Committee on Public Lands.

The Senate resumed consideration of the special order, being sundry railway bills, the bill under discussion being Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa.

It was taken up, the question being on the adoption of the amendment offered by Senator Bolter to strike out all after the word "distance" in line 4, section 5.

Senator Finn offered the following substitute for the motion of Senator Bolter: strike out of section 5 all after the word "distance" in the sixth line.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Price, Reiniger, Smith, Sweney, Taylor, Vale, Woolson, and Young—32.

The nays were:

Senators Barrett, Bolter, Chesebro, Dooley, Funk, Garlock, Gronegweg, Kent, Knight, McVay, Poyneer, Schmidt, Seeds, Weber, Weidman and Wolfe—16.

Absent or not voting:

Senators Cassatt and Clark—2.

So the substitute for the amendment was adopted.

The question being upon the adoption of the amendment as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Chese-

bro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kegler, Kelly, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—41.

The nays were:

Senators Bayless, Harsh, Kent, Poyneer, Sweney and Vale—6.

Absent or not voting:

Senators Clark, Cassatt and Schmidt—3.

So the amendment as amended was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Joint Resolutions Nos. 13 and 15 in which the concurrence of the Senate is asked:

Relative to asking Congress to take action in protecting the public timber lands of the United States;

Also, asking Congress to pass some measure giving relief to the Nation's worthy defenders;

Also, the House has concurred in Senate Substitute by Woolson, relative to Des Moines River land suits.

D. C. KOLP, *Chief Clerk.*

Senate adjourned until 2 o'clock P. M

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M., and was called to order by Lieutenant-Governor Hull.

The journal of yesterday was corrected and approved.

SPECIAL ORDER.

The special order being Senate File No. 18, under consideration at time of adjournment, was taken up.

Senator McCoy moved to amend as follows:

Amend Section 6 by adding: "It shall be the duty of the railroad commissioners to see that all schedules of rates prepared and adopted by common carriers are reasonable and just, and they shall upon complaint of any person, and shall upon their own motion and without complaint, make inquiry and investigate from time to time and determine whether the schedule of rates prepared and adopted by any such carrier is reasonable and just, and if found by them to be unjust and unreasonable they shall correct the same."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Deal, Dooley, Doud, Garlock, Gatch, Hanchett, Hutchison, Knight, Lawrence, McCoy, Parrott, Poyneer, Price, Smith, Vale, Weber, Weidman, Wolfe and Woolson—20.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Dodge, Dungan, Finn, Funk, Groneweg, Harsh, Kegler, Kelly, Mattoon, McVay, Meservey, Mills, Reiniger, Schmidt, Seeds, Sweney, Taylor and Young—27.

Absent or not voting:

Senators Cassatt, Clark and Kent—3.

So the amendment was lost.

Senator Barnett moved to amend as follows:

Insert in line fourteen, section 6, after the word "except" the words "by consent of railroad commissioners."

Lost.

Senator Groneweg offered the following amendment:

First. Amend section 6 by inserting in the twelfth line after the word "advance" the words "or reduction."

Second. Also by inserting the words "or decrease" after the word "increased" in the fifteenth line.

Third. Also strike out in eighteenth line commencing with the

word "reductions" to and inclusive the word "inspector" in twenty-second line.

Senator Smith moved to amend the amendment as follows:

Strike out of lines eighteen and nineteen the words "without previous public notice," and insert the words "by giving five days' public notice as above provided."

A division of the question being asked, the question was ordered upon the first part of the amendment offered by Senator Groneweg.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Brower, Garlock, Groneweg, Knight, Price, Schmidt and Wolfe—8.

The nays were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Reiniger, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—36.

Absent or not voting:

Senators Cassatt, Clark, Finn, Hanchett, Parrott and Seeds—6.

So the first part of the amendment was lost.

The question being upon the second amendment by Senator Groneweg.

It was lost.

The question being upon the amendment offered by Senator Smith to the amendment by Senator Groneweg.

It was lost.

The last amendment offered by Senator Groneweg.

It was lost.

Senator Wiedman moved to amend as follows:

Strike out the words "or less" in line twenty-five, section 6.

Lost.

Senator Sweney moved to amend by striking out the word "should" in the ninth line, section 6, and insert the word "shall."

Adopted.

Senator Woolson moved to amend section 8 as follows: Add to the section "and if such common carrier shall appeal from the judgment of said court the appellate court shall, on the termination of every such appeal tax against such common carrier so appealing the costs of said appeal."

Senator Finn offered the following as a substitute for the amendment offered by Senator Woolson:

Add to section 8 "and in case of appeal from such judgment by the common carrier an additional attorney's fee may be taxed by the appellate court, if the plaintiff succeeds therein."

Lost.

Senator Sweney moved to amend the amendment by Senator Woolson as follows:

"And if either party shall appeal from the judgment of said court, the appellate court shall on the termination of every such appeal tax against the losing party the costs of said appeal, and in case said common carrier shall be beaten on said appeal, the court shall tax an

additional attorney's fee against said common carrier and in favor of the winning party.

Lost.

Senator Caldwell moved to postpone the time of adjournment for ten minutes.

Lost.

Senator Deal, by consent, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 526, an act to provide for the payment of the expenses of the committees appointed to visit the State institutions, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 10, 1888. }

The Senate met in regular session at 10 o'clock A. M.
Lieutenant Governor Hull in the chair.
Prayer by Rev. D. R. Dungan.

PETITIONS AND MEMORIALS.

Senator Converse presented petition of Henry A. Taft and others of Howard county, in favor of radical railway legislation.

Referred to Committee on Railways.

Senator Davidson presented petition of Wm. Manier and other citizens of Boone county, asking for a maximum tariff sheet and that the House bill No. 378 be adopted, eliminating all such expressions as "undue and unreasonable, under substantially similar circumstances and conditions," and in the same directions.

Referred to Committee of Railways.

Also presented petition of Michael Fleming and others of Boone county, favoring radical railroad legislation.

Referred to Committee on Railways.

Senator Lawrence presented remonstrance of S. D. Cone and others of Woodbury county, against the passage of a law providing for the holding of terms of court at Correctionville, Iowa.

Referred to Committee on Judiciary.

Senator Mattoon presented petition of A. W. Miller and others of Fayette county, in favor of the passage of laws to regulate railroads.

Referred to Committee on Railways.

Senator Woolson presented petition of J. S. McGregor, Reuben Eshelman and 220 others of Henry county, against radical railway legislation, and for appointment of Commissioners by the Governor.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Parrott, Senate File No. 369, a bill for an act providing for the appointment of the trustees of all of the State institutions and board of regents of the State University by the Governor, with the advice and consent of the Senate.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator McCoy, Senate File No. 370, a bill for an act to authorize boards of supervisors to transfer to cities of the second class one-half the amount levied and collected therein for bridge purposes.

Read first and second times and referred to the Committee on Cities and Towns.

CONCURRENT RESOLUTION.

Senator Bills offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That our Senators and Representatives in Congress be requested to use their influence and vote for H. R. Bill 1526 now before Congress for the establishment of a National Bureau of Health.

Resolved, That the Secretary of State be directed to send to each of our Senators and Representatives in Congress a duly certified copy of this resolution.

Senator Sweney moved that the resolution be referred to the Committee on Federal relations.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 496, a bill for an act to legalize certain ordinances of the incorporated town of Griswold, Cass county, Iowa, and to legalize acts done thereunder.

Substitute for House File No. 549, a bill for an act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands.

Also, House has concurred in the Senate amendment to House File No. 332, a bill for an act extending to cities organized under special charters the provisions of chapter 192 of the acts of the Twentieth General Assembly.

Also:

I herewith present for your signature the following bill, which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House File No. 526, an act to provide for the payment of the expense of the committees appointed to visit the State institutions.

D. C. KOLP, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 254, a bill for an act to relinquish all right and title to the State of Iowa to the United States in the so-called river lands, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting after the

word "and" in the tenth line of section 1, the words "lying and being north of Raccoon Forks ;"

Also by adding at the end of said section the following : "Provided, that nothing in this act shall affect the title to the lands relinquished by the United States to the State of Iowa by the joint resolution of the Congress of the United States of date March 2nd, 1861;"

Also, by adding to the bill as section 2, the following: "Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa." And that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 268, a bill for an act to repeal chapter 3 of the laws of the Twentieth General Assembly, and to enact a substitute relating to drainage, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out section 7 and inserting the following in lieu thereof:

Sec. 7. Either party may appeal to the district court of the county from all the findings of the township trustees within ten days after the findings have been filed with the clerk, and the party appealing shall cause a notice in writing of the taking of said appeal to be served upon the opposite party for the same time and in the same manner as now provided by law for service of original notice in the district court, and if the appellant is the party petitioning for the drain he must furnish a bond conditioned to pay all costs of appeal assessed against him, said bond to be approved by the township clerk, and the matter shall be tried *de novo* in said court. Provided, that if the appellant does not recover a more favorable finding or judgment in the district court than he did before the trustees he shall pay all the costs of the appeal.

And that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

HOUSE MESSAGES.

Senator Woolson moved to take up House messages in reference to substitute for House File No. 549, a bill for an act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands.

Carried.

Senator Woolson moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Upon the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk,

Groneweg, Harsh, Hutchison, Kegler, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—89.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Clark, Deal, Doud, Garlock, Gatch, Hanchett, Kelly, Price, and Smith—11.

Senator Woolson moved to amend the title by adding thereto the following: "Except the lands the title to which was relinquished by the United States to the State of Iowa by the joint resolution of Congress of March 2, 1861."

Adopted.

So the bill passed and the title as amended was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 476, a bill for an act to amend an act approved March 20, 1882, entitled an act authorizing the Executive Council to sell and convey an island formed by accretion in the Mississippi river, located in sections 34 and 35, township 78, range 3, east of the fifth principal meridian, in Scott county, Iowa.

Also, House File No. 499, a bill for an act to amend section 1520, of the Code, as amended by chapter 153, laws of the Sixteenth General Assembly, relating to the assessment and taxation of railway corporations.

D. C. KOLF, *Chief Clerk.*

The special order being sundry railway bills was resumed.

The bill under discussion being Senate File No. 18, a bill for an act to regulate commerce by railroad within the State of Iowa, was taken up and considered.

The question being upon the amendment offered by Senator Woolson to add certain words to section 8.

Senator Finn offered the following substitute for the amendment of Senator Woolson.

Add to Section 8. "And in case of an appeal shall be liable for an additional attorney fee to be fixed by the appellate court if the judgment be not reversed therein."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Chesebro, Converse, Davidson, Dodge, Dungan, Finn, Funk, Groneweg, Harsh, Kegler, Knight, Mattoon, Meservey, Mills, Reiniger, Seeds, Sweney, Taylor, Weber, Weidman and Young—25.

The nays were:

Senators Barrett, Brower, Deal, Dooley, Doud, Garlock, Gatch,

Hutchison, Kelly, Kent, McCoy, McVay, Parrott, Poyneer, Schmidt, Smith, Vale, Wolfe and Woolson—19.

Absent or not voting:

Senators Cassatt, Clark, Bolter, Hanchett, Lawrence and Price—6.
So the substitute was adopted.

The question being on the adoption of the amendment as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—43.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Hanchett, Knight, Lawrence, Price and Wolfe—7.

So the amendment was adopted.

Senator Woolson moved to amend as follows:

Add to section 8, "any person or persons, firm or corporation claiming to be damaged by any common carrier subject to the provisions of this act may bring suit in his or their own behalf in any court of competent jurisdiction, and in any such action brought in the district court for the recovery of damages, said court may compel any officer, director, receiver, trustee or agent of the corporation or company, defendant in such suit to attend and testify in such case, and may compel the production of the books and papers of such corporation or company party to such suit. The claim that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such witness from testifying or producing said books or papers, but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to request your honorable body to return to the House House File No. 499.

D. C. KOLP, *Chief Clerk.*

Senator Doud moved that when the Senate adjourn it adjourn until 2 o'clock P. M., Monday, March 12.

Senator Woolson moved to postpone the time of noon adjournment until the motion of Senator Doud be disposed of.

On this the yeas and nays were demanded.

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met at 2 o'clock p. m., and was called to order by Lieutenant Governor Hull.

Senator McVay moved that the Senate return House File No. 499 to the House as requested.

Carried.

Senator Woolson moved that Senate File No. 207 be recommitted to the Committee on Judiciary.

Carried.

Senator McCoy moved that Senate File No. 46 be recommitted to the Committee on Insurance.

Carried.

RESOLUTION.

Senator Dodge offered the following Senate resolution:

Resolved by the Senate of the Twenty-second General Assembly of the State of Iowa: That

WHEREAS, The death of Thomas J. Potter has been announced and received by the General Assembly of Iowa with feelings of the deepest sorrow, and

WHEREAS, His life was devoted largely to the material interests of this State, in the construction and extension of lines of railroad, the upbuilding of towns and the development of business enterprises that aided the growth and prosperity of our State. And when the dark cloud of war lowered upon our country and the services of Iowa's loyal sons were needed to crush the rebellion, he enlisted in 1862 as a private in the 7th Iowa Cavalry, and by his gallantry was promoted to the position of Captain, and served with distinction until his discharge in 1866, and

WHEREAS, By his own splendid exertions and natural ability he was elevated from an humble position in the service of a railroad company to that of vice-president of one of the greatest railways in the United States, therefore be it

Resolved, That earnestly desiring to show our mark of respect to the memory of Thomas J. Potter and to manifest the high estimate in which he is held by the people, through their representatives in this body, as a citizen of Iowa, a brave and honorably discharged soldier and as a worthy example for young men to emulate, we cause these resolutions to be spread upon the journal of the Senate of the Twenty-second General Assembly.

Resolved, That an engrossed copy of these resolutions be transmitted by the Secretary of State to Mrs. Thomas J. Potter at her home in Burlington, Iowa.

Passed over under the rule.

INTRODUCTION OF BILLS.

By Senator Mills, Senate File No. 371, a bill for and act to amend section 2, chapter 185 of the Code, laws of 1880, relating to attorneys' fees.

Read first and second times and referred to the Committee on Judiciary.

PETITIONS AND MEMORIALS.

Senator Mills presented a petition of J. H. Johnston and others of Marshalltown, Iowa, asking for the passage of the bill to establish a relief fund for the firemen of Iowa.

Referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Senator Harsh from the Committee on Educational Institutions submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions to whom was referred joint resolution No. 10, relative to public buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

J. B. HARSH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions to whom was referred Senate File No. 286, a bill for an act to secure recognition of certain private normal schools in the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation and ask that it be referred to your Committee on Appropriations.

J. B. HARSH, *Chairman*.

So referred.

The Senate resumed the consideration of the special order, it being Senate File No. 18, a bill for an act to regulate commerce by railroad in the State of Iowa.

The question being upon the adoption of the amendment offered by Senator Woolson to section 8.

Adopted.

Senator Poyneer moved to amend section 9, as follows: Insert after the word "rates" in the fifth line, printed bill, the words "or from giving free transportation to persons in charge of live stock from point of shipment to destination and return."

Adopted.

Senator Parrott moved to amend section 9 as follows: Strike out in line three the words "the officers and employes of the company" and insert "its officers and employes and to their immediate families and to the household goods and supplies for the use of said families."

Pending which Senator Doud moved that the Senate adjourn until 10 o'clock A. M. on Monday, March 12.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Bolter, Dooley, Doud, Garlock, Gatch, Harsh, Knight, Lawrence, McVay, Schmidt, Smith, Woolson and Young—14.

The nays were:

Senators Barnett, Barrett, Bayless, Brower, Chesebro, Davidson, Deal, Dungan, Funk, Groneweg, Hutchison, Kelly, Mattoon, McCoy, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber and Weidman—25.

Absent or not voting:

Senators Cassatt, Caldwell, Clark, Converse, Dodge, Finn, Hanchett, Kegler, Kent, Mills and Wolfe—11.

So the motion was lost.

The question being upon the motion of Senator Parrott to amend section 9.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Converse, Davidson, Deal, Dooley, Doud, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—37.

The nays were:

Senators Bayless, Chesebro, Dungan and Sweney—4.

Absent or not voting:

Senators Caldwell, Cassatt, Clark, Dodge, Finn, Hanchett, Kegler, Mills and Wolfe—9.

So the amendment was adopted.

Senator Barnett moved to amend section 9 as follows: Insert in line four before the word agricultural the words "and from."

Adopted.

Senator Taylor moved to amend as follows: Insert after the word "family" as amended in the third line of section 9 the following: "Attorneys and physicians are not considered employees of any company under this section, unless on duty and in actual service for said company."

Senator Barnett moved to amend the amendment as follows: Add between the words "attorneys and physicians" the word "editor."

Adopted.

The question being on the amendment as amended. On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Chesebro, Davidson, Dungan, Finn, Funk, Garlock, McVay, Meservey, Taylor, Weidman and Young—14.

The nays were:

Senators Bolter, Brower, Deal, Dodge, Dooley, Doud, Gatch, Groneweg, Harsh, Hutchison, Kent, Lawrence, McCoy, Parrott, Poyneer,

Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Wolfe and Woolson—25.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Clark, Converse, Hanchett, Kegler, Kelly, Knight, Mattoon and Mills—11.

So the amendment was lost.

Senator Young by unanimous consent moved that 300 copies of House File No. 374 be printed for the use of the Senate.

Carried.

Senator Barrett offered the following amendment to section 9: Add after the word convention in the fifth line of section 9, "or ministers of religion."

Adopted.

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval House File No. 520, an act to provide for the payment of the expenses of the committees appointed to visit the State institutions.

JNO. K. DEAL, *Chairman*.

Senator Parrott offered the following amendment to section 9: Strike out in line five the word "or" before the word "religious" and insert after said word religious the words "or other."

Adopted.

Senator Dungan by consent offered the following resolution:

WHEREAS, The Hon. Cyrus Bussey was at the commencement of the war of the rebellion a member of the Senate of Iowa, and at once resigned his seat in this body for the purpose of serving our common country on the field of battle, to uphold our flag and perpetuate the union of States; and,

WHEREAS, He served with distinguished courage and ability during the war, receiving promotions to the rank of a general officer for gallant conduct.

WHEREAS, He is now visiting relatives in Des Moines; therefore,

Resolved, That a committee of three Senators be appointed to arrange a reception on the part of the Senate for the Hon. Cyrus Bussey, and that the committee be authorized to confer with him as to the time and fully empowered to act in the premises.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in Senate amendment to substitute for House File No. 540.

D. C. KOLP, *Chief Clerk*.

Senator Dungan moved that the rule be suspended and the resolution adopted now, which motion prevailed and the resolution was adopted.

Senator Sweney for the railway committee offered the following: Substitute for section 9 submitted by the railway committee.

Section 9. That nothing in this act shall apply to the carriage, storing or handling of property free or at reduced rates for the United States, State or Municipal governments, or for charitable purposes, or to and from fairs and expositions for exhibition thereat, or the issuance of mileage, excursion or commutation passenger tickets, provided they are issued alike to all persons applying for them.

Nothing in this act shall be construed to prohibit any common carrier from giving reduced rates to ministers of religion. Nothing in this act shall be construed to prevent railroads from giving free carriage to their own officers and employees and to members of the families of such officers and employees dependent upon them for support, or to prevent the principal officers of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employees or to prevent free transportation for men in charge of live stock from place of shipment to place of destination and return, and nothing in this act contained shall in any way abridge or alter the remedies existing at common law or by statute, but the provisions of this act are in addition to such remedies.

Senator Reiniger offered the following amendment to the substitute:

Add after the words, "ministers of religion" in line 9, "and to persons attending religious, educational, political or other conventions or assemblies." Provided they are issued alike to all persons applying for them.

Pending which Senator Weber moved that House Messages be taken up.

Lost.

Senator Weber filed a motion to reconsider the vote by which the title to substitute for House File No. 549 was amended, the vote by which the bill was passed, and the vote by which the bill was ordered to a third reading.

Senator Seeds by consent, introduced Senate File No. 372, a bill for an act providing for a lien upon personal property for the taxes levied thereon.

Read first and second times and referred to the Committee on Ways and Means.

Senator Young was excused until Monday.

The journal of yesterday was corrected and approved.

Senator Dooley moved that the Senate do now adjourn.

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Brower, Chesebro, Dodge, Dooley, Doud, Gatch, Hutchison, Lawrence, Parrott, Reinger, Schmidt, Seeds, Smith and Vale—16.

The nays were:

Senators Barnett, Converse, Davidson, Dungan, Finn, Funk, Garlock, Groneweg, Harab, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meserve, Poyneer, Price, Sweney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—25.

Absent or not voting:

Senators Barrett, Bolter, Caldwell, Cassatt, Clarke, Deal, Hanchett, Kegler and Mills—0.

So the motion was lost.

Senator Converse offered the following resolution:

Resolved, That the Senate adjourn at 6 p. m. to convene on Monday at 9 p. m.

Senator Dooley offered the following amendment:

That we now adjourn to ten o'clock A. M. Monday, 12th inst.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Brower, Chesebro, Deal, Dodge, Dooley, Finn, Gatch, Groneweg, Mattoon, McVay, Meservey, Poyneer, Schmidt and Taylor—16.

The nays were:

Senators Barnett, Caldwell, Converse, Davidson, Doud, Dungan, Funk, Garlock, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, McCoy, Parrott, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe and Woolson—26.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Clark, Hanchett, Kegler, Mills and Young—8.

So the amendment was lost.

Senator Meservey filed the following notice:

Notice is hereby given that I will move to reconsider the vote by which the amendment offered by the Senator from Henry to section 8 was adopted.

Senator Smith moved to amend the resolution so that the Senate would now adjourn until Monday at 2 o'clock p. m.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Bolter, Brower, Deal, Doud, Garlock, Hutchison, Parrott, Reiniger, Schmidt, Seeds and Smith—12.

The nays were:

Senators Barnett, Barrett, Bayless, Chesebro, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Poyneer, Price, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—31.

Absent or not voting:

Senators Caldwell, Cassatt, Clark, Hanchett, Kegler, Mills and Young—7.

So the motion was lost.

Senator Finn moved that the resolution be amended so that the Senate would adjourn at 5 o'clock to meet at five minutes past 10 on Monday morning.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Chesebro, Finn, Kelly, Mattoon, McVay, Parrott, Reiniger and Schmidt—10.

The nays were:

Senators Barnett, Brower, Converse, Davidson, Deal, Dodge, Dooley,

Dungan, Funk, Gatch, Groneweg, Harsh, Kent, Knight, Lawrence, McCoy, Poyneer, Price, Seeds, Smith, Sweney, Taylor, Vale, Weidman, Wolfe and Woolson—27.

Absent or not voting:

Senators Barrett, Bolter, Caldwell, Cassatt, Clark, Doud, Garlock, Hanchett, Hutchison, Kessler, Meservey, Mills, Weber and Young—14.

So the motion was lost.

Senate adjourned until 10 o'clock A. M. on Monday.

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, March 12, 1888. }

The Senate met in regular session at 10 o'clock, A. M.

President pro tem Senator Poyneer in the chair.

Prayer by Rev. A. L. Frisbee.

Senator Seeds moved that the special order, being sundry railroad bills, be postponed until 10:30 o'clock.

Senator Converse moved to amend by inserting 2 P. M. in lieu of 10:30.

Senator Weidman moved that the whole matter be laid on the table, and that the Senate proceed with the special order.

Carried.

By consent Senator Price presented petition of C. B. Hunt and others of Adair county, asking for the passage of Senate File No. 54.

Referred to Committee on Schools.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, March 12, 1888. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State Senate File No. 284, an act to authorize the Governor to lease lot seven, block thirty-three, in the city of Des Moines to the Governor's Guards, designated in the military organization of the State as Company A, Third Regiment, Iowa National Guard.

FRED'K W. HOSSFELD, *Private Secretary*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

Substitute for House File No. 28, a bill for an act to legalize the assessment and levy of taxes for the years 1886 and 1887 made or collected under subdivision 2, section 796 of the code as amended.

House File No. 116, a bill for an act granting to the Chicago, Burlington & Quincy Railroad Company all the title and interest of the State of Iowa in and to certain grounds on the Des Moines river in the city of Ottumwa, Wapello county, Iowa.

House File No. 834, a bill for an act to amend sections 260 and 3756 of the Code of Iowa, relating to the appointment of notaries public and the fee therefor.

House File No 499, a bill for an act to amend section 1320 of the Code as amended by chapter 153, laws of the Sixteenth General Assembly, relating to the assessment and taxation of the property of railway corporations.

House File No. 525, a bill for an act to legalize the annexation of certain territory to the incorporated town of Sevastapol in Polk county.

D. C. KOLP, *Chief Clerk.*

The special order being sundry railway bills was resumed, the bill under consideration being Senate File No. 18, a bill for an act to regulate commerce by railways in the State of Iowa, was taken up.

The question being upon the amendment by Senator Reiniger to the substitute for section 9 by Railway Committee.

The amendment was lost.

Senator Parrott moved to amend the substitute as follows: by adding after the word "support" in the thirteenth line the words "together with necessary household effects of such companies".

Adopted.

Senator Wolfe offered the following amendment:

Add at the end of line 9 "and to members of religious societies devoted exclusively to works of mercy and charity".

Adopted.

LEAVE OF ABSENCE GRANTED.

Senators Harsh, Kent and Kegler were excused until Tuesday.

Janitor Coalson excused for the day on account of death in his family.

Senator Parrott offered the following amendment: Amend the substitute by striking out the words in the tenth line "nothing in this act shall be construed," and inserting the word "nor" between the words "construed" and "to."

Adopted.

The question being the substitute for section 9 as amended, it was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill:

Senate File No. 290, a bill for an act to provide for the levy of half mill State tax for the years 1888 and 1889, to pay the outstanding indebtedness of the State, with amendment.

D. C. KOLP, *Chief Clerk.*

Senator Woolson moved the reconsideration of the vote by which the substitute was adopted.

Senator Woolson moved to lay upon the table the motion to reconsider the vote by which the substitute for section 9 was adopted.

Carried.

Senator McCoy offered the following amendment to section 10:

Add at the end of section 10, "provided, that making or giving the same, or substantially the same, rates or tariffs by a common carrier over a longer line from any point in Iowa, for carrying or transporting freight or passengers to competing points or localities in Iowa than is given by another common carrier over a shorter line to such points, shall not be construed to be a preference, advantage, prejudice or discrimination under the provisions of this act; but this proviso shall in no manner affect the provisions of section five (5) of this act."

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M., and was called to order by Lieut. Gov. Hull.

Journal of Saturday, March 10, corrected and approved.

LEAVE OF ABSENCE GRANTED.

Senator Mills was excused.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill and concurrent resolution, in which the concurrence of the Senate is asked:

House File No. 537, a bill for an act to legalize certain ordinances of the town of Sac City, Sac county, Iowa, and acts done thereunder.

Also:

Concurrent resolution relative to appointing a joint committee to investigate the subject of combinations and trusts in the State.

Also:

I am directed to request the return to the House of House File No. 535.

D. C. KOLF, *Chief Clerk.*

Senator Dungan from the Special Committee submitted the following report:

MR. PRESIDENT—Your special committee appointed to arrange for a reception to be given by the Senate to Gen. Cyrus Bussey, submit the following:

Such reception shall be given in the Senate chamber, on Wednesday afternoon at 4 o'clock; that the members of the House of Representatives, the Governor and State officers and officers of the two houses and the families of all such members and officers are invited to be present; that a brief address of welcome be delivered by the chairman of this committee to be responded to by Gen. Bussey.

WARREN S. DUNGAN,

C. H. GATCH,

W. W. DODGE,

Committee.

Senator Dungan moved that the report be adopted.
Carried.

Senator Dungan moved that the Secretary of the Senate be instructed to inform the House of Representatives that the Senate has arranged for a reception to the Hon. Cyrus Bussey in the Senate Chamber, and that the members of the House are respectfully invited to attend.

Carried.

SPECIAL ORDER.

Senator Dodge moved that the special order, being railway bills, be postponed for seven minutes and that the Senate consider the resolution relative to Thos. J. Potter, deceased.

Carried.

The chair called attention of the Senate to the special order.

Senator Dodge moved that the special order be postponed for three minutes further.

Carried.

The chair called attention of the Senate to the special order.

Senator Dodge moved that the special order be postponed for five minutes unless the resolution be sooner disposed of.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Dodge, Dooley, Doud, Funk, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Lawrence, Mattoon, McCoy, Meservey, Parrott, Poyneer, Price, Seeds, Taylor, Vale and Weber—27.

The nays were:

Senators Brower, Converse, Davidson, Dungan, Knight, Sweney, Weidman and Wolfe—8.

Absent or not voting:

Senators Cassatt, Clark, Deal, Finn, Garlock, Harsh, Kegler, Kent, McVay, Mills, Reiniger, Schmidt, Smith, Woolson and Young—15.

So the motion prevailed.

The Chair called attention of the Senate to the special order.

Senator Bayless moved that the special order be postponed for ten minutes.

Carried.

On the question shall the resolution be adopted the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Doud, Funk, Gatch, Hanchett, Hutchison, Kelly, Lawrence, Mattoon, McCoy, Meservey, Parrott, Poyneer, Seeds, Taylor, Vale and Weber—23.

The nays were:

Senators Barnett, Brower, Converse, Davidson, Dungan, Funk, Groneweg, Knight, Price, Reiniger, Schmidt, Sweney, Weidman and Wolfe—13.

Absent or not voting:

Senators Cassatt, Caldwell, Clark, Deal, Finn, Garlock, Harsh, Kegler, Kent, McVay, Mills, Smith, Woolson and Young—14.

So the resolution was adopted.

Senator Price filed the following:

My opposition to this resolution is not based upon any unfriendliness to the late Thomas J. Potter. My acquaintance with him was limited. I have known him as a successful railroad manager only. The reason for spreading these resolutions on the journal of the Senate is not that Mr. Potter was an old soldier of the Union army, for old soldiers are dying by the hundreds all around us, and no resolutions of respect are offered to their memory.

It certainly is not that Mr. Potter was a successful business man, though he was such for successful business men are falling into the grave almost every day, but this body takes no notice of them whatever. Hence, it must have been offered because of Mr. Potter's success as a railroad manager, and for that reason only.

This, in my opinion, is a bad precedent, and hence vote nay.

RICHARD PRICE.

Senator Knight gave the following explanation of his vote:

I am opposed to the resolutions before the Senate for the following reasons:

First. Such resolutions are in my judgment proper only where the subject of them has distinguished himself in the service of the public or has in the walks of private life exceptionally devoted himself to some work of charity or philanthropy, or other similar work for the benefit of his kind. In none of these particulars has Mr. Potter distinguished himself.

Second. Whatever Mr. Potter did towards building towns or towards the prosperity of the State, as stated in the resolutions offered, was done solely in the interest and for the benefit of the railroad company by which he was employed. It was not for the public interest, save incidentally as it benefited his company. That Mr. Potter served his company well is no reason to me why we, as the representatives of the public, should commend him. His commendation is a private matter for that company to determine, with which we should have nothing to do.

Third. Mr. Potter's service in the 7th Iowa Cavalry on the frontier against the Indians, during the war, was not such as to make his case, on the ground of his military service, different or exceptional from that of thousands of others who gallantly served their country during the rebellion, in whose commemoration when they died no such resolution was adopted.

Fourth. That Mr. Potter achieved position and fortune in the railway service is no reason why we should pass these resolutions. Many good men have achieved position and fortune in other walks of life and have died, and yet no one thought of asking the General Assembly to pass commemorative resolutions. Preference or discrimination in these matters should not be encouraged. If it be said that such resolutions shall be confined to men who have distinguished themselves in the railway service only, let us reflect what a poverty there is in language to efficiently and fully express the condolence of the General Assembly when the elder Gould takes his departure, if the resolutions are to be gauged by the prominence in railroad circles and the fortune of the individual to be commemorated.

Fifth. There is no more reason, and perhaps not half so much, why Mr. Potter's memory should be honored by the passage of these resolutions over and above the memory of the many good men who have died and are daily dying in the State. I am unwilling to make an offering at the shrine of wealth and power that has not been made at that of humble merit.

W. J. KNIGHT.

For these reasons I will vote against the resolutions.

Senator Wolfe explained his vote as follows:

MR. PRESIDENT—I am not a worshipper of either men or money. I will at any time bow to the great philanthropist and to the statesman who has given his time and his money to advance the cause of mankind and of the State, and I consider it meet and proper when such men die that public bodies and State assemblies pass resolutions of respect to their memories, for they belonged to and were of the public but I do not believe that it is right or proper for the State of Iowa by her General Assembly to pass resolutions of condolence on the death of one of her private citizens who has spent his whole life in the advancement of his own interests or that of the corporation that retained his services and has won eminence in the walk he has marked out for himself as a private citizen. Many a gem is obscured by poverty, many a poor brakeman has given his life in the line of his duty; his widow sits in mourning, his orphaned children mayhap are crying for bread, the support that was theirs went out with the life of the father and that father may have died to protect the lives of those who were entrusted to his care. Yet no State legislature hastens to pass resolutions of respect for his memory or takes steps to feed his children. Mr. Potter was no doubt a very eminent man in the building up of railroads in the United States, great in executive ability, kind at heart, generous in disposition, a true man and a faithful citizen, one who on the frontier during the dark days of 1863 guarded the lives of settlers on the western border from the Indians who sought with fire and scalping knife to destroy the homes and lives of those early pioneers, but he was no greater nor braver than thousands of others who on the field of battle gave up their lives that their country may live. Yet those men had no resolutions of commendation passed. For the reason that he was not a great philanthropist, using his time and his means to advance the cause of mankind, or a great statesman who had given his time to advance the welfare of a nation, and believing as I do that it is only on the death of one or the other of this class that resolutions should be passed by legislative bodies, I vote no.

P. B. WOLFE.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 347, a bill for an act to resume and reconvey to the United States all lands and rights to lands granted to the State of Iowa by the act of Congress entitled an act for a grant of land to the

State of Iowa in alternate sections, to aid in the construction of a railroad in the State of Iowa, approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of this act.

House File No. 535, a bill for an act to legalize the organization of the independent school district of Greenwood, in Chickasaw county, Iowa.

D. C. KOLP, *Chief Clerk.*

Also,

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House File No. 332.

D. C. KOLP, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 352, a bill for an act to amend section 820 of the Code, and to provide for the payment of boards of equalization in such cities and incorporated towns as elect township assessors and fixing their compensation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 245, a bill for an act to protect electors and polling places in incorporated towns and cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 185, a bill for an act to provide for the secrecy of the ballot and prevent undue influence within one hundred feet of voting places, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Lawrence, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate File No. 176, a bill for an act providing for contesting the election of presidential electors, additional to chapter 6,

title 5, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out in 6th line of section 2, in written bill, the word "being" and the word "living" inserted in lieu thereof.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate File No. 175, a bill for an act to amend chapter 4, title 5 of the Code of 1873, relating to electors of president and vice-president of the United States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "member" and inserting after the word "proper" in line 12, section 660, of printed bill, the words "number of electors," and as so amended it do pass.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 332, an act extending to cities organized under special charter the provisions of chapter 192 of the acts of the Twentieth General Assembly, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 332, an act extending to cities organized under special charters the provisions of chapter 192 of the acts of the Twentieth General Assembly.

JNO. K. DEAL, *Chairman*.

By consent Senator Dodge introduced Senate File No. 873, a bill for an act to enable graduates in medicine who have received certificates from the State Board of examiners to conduct drug stores, sell medicines and poisons and to amend section 12 of chapter 75, acts of the Eighteenth General Assembly, as amended by chapter 83, acts of the Twenty first General Assembly.

Read first and second times and on motion of Senator Bayless it was referred to the Committee on Public Health.

Senator Mattoon presented a petition from citizens of Windsor township, Fayette county, Iowa, asking for the establishment of a schedule freight rate, reduction of passenger rates to two cents per mile on first class roads, making railway commissioners elective.

Referred to Committee on Railways.

The hour having arrived for consideration of special order, it being resolution by Senator Parrott, relative to limiting time of speaking by Senators.

Senator Parrott moved that the resolution be passed until after the conclusion of the consideration of Senate File No. 18.

Carried.

The consideration of Senate File No. 18 was resumed.

The question being upon the adoption of the amendment offered by Senator McCoy, adding a provision at the end of section 10.

Senator Weber moved that the hour of adjournment be postponed until six o'clock.

Carried.

Senator Parrott moved that the session be continued until a vote could be had on the amendment by Senator McCoy.

Carried.

On the question shall the amendment to section 10, offered by Senator McCoy, be adopted?

The yeas were:

Senators Barrett, Bolter, Converse, Dodge, Dooley, Doud, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Knight, Lawrence, McCoy, Parrott, Reiniger, Schmidt, Seeds, Smith, Vale, Weber, Wolfe and Woolson—23.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Davidson, Deal, Dungan, Finn, Funk, Kelly, Mattoon, McVay, Meservey, Poyneer, Price, Sweney, Taylor, Weidman and Young—21.

Absent or not voting:

Senators Cassatt, Clark, Harsh, Kegler, Kent and Mills—6.

So the amendment was adopted.

Senator Sweney filed the following:

I protest against the adoption of the amendment for the reasons:

1. That the fixing of reasonable rates of charges for transportation over the railroads is the proper measure of legislative power with reference thereto.

2. That reasonableness of rates is always a question of fact and not of law.

3. That this amendment seeks to incorporate into the bill the principle that a charge of the same amount for a long haul that is charged for a short haul is reasonable.

4. This proviso abridges the present statute and common law rights of our citizens to the establishment of reasonableness of rates as a question of fact; and substitutes instead of such present rights a legislative declaration that the same charge for greater service as for the less, is reasonable.

5. It seeks to establish by legislative declaration of intent, that railroads may discriminate against persons and localities, a thing which has never yet been sanctioned by statute in Iowa.

J. H. SWENEY,

Senator Forty first District of Iowa.

Senate adjourned until 10 o'clock, A. M., to-morrow.

SENATE CHAMBER.
DES MOINES, IOWA, Tuesday, March 13, 1893. }

The Senate met in regular session at 10 o'clock A. M.

Lieutenant Governor Hull in the chair.

Prayer by Rev. Mr. Henry.

Senator Seeds moved to take up resolution relative to investigation of the State University, and that the special order, being sundry railway bills, be postponed until 10:30.

Lost.

Senator Woolson moved that the resolution relative to the State University be taken up and that the special order be postponed twenty minutes, unless the matter under consideration be sooner disposed of.

Carried.

The resolution was taken up and read.

The President called attention to the special order.

Senator Woolson moved that ten minutes farther be devoted to the consideration of the resolution unless sooner disposed of.

Carried.

Senator Mills offered the following amendment:

"Provided, that said committee shall not be composed of persons who have been students or are graduates of said University."

Unanimously adopted.

Senator Taylor moved to amend by changing March 18th to March 24th.

Unanimously adopted.

□ The President called the attention of the Senate to the special order.

Senator Gatch moved that the special order be postponed until the resolution be disposed of.

Carried.

Senator Reiniger offered the following amendment to the resolution:

Amend by adding: "That said committee also report how many hours per day, on the average, the professors employed in the University have devoted to the discharge of their duties during the last year, and any mismanagement or maladministration that may come to the knowledge of the committee, whether called for by this resolution or not."

Adopted.

Senator Weber moved to amend the resolution as as follows:

Also, report as to the truth of the charges made by Prof. Fellows.

Also, report as to the charges made that saloons are kept open in violation of the laws of Iowa at Iowa City.

Also, that this committee report as to the advisability of abolishing the legal, medical and dental department of said university.

Senator Funk moved the previous question, which was seconded.

The question being, shall the previous question be put, it was carried.

On the question shall the amendment be adopted, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Bolter, Brower, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—38.

The nays were:

Senators Barrett, Bayless, Caldwell, Hanchett, Harsh, McCoy, Parrott and Schmidt—8

Absent or not voting:

Senators Cassatt, Clark, Smith and Finn—4.

So the amendment was adopted.

On the question shall the resolution be adopted the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Chesebro, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Groneweg, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Taylor, Vale, Weidman, Wolfe, Woolson and Young—34.

The nays were:

Senators Bolter, Caldwell, Converse, Deal, Doud, Garlock, Hanchett, Harsh, McCoy, McVay, Sweney, and Weber—12.

Absent or not voting:

Senators Bayless, Cassatt, Clark, and Smith—4.

So the resolution was adopted.

HOUSE MESSAGE.

Senator Young moved that House File No. 499 be referred to Committee on Judiciary.

Carried.

House File No. 499, a bill for an act to amend section 1320 and 1321 of the Code as amended by chapter 153, laws of the Sixteenth General Assembly, relating to the assessment and taxation of the property of railway corporations.

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

The Senate resumed consideration of the special order, it being sundry railway bills. The bill under consideration being Senate File No. 18, a bill for an act to regulate commerce by railroad within the State of Iowa, was taken up and considered.

Senator Converse moved that the vote by which the amendment

offered by Senator McCoy to section 10 was adopted on yesterday be reconsidered.

Senator Weidman moved that the motion to reconsider be laid upon the table.

Pending which Senator Sweney moved a call of the Senate, which was ordered.

The Secretary then called the roll.

Senator Woolson moved that further proceedings under the call be dispensed with.

Carried.

On the question shall the motion to reconsider the vote by which the amendment by Senator McCoy to Section 10 was adopted, lie on the table, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Chesebro, Dodge, Dooley, Doud, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kent, Knight, Lawrence, McCoy, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Vale, Weber, Weidman, Wolfe, and Woolson—26.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Converse, Davidson, Deal, Dungan, Finn, Funk, Harsh, Kegler, Kelly, Mattoon, McVay, Meservey, Mills, Price, Sweney, Taylor and Young—22.

Absent or not voting:

Senators Cassatt and Clark—2.

So the motion to reconsider was laid on the table.

Senator Brower moved to amend Senate File No. 18 by inserting the following as additional sections to the bill andre number section 11:

Sec. 11. That it shall be unlawful for any common carrier subject to the provisions of this act to enter into any contract, agreement or combination with any other common carrier or carriers for the pooling of freight of different and competing railroads, or to divide between them the aggregate or net proceeds of the earnings of such railroads, or any portion thereof, and in any case of an agreement for the pooling of freights as aforesaid, each day of its continuance shall be deemed a separate offense.

Sec. 12. Every common carrier subject to the provisions of this act shall file with the Board of Railroad Commissioners of this State, copies of its schedules of rates, fares and charges which have been established and published in compliance with the requirements of this section, and shall promptly notify said commissioners of all changes made in the same. Every such common carrier shall also file with said commissioners, copies of all contracts, agreements or arrangements with other common carriers in relation to any traffic affected by the provisions of this act to which it may be a party. And in cases where passengers and freight pass over continuous lines or routes in this State operated by more than one common carrier and the several common carriers operating such lines or routes establishing joint tariffs of rates or fares or charges for such continuous lines or routes, copies of such joint tariffs shall also, in like manner, be filed with said commissioners. Such joint rates, fares and charges on such continuous lines so filed as aforesaid shall be made

public by such common carriers, when directed by said commissioners in so far as may in the judgment of the commissioners be deemed practicable; and said commissioners shall from time to time prescribe the measures of publicity which shall be given to such rates, fares and charges, to such part of them as they may deem it practicable for such common carriers to publish and the places in which they shall be published; but no common carrier, party to any such joint tariff shall be liable for the failure of any other common carrier party thereto, to observe and adhere to the rates, fares or charges thus made and published. If any such common carrier shall neglect or refuse to file or publish its schedules or tariffs of rates, fares and charges as provided in this section or any part of the same, such common carrier shall in addition to other penalties herein prescribed be subject to a writ of mandamus to be issued by any District Court of this State in the Judicial District wherein the principal office of said common carrier is situated, or wherein such offense may be committed. And if such common carrier be a foreign corporation, then such writ may be issued by any district court, in the judicial district where such common carrier accepts traffic and has an agent to perform such service, to compel compliance with the aforesaid provisions of this section and such writ shall issue in the name of the State of Iowa at the relation or upon the petition of the said Board of Railroad Commissioners of this State; and failure to comply with its requirements shall be punishable as and for a contempt; and the said commissioners, as petitioners or complainants, may also apply, in any such District Court of this State or to any judge thereof, in vacation, for a writ of injunction against such common carriers to restrain such common carrier from receiving or transporting property in this State, as mentioned in the first section of this act until such common carriers shall have complied with the aforesaid provisions of this section of this act and in any such application for any such writ of mandamus, or injunction by said commissioners, no bond shall be required of them by any court or judge, in which or before whom any such application may be made.

Sec. 13. That any person or persons claiming to be damaged by any common carrier, subject to the provisions of this act, may either make complaint to the board of railroad commissioners of this State or may bring suit in his or their own behalf for the recovery of damages for which any such common carrier may be liable under the provisions of this act in any district court of this State of competent jurisdiction; but such person or persons shall not have the right to pursue both of said remedies at the same time. In any such action brought for the recovery of damages, the court before whom the same shall be pending may compel any director, officer, receiver, trustee or agent or the corporation or company, defendant in such suit to attend, appear and testify in such case and may compel the production of the books and papers of such corporation or company, party to any such suit; the claims that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such person or witness from testifying, but such evidence or testimony shall

not be used against such person in any way, on the trial of any criminal proceedings.

Sec. 14. That except as otherwise specially provided for in sections twenty three to twenty-eight inclusive of this act, and unless relieved from the consequences of a violation of the law as provided in section fifteen of this act, any common carrier, subject to the provisions of this act, or whenever such common carrier is a corporation, any director or officer thereof, or any receiver, trustee, lessee, agent or person acting for, or employed by such corporation, who, alone or with any other corporation, company, person or party shall willfully do, or cause to be done, or shall willfully suffer or permit to be done any act, matter or thing in this act prohibited or declared to be unlawful, or shall aid or abet therein, or shall willfully omit or fail to do any act, matter or thing in this act required to be done, or shall cause or willingly suffer or permit any act, matter or thing so directed or required by this act to be done, not to be so done, or shall aid or abet any such omission, or failure, or shall be guilty of any infraction of this act, or shall aid or abet therein, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof in any district court of this State of competent jurisdiction be subject to a fine of not to exceed five thousand dollars (\$5,000) and not less than five hundred dollars (\$500) for each offense.

Sec. 15. That it shall be the duty of and the Board of Railroad Commissioners of this State shall have authority to inquire into the management of the business of all common carriers subject to the provisions of this act, and shall keep itself informed as to the manner and method in which the same is conducted and shall have the right to obtain from such common carriers full and complete information necessary, to enable the said Commissioners to perform the duties and carry out the object for which it was created, and which are contemplated by this act; and for the purposes of this act the said Commissioners shall have power to require the attendance and testimony of witnesses and the production of all books, papers, tariffs, schedules, contracts, agreements and documents relating to any matter under investigation, and to that end may invoke the aid of any court in this State in requiring the attendance and testimony of witnesses and the production of books, papers and documents under the provisions of this section. And any of the district courts of this State within the jurisdiction of which such inquiry is carried on, may and it is hereby made their duty, in case of contumacy or refusal to obey a subpoena, or other process issued to any common carrier or persons subject to the provisions of this act, or other person, issue an order requiring such common carrier, or other person to appear before said Commissioners (and produce books and papers if so ordered) and give evidence touching, or in relation to the matter in question; and any failure to obey such order of the court shall be punished by such court as a contempt thereof; the claim that any such testimony or evidence may tend to criminate the person giving such evidence, shall not excuse such person or witness from testifying; but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

Sec. 16. That any person, firm, corporation or association, or any

mercantile, agricultural or manufacturing society, or any body politic or municipal organization, complaining of anything done or omitted to be done, by any common carrier subject to the provisions of this act, in contravention to the provisions thereof, may apply to said Commissioners by petition, which shall briefly state the facts, whereupon a statement of the complaint thus made with the damages, if any are alleged, shall be forwarded by the said Commissioners to such common carriers, who shall be called upon to satisfy the complaint, or to answer the same in writing within a reasonable time to be specified by the Commissioners. If such common carrier within the time specified shall make reparation for the injury alleged to have been done, or shall correct the wrong complained of, said carrier shall be relieved of liability to the complainant only for the particular violation of law thus complained of. If such common carrier shall not satisfy the complaint within the time specified, or there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the Commissioners to investigate the matter complained of in such manner and by such means as it shall deem proper, and said Commissioners may, and whenever they may have any sufficient reason to believe that any common carrier is engaged in violating any of the provisions of this act, it shall be their duty to at once institute any inquiry on their own motion, and in the same manner and to the effect as though complaint had been made. No complaint shall at any time be dismissed because of the absence of direct damage to the complainant or complainants or petitioners.

Sec. 17. That whenever an investigation shall be made by said commissioners, it shall be their duty to make a report in writing in respect thereto, which shall include the findings of fact upon which the conclusions of the commissioners are based, together with its or their recommendation or orders as to what reparation if any, should be made by the common carrier to any party or parties who may be found to have been injured; and such finding so made shall thereafter in all judicial proceedings be deemed and taken as *prima facie* evidence as to each and every fact found. All reports of investigation made by said commissioners shall be entered of record, and a copy thereof shall be furnished to the party who may have complained, and any other person or persons directly interested, and to any common carrier that may have been complained of.

Sec. 18. That if in any case in which an investigation shall be made by said commissioners it shall be made to appear to the satisfaction of the commissioners, either by the testimony of witnesses or other evidence that anything has been done or omitted to be done in violation of the provisions of this act of of any law cognizable by such commissioners by any common carrier, or that any injury or damages has been sustained by the party or parties complaining or by other parties aggrieved in consequence of any such violation it shall be the duty of said commissioners forthwith to cause a copy of their report in respect thereto to be delivered to such common carrier, together with a notice to said common carrier to cease and desist from such violation, or to make reparation for the injury so found to have been done or both, within a reasonable time to be specified by the commissioners, and if within the time specified it shall be made to

appear to the commissioners that such common carrier has ceased from such violation of law and has made reparation for the injury found to have been done in compliance with the report and notice of the commissioners, or to the satisfaction of the party complaining, a statement to that effect shall be entered of record by the commissioners and the said common carrier shall thereupon be released from further liability or penalty for such particular violation of law.

Sec. 19. That whenever any common carrier as defined in and subject to the provisions of this act shall violate or refuse or neglect to obey any lawful order or requirement of the said Board of Railroad Commissioners, it shall be the duty of said commissioners, and lawful for any company or person interested in such order or requirement to apply in a summary way, by petition to the district court in any county of this State in which the common carrier complained of has its principal office, or in any county through which its line or road passes or is operated, or in which the violation or disobedience of such order or requirement shall happen, alleging such violation or disobedience, as the case may be; and the said court shall have power to hear and determine the matter, on such short notice to the common carrier complained of as the court shall deem reasonable; and such notice may be served on such common carrier, his or its officers, agents or servants in such manner as the court shall direct; and said court shall proceed to hear and determine the matter speedily as a court of equity and without the formal pleadings and proceedings applicable to ordinary suits in equity, but in such manner as to do justice in the premises; and to this end such court shall have power, if it think fit to direct and prosecute, in such mode and by such persons as it may appoint all such inquiries as the court may think needful to enable it to form a just judgment in the matter of such petition, and on such hearing the report of said commissioners shall be *prima facie* evidence of the matter therein, or in any order made by them, stated; and if it be made to appear to such court in such hearing or on the report of any such person or persons, that the order or requirement of said commissioners drawn in question, has been violated or disobeyed, it shall be lawful for such court to issue a writ of injunction, or other proper process mandatory or otherwise; to restrain such common carrier from further continuing such violation or disobedience of such order or requirement of said commissioners and enjoining obedience to the same; and in case of any disobedience or any such writ of injunction or other proper process, mandatory or otherwise, it shall be lawful for such courts to issue writs of attachment, or any other process of said court incident or applicable to writ of injunction or other proper process, mandatory or otherwise, against such common carrier, and if a corporation, against one or more of the directors, officers or agents of the same, or against any owner, lessee, trustee, receiver or other person failing to obey such writ or injunction or other proper process, mandatory or otherwise; and said court may, if it shall think fit, make an order directing such common carrier or other person so disobeying such writ of injunction or other proper process, mandatory or otherwise, to pay such sum of money not exceeding for each carrier or person in default of the sum of five thousand dollars (\$5,000) for every day after a day to be named in the order that such carrier or

other person shall fail to obey such injunction or other proper process, mandatory or otherwise; and such moneys shall be payable into court to abide the ultimate decisions of the court or into the State Treasury as the court shall direct; and the payment thereof may, without prejudice to any other mode of recovering the same be enforced by attachment or order, in the nature of a writ of execution, in like manner as if the same had been recovered by a final decree *in personam* in such court, saving to the commissioners and any other party or person interested, the right of appeal to the Supreme Court of the State under the same regulations now provided by law in relation to appeals to said court as to security for such appeal except that in no case shall security for such appeal be required when the same is taken by said commissioners; but no appeal to said Supreme Court shall operate to stay or supercede the order of the court, or the execution of any writ or process thereon; and such court may in every such matter order the payment of such cost and attorney and counsel fees as shall be deemed reasonable. Whenever any such petition shall be filed or presented, or be prosecuted by the said commissioners, or by their direction, it shall be the duty of the Attorney-General of the State to prosecute the same, and in such prosecution he shall have the right to have the assistance of any county attorney of the county in which any such proceedings are instituted, and it is hereby made the duty of any such county attorney to render such assistance; and the costs and expenses on the part of said commissioners of any such prosecution shall be paid out of the appropriations for the expenses of said board of commissioners.

Sec. 20. The Board of Railroad Commissioners of this State are hereby empowered and directed to make for each of the railroad corporations doing business in this State, a schedule or schedules or parts thereof of reasonable maximum rates of charges for the transportation of freight and cars on each of said railroads, and said power to make schedules shall include the power of classification of all such freights, and it shall be the duty of said commissioners to make such classification; provided, that the said rates of charges to be so fixed by said commissioners shall not in any case exceed the rates which are or may hereafter be established by law; and said schedule so made by said commissioners shall in all suits brought against any such railroad corporations, wherein is in any way involved the charges of any such railroad corporation for the transportation of any freight or cars or unjust discrimination in relation thereto, be deemed and taken in all courts of this State as *prima facie* evidence that the rates therein fixed are reasonable and just maximum rates of charges for the transportation of freight and cars upon the railroads for which said schedules may have been respectively prepared. Said commissioners shall from time to time, and as often as circumstances may require, change and revise said schedules, subject to the same provision, that the rates fixed are not to be higher than now or hereafter established by law. When any schedule shall have been made or revised as aforesaid, it shall be the duty of said commissioners to cause publication thereof to be made for three successive weeks in some public newspaper published in the city of Des Moines in this State and a printed copy of said revised schedule shall be conspicu-

ously posted by such common carrier in each freight office and passenger depot upon its line or lines. All such schedules so made and published, purporting to be printed and published as aforesaid, shall be received and held in all such suits as prima facie the schedule of said commissioners without further proof than the production of the schedules desired to be used as evidence, with a certificate of said Railroad Commissioners, that the same is a true copy of the schedule prepared by them for the railroad company or corporation therein named, and that the same has been published as required by law. Provided, that before finally fixing and deciding what such maximum rates and classifications shall be for any particular railroad corporation or common carrier, it shall be the duty of the commissioners to notify any of the officers of said railroad corporation or common carrier, whom they know to be best informed, so that said railroad corporation or common carrier may have the opportunity to make an explanation or showing or to furnish information to said commissioners with regard to whether the rates about to be fixed would be fair and reasonable or not.

Sec. 21. When any person upon his own behalf or class of persons similarly situated, or any firm, corporation or association, or any mercantile, agricultural or manufacturing society, or any body politic or municipal organization, shall make complaint to said board of railroad commissioners, that the rate charged or published by any railroad company, or the maximum rates fixed by said commissioners in the schedules of rates made by them under the provisions of section 17 of this act, or the maximum rate that now or hereafter may be fixed by law is unreasonably high or discriminating, it shall be the duty of said commissioners to immediately investigate the matter of such complaint. To that end the board shall fix a day for hearing the complaint, and shall notify the railroad company of the time and place of such hearing by mailing a notice properly directed to any division superintendent, general or assistant superintendent, general manager, president or secretary of such company, which notice shall contain the substance of the complaint so made and the board shall also notify the person or persons complaining of such time and place.

Sec. 22. Upon such hearing so provided for, the said commissioners shall receive whatever evidence, statements or arguments either party may offer or make pertinent to the matter under investigation; and the burden of proof shall not be held to be upon the person or persons making the complaint, but the commissioners shall add to the showing made at such hearing whatever information they may then have, or can secure from any source whatsoever, and the person or persons complaining shall be entitled to introduce any published schedules of rates of any railroad company or evidence of rates actually charged by any railroad company for substantially the same kind of service, whether in this or any other state; and the lowest rates published or charged by any railroad company for substantially the same kind of service, whether in this or any other state, shall, at the instance of the person or persons complaining be accepted a prima facie evidence of a reasonable rate for the services under investigation, and if the railroad company complained of is operating a line of railroad beyond the State of Iowa, or if it appears that it has a traffic

arrangement with any such railroad company, then the commissioners in determining what is a reasonable rate, shall take into consideration the charge made, or rate established by such railroad company or the company with which it has traffic arrangements for carrying freight from beyond the state to points within the state, and from within the state to points beyond the state; and if such company be operating a line of railway beyond the state they shall also take into consideration the rate charged or established for a substantially similar or greater service by such company in any other state in which said railroad company operates a line of railway.

Sec. 23. After such hearing and investigation the said commissioners shall fix and determine the maximum charge to be thereafter made by the railroad company or common carriers complained of, which charge shall in no event exceed the one now, or hereafter fixed by law, and the said commissioners shall render their decision in writing; and shall spread the same at length in the record to be kept for that purpose; such decision shall, specifically set out the sums or rate which the railroad company, or common carrier, so complained of, may thereafter charge or receive for the service therein named and including a classification of such freight, and the said commissioners shall not be limited in their said decision and the schedule to be contained therein to the specific case or cases complained of, but it shall be extended to all such rates between points in this State and whatever part of the line of railway of such company or common carrier within this State as may have been fairly within the scope of such investigation and any such decisions so made and entered on record of said commissioners, including any such schedules and classifications, shall when duly authenticated be received and held in all suits brought against such railroad corporation or common carrier wherein is in any way involved the charges of any such corporation or carrier mentioned in said decisions, in any of the courts of this State, or of the United States as *prima facie* evidence that the rates therein fixed are reasonable maximum rates, the same as the schedules made by said commissioners as provided in section 17 hereof; and the rates and classifications so established after such hearing and investigation shall from time to time hereafter upon complaint duly made be subject to revision by said commissioners the same as any other rates and classifications.

Sec. 24. That the said Board of Railroad Commissioners may in all cases conduct its proceedings when not otherwise particularly prescribed by law, in such manner as will best conduce to the proper dispatch of business and to the ends of justice. A majority of the commissioners shall constitute a quorum for the transaction of business, but no commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest. Said commissioners may from time to time make or amend such general rules or orders as may be requisite for the order and regulation of proceedings before it, including forms of notices and the service thereof, which shall conform as nearly as may be to those in use in courts of this State. Any party may appear before the said board of commissioners and be heard in person or by attorney. Every vote and official action of said board of commissioners shall be entered of record and

its proceeding shall be public upon the request of either party or person interested. Said Board of Railroad Commissioners shall have an official seal, which shall be judicially noticed, and every commissioner shall have the right to administer oaths and affirmations in any proceeding pending before said board.

Sec. 25. The said Board of Railroad Commissioners is hereby authorized to require annual reports from all common carriers subject to the provisions of this act, to fix the time and prescribe the manner in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the said commissioners may need information. Such annual reports shall show in detail the amount of the capital stock issued, the amount paid therefor and the manner of the payment of the same; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the costs and value of the carrier's property, franchises and equipment; the number of employes and the salaries paid each class; the amounts expended for improvement each year, how and where expended and the character of such improvements; the earnings and receipts from each branch of business, and from all sources; the operating and other expenses; the balances of profit and loss, and a complete exhibit of the financial operations of the carrier each year, including an annual balance sheet. Such reports shall also contain such information in relation to rates or regulations concerning fares or freights, or agreements, arrangements or contracts with other common carriers as the commissioners may require; and the said Board of Commissioners may within its discretion for the purpose of enabling it the better to carry out the purpose of this act, (if in the opinion of the commissioners it is practicable to prescribe such uniformity and methods of keeping accounts) prescribe a period of time within which all common carriers subject to the provisions of this act, shall have as near as may be a uniform system of accounts and the manner in which such accounts shall be kept.

Sec. 26. If any railroad corporation or common carrier, subject to the provisions of this act, shall charge, collect, demand or receive more than a fair and reasonable rate of toll, or compensation for the transportation of passengers or freight of any description, or for the use and transportation of any railroad car upon its track, or any of the branches thereof, or upon any railroad within this State, which it has the right, license or permission to use, operate or control or shall make any unjust and unreasonable charge prohibited in section two (2) of this act, the same shall be deemed guilty of extortion, and shall be dealt with as hereinafter provided, and if any such railroad corporation (or common carrier) shall be found guilty of any unjust discrimination as defined in section three (3) of this act, upon conviction thereof, shall be dealt with as hereinafter provided.

Sec. 27. It shall be unlawful for any such common carrier to charge, collect, demand or receive more for transporting a car of freight than it at the same time charges, collects, demands or receives per car for several cars of a like class of freight over the same railroad, for the same distance, in the same direction, or to charge, collect, demand or receive more for transporting a ton of freight than it charges, collects,

demands or receives per ton for several tons of freight, under a car load, of a like class of freight over the same railroad, for the same distance, in the same direction, or to charge, collect, demand or receive more for transporting a hundred pounds of freight than it charges, collects, demands or receives per hundred for several hundred pounds of freight, under a ton, of a like class of freight over the same railroad, for the same distance in the same direction, all such discriminating rates, charges, collections or receipts, whether make directly or by means of any rebate, drawback or other shift of evasion, shall be deemed and taken against such railroad company as prima facie evidence of the unjust discrimination prohibited by this act; provided, however, that for the protection and development of any new industry within this State, such railroad company may grant concession or special rates for any agreed number of car loads, but said special rates aforesaid shall first be approved by the Board of Railroad Commissioners and a copy thereof filed in the office thereof.

Sec. 28. Any such railroad corporation guilty of extortion, or of making any unjust discrimination as to passenger or freight rates, or the rates for the use and transportation of railroad cars, or in receiving, handling or delivering freights, shall, upon conviction thereof be fined in any sum not less than one thousand dollars (\$1,000), nor more five thousand dollars (\$5,000) for the first offense; and for the second offense not less than five thousand dollars (\$5,000), nor more than ten thousand dollars (\$10,000); and for the third offense not less than ten thousand dollars (\$10,000) nor more than twenty thousand dollars (\$20,000) and for every subsequent offense and conviction thereof shall be liable to a fine of twenty-five thousand dollars (\$25,000); provided, that in all cases under the last three preceding sections of this act either party shall have the right of a trial by jury.

Sec. 29. The fines and penalties so provided for may be recovered in a civil action by ordinary proceedings in the name of the State of Iowa, and there may be several counts joined in the same petition, as to extortion and unjust discrimination, and as to passenger and freight rates, and rates for the use and transportation of railroad cars, and for receiving, handling or delivering freights. If upon the trial, of any cause instituted under the provisions of the last preceding section of this act, the jury shall find for the State, they shall assess, and return with the verdict, the amount of the fine, to be imposed upon the defendant, at any sum not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000), and the court shall render judgment accordingly; and if the jury shall find for the State, and that the defendant has been once before convicted of a violation of the provisions of this act, they shall return such finding with their verdict, and shall assess and return with their verdict the amount of the fine to be imposed upon the defendant, at any sum not less than five thousand dollars (\$5,000) nor more than ten thousand dollars (\$10,000), and the court shall render judgment accordingly; and if the jury shall find for the State, and that the defendant has been twice before convicted of a violation of the provisions of this act, with respect to extortion or unjust discrimination, they shall return such finding with their verdict, and shall assess and return with their

verdict the amount of the fine to be imposed upon the defendant at any sum not less than ten thousand dollars (\$10,000) nor more than twenty thousand dollars (\$20,000), and in like manner, for every subsequent offense and conviction, such defendant shall be liable to a fine of twenty-five thousand dollars (\$25,000). Where, upon the trial of any such action, a jury shall be waived by both parties, the court shall assess the amount of recovery, within the limits and subject to the above provisions as to the action of the jury; provided, that in all cases under the provisions of this act, a preponderance of evidence in favor of the State shall be sufficient to authorize a verdict and judgment for the State.

SEC. 80. Whenever said Railroad Commissioners are informed, and have good reason to believe, that any railroad corporation or common carrier subject to the provisions of this act has been guilty of extortion or unjust discrimination and thereby become liable to the penalties prescribed in section 25 hereof, it shall be their duty to immediately cause suits to be commenced and prosecuted against any such railroad corporation or common carrier. Such suits and prosecutions may be instituted in any county of this State through or into which the line of the railroad corporation sued for violation of this act may extend. And such Railroad Commissioners are hereby authorized, when in their judgment it is necessary so to do, to employ counsel to assist the Attorney-General in conducting such suit on behalf of the State. No such suit commenced by said commissioners shall be dismissed unless the said commissioners and the Attorney-General shall consent thereto. And all such suits shall have preference over all other business except criminal cases and proceedings.

SEC. 81. The said Railroad Commissioners and their secretary shall have the right of free transportation in the performance of their duties concerning railroads, on all railroads and railroad trains in this State; and they may take with them experts or other agents whose services they may require and who shall in like manner be transported free of charge.

SEC. 82. To defray the necessary expenses of the said Railroad Commissioners in making investigations and prosecuting suits and to pay all necessary costs attending the same under the provisions of this act there is hereby appropriated, out of any money in the State treasury not otherwise appropriated, the sum of \$10,000, or so much thereof as may be necessary, to be drawn upon warrants of the State Auditor issued upon the requisition of said Commissioners, approved by the Governor, which requisition shall be accompanied by an itemized statement of the costs and expenses to be paid.

SEC. 83. Section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners, and all laws now in force in direct conflict with any of the provisions of this act, are hereby repealed.

SEC. 84. All acts or parts of acts inconsistent herewith are hereby repealed.

Pending which Senator Finn moved that Senate File No. 18 be laid aside and House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Rail-

road Commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act, from the Committee on Railways and take it up for immediate consideration be re-called from Railway Committee and that it be considered now in lieu of Senate File No. 18.

Senate adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M., and was called to order by Lieutenant-Governor Hull.

The journal of yesterday was corrected and approved.

The special order under consideration at the time of adjournment, being Senate File No. 18, a bill for an act to regulate commerce by railroad within the State of Iowa, was resumed.

The question being on the motion offered by Senator Finn.

Senator Sweney moved to postpone the special order until tomorrow at ten o'clock.

Senator McCoy moved to amend the motion by adding, "and that we devote the time to the calendar and also house messages.

Adopted.

Motion as amended carried.

Senator Weber called up motion previously filed to reconsider the vote, by which the title of the substitute for House File No. 549 was amended, the bill passed and ordered to a third reading.

The question being to reconsider the motion by which the title was amended, it was carried.

The question being the reconsideration of the vote, by which the bill was passed, it was carried.

The question being the reconsideration of the vote by which the bill was ordered to a third reading, it was carried.

Senator Weber moved to amend by striking out the word "relinquished" and inserting the word "certified" in the second line of the proviso.

Senator Lawrence excused.

Senator Gatch offered the following substitute for the amendment: Add "provided that nothing in this act contained shall impair the rights of any bona fide purchaser from the State to any of the lands relinquished by the United States to the State of Iowa by the joint resolution of March 2, 1861."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Deal, Doud, Garlock, Gatch, Hancock, Kelly, Kent, Schmidt and Smith—11.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Converse, Davidson, Dooley, Dungan, Funk, Groneweg, Harsh, Kegler,

Knight, Mattoon, McVay, Meservey, Mills, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—30.

Absent or not voting:

Senators Clark, Dodge, Finn, Hutchison, Lawrence, McCoy, Parrott, Poyneer and Woolson—9.

So the substitute by Senator Gatch was lost.

The question recurring on the amendment of Senator Weber.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Chesebro, Converse, Davidson, Dooley, Dungan, Funk, Groneweg, Harsh, Kegler, Mattoon, McVay, Meservey, Mills, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—28.

The nays were:

Senators Bills, Doud, Garlock, Gatch, Hanchett, Kelly and Kent—7.

Absent or not voting:

Senators Barrett, Bolter, Clark, Deal, Dodge, Finn, Hutchison, Knight, Lawrence, McCoy, Parrott, Poyneer, Schmidt, Smith and Woolson—15.

So the amendment was adopted.

Senator Gatch offered the following amendment: Add at end of proviso, "or to any lands improperly certified by the United States to the State of Iowa previous to March 2, 1861."

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Garlock, Gatch, Hanchett and Kent—5.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Converse, Davidson, Dooley, Funk, Groneweg, Harsh, Kegler, Mattoon, McVay, Meservey, Mills, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—29.

Absent or not voting:

Senators Barrett, Clark, Deal, Dodge, Doud, Dungan, Finn, Hutchison, Kelly, Knight, Lawrence, McCoy, Parrott, Poyneer, Schmidt and Woolson—16.

So the amendment was lost.

Senator Gatch moved to strike out the preamble to the bill.

Senator Price moved to extend the time of the session to six o'clock.

Senator Sweney moved to amend the motion by extending the time fifteen minutes.

Lost.

The question recurring on the motion of Senator Price it was lost.

Senator Price moved that the time of the session be extended twenty minutes.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 148, a bill for an act to amend section 625 of the Code in relation to canvass by judges of election.

By Mr. Theophilus, House File No. 178, a bill for an act to amend section 24, chapter 151, laws of the Eighteenth General Assembly, changing times of meeting of local boards of health.

By Mr. Riley, House File No. 212, a bill for an act to repeal section 2803 of the Code of 1873, and to enact a substitute therefor, in relation to the finding of verdicts by a jury.

By Mr. Curtis, House File No. 226, a bill for an act to amend section 9, chapter 100, laws of the Sixteenth General Assembly, relating to mechanics' liens.

By Mr. Craig, (by request) House File No. 337, a bill for an act relating to challenge of jurors, additional to section 2772 of the Code of 1873.

Senate File 116, a bill for an act to extend the time for paying the indebtedness of the orphan asylum at Andrew, Iowa.

Also, that the House has concurred in Senate Concurrent Resolution relative to the investigation into the management, etc., of the State University.

D. C. KOLP, *Chief Clerk.*

REPORTS OF STANDING COMMITTEE.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT.—Your Committee on Judiciary to whom was referred Senate File No. 319, a bill for an act to amend sections 819 and 822 of the Code relating to the time for assessing property and listing the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Ways and Means.

JNO. S. WOOLSON, *Chairman.*

So referred.

Also:

MR. PRESIDENT.—Your Committee on Judiciary, to whom was referred House File No. 483 a bill for an act to change the name of the county seat of Boone county, Iowa, from Boonesborough to Boone, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Judiciary, to whom was referred Senate File No. 350, a bill for an act relating to amendments of pleadings in civil cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 310, a bill for an act to empower married women to devise by will one-third of her husband's estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 309, a bill for an act to repeal section 3812, of the Code, and to enact a substitute therefor, relating to costs in trials by jury, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 281, a bill for an act to empower a less number than twelve to render a verdict in trials by juries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 12, a bill for an act for the relief of William H. Birkhead of Des Moines county, son of John Sid. Birkhead, late private in Company H, first Iowa cavalry, beg leave to report that they have had the same under consideration and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 25, "a bill for an act to prevent certain combinations by insurance companies, their officers and agents" beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the bill be amended as follows: Amend section 2 by striking out the word "it" in the 9th line of printed bill, and inserting the words "such union or combination."

Amend section 4 by inserting after the words "1 and 2" the words "of this act."

Amend section 5 by striking out of the first and second lines of said printed bill, the words "of a company or one of its agents." Also, by striking out of said section all after the word "State," in

the eighth line, and inserting in lieu thereof the following: "Provided, that upon conviction for the violation of sections 1 and 2 of this act, the defendant shall then announce his intention to appeal from such conviction, it shall have twenty days in which to perfect its appeal, and during such time the clerk of the district court where such conviction took place shall not certify to the Auditor of State the fact of the conviction. But if no such appeal is perfected within said time, the clerk shall certify the fact of said conviction, as heretofore provided, to the Auditor of State; provided, further, if said conviction shall be affirmed upon appeal, the Clerk of the Supreme Court shall, as soon as the opinion of the affirmation is filed, notify the Auditor of State of said conviction and its affirmance by the Supreme Court, and said Auditor shall act upon said notice the same as upon the notice received from the clerk of the district court in cases where no appeal is taken."

Amend section 6 by striking out the entire section.

And that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 45, a bill for an act in relation to the levy of taxes in counties of 20,000 population, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 140, a bill for an act providing for holding terms of the District Court at Correctionville, in the county of Woodbury, in the Fourth Judicial district of the State of Iowa, and defining the territorial jurisdiction of said court and restricting that of the corresponding court to be held at Sioux City in said Woodbury county; also petitions relative to same, beg leave to report that they have had the same under consideration and a majority of said Committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 301, a bill for an act to amend sections 4239 and 4240 of the Code of 1873, relating to preliminary examinations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred House File No. 487, a bill for an act to legalize the acts and ordinances of the town council of the incorporated town of Auralia, in Cherokee county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 308, a bill for an act to provide for holding persons to answer for criminal offenses upon information when so ordered by the judge of the court, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 308, a bill for an act to amend an act approved March 20, 1882, entitled an act authorizing the Executive Council to sell and convey an island formed by accretion in the Mississippi river, and located in sections 34 and 35, township 78, range 3 east, Scott county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 359, a bill for an act designating officers who may take acknowledgement of conveyances of real estate, and incumbrances affecting the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: In section 1, line 3, of printed bill, strike out the words, "to take acknowledgements," and insert said words after the word "authorized," in the same line; also, by adding after the word "amendatory," in the same line, the word "thereto."

And that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 492, a bill for an act to legalize the acts of Joseph A. Elliott, of Appanoose county, as notary public, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 355, a bill for an act to amend section 3844, of the Code of 1878, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Price moved that the session be extended fifteen minutes further.

Lost.

Senator Barnett moved that when the Senate adjourn, it adjourn until nine o'clock tomorrow morning.

Pending which the Senate adjourned until ten o'clock A. M. tomorrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 14, 1888.

The Senate met in regular session at 10 o'clock A. M.

Lieutenant Governor Hull in the chair.

Prayer by Rev. Mr. Kephart.

Senator Parrott moved to take up resolution relative to the length of time for speaking by Senators.

Carried.

Senator Kegler moved to strike out the word "once" and insert "twice."

Senator Weidman moved to amend the amendment by striking out "15" and inserting "10."

Lost.

The question recurring upon the amendment by Senator Kegler.

Lost.

The question recurring upon the resolution it was adopted.

Senator Hutchison moved that the special order, being railway bills, be postponed for ten minutes.

Carried.

Senator Hutchison moved that Senate File No. 290, a bill for an act to provide for the levy of one-half mill state tax for the years 1888 and 1889, to pay the outstanding indebtedness of the state, with House amendments, be taken up.

Carried.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Davidson, Dodge, Dooley, Dungan, Finn, Seeds, Taylor and Young—18.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Doud, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Vale, Weber, Weidman, Wolfe and Woolson—33.

Absent or not voting:

Senators Cassatt, McVay and Deal—3.

So the Senate refused to concur in the House amendment.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being sundry railway bills.

The bill under immediate discussion and consideration being Sen-

ate File No. 18, a bill for an act to regulate commerce by railroad within the State of Iowa, with pending amendments offered by Senator Brower.

The question being upon the motion of Senator Finn, offered yesterday, to lay aside Senate File No. 118, and to recall House File No. 378 from the Committee on Railways and take it up for immediate consideration in lieu of Senate File No. 18.

Pending which, Senator Sweeney presented the following report of the Railway Committee:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 378, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase their powers and further define the duties of the Board of Railroad Commissioners in relation to the same and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto and to repeal section 11, of chapter 77, of the acts of the Seventeenth General Assembly, in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWEENEY, *Chairman*.

Ordered passed on file.

SUPPLEMENTAL REPORT OF RAILWAY COMMITTEE.

It is with feelings of regret personally that I support this motion.

Your Committee on Railways have through weeks given to railway bills committed to them earnest study and conscientious work. The history and circumstances accompanying their labors are known to the Senators.

Acting under the instructions of the Senate and in the final result of their labors, satisfactorily to themselves, they submitted the bills now on the calendar as special order.

They believed, as stated in their report, that their bills embodied the principles of needed railway legislation, except as there stated that a part of the committee favored the enactment of a maximum tariff law.

That no differences nor antagonism should arise by reason of certain bills being amended and reported for passage while others were reported for indefinite postponement, the members of the committee agreed, and it was so reported to the Senate that those reported for passage should be known as committee bills.

Senate File No. 18, which has been under discussion for nearly two weeks, sought to apply the principles of the Inter-State commerce law to the commerce of the State, preventing discrimination between persons and places, and prohibiting the issuing of free transportation.

It has been developed during the discussion of that bill that to many Senators the provisions of the Inter State commerce law as embodied in Senate File No. 18, were too strict, and amendments enlarg-

ing the exceptions to the rules laid down were incorporated therein.

I deem it proper to say that it must have been apparent to those even who were not in sympathy with the effort to regulate railroads by law, even in the generally conceded fair and equitable manner, that the railway committee never attempted to prevent amendments to the bill, except in such cases as their judgment led them to believe that the amendments offered were destructive of the principles of the bill, to wit: to establish equality of our citizens before the law and as patrons of railway business.

I say distinctly now that at no time has any agreement existed between members of that committee to prevent the adoption of amendments which commended themselves to individual members of the committee. The integrity of the bill was believed to have been maintained until on Monday afternoon when for the purpose of securing local advantages, the following proviso was incorporated in section 10 of the bill:

Add at the end of section 10, "provided, that making or giving the same, or substantially the same, rates or tariffs by a common carrier over a longer line from any point in Iowa, for carrying or transporting freight or passengers to competing points or localities in Iowa than is given by another common carrier over a shorter line to such points, shall not be construed to be a preference, advantage, prejudice or discrimination under the provisions of this act; but this proviso shall in no manner affect the provisions of section five (5) of this act."

Had that not been adopted the committee would have been well pleased with the bill, and for myself I say that I should have been greatly pleased, as it maintained the principles for which the bill was introduced.

Tens of thousands of the citizens of the State, exercising the right of petition, had asked this General Assembly to enact a law securing that which the bill as a law would secure—prevention of discrimination; not one has asked for law legalizing discrimination. These petitions were referred to the railway committee for the consideration due to petitions of citizens of the State.

No such provision as the proviso referred to is in the inter-state commerce law, nor in kindred statutes of other States, and a majority of your committee deemed it destructive of the fundamental principles of the bill.

Speaking for myself, at the time of its adoption I filed and caused to be entered upon the journal the following protest:

I protest against the adoption of the amendment for the reasons:

1. That the fixing of reasonable rates of charges for transportation over the railroads is the proper measure of legislative power with reference thereto.

2. That reasonableness of rates is always a question of fact and not of law.

3. That this amendment seeks to incorporate into the bill the principle that a charge of the same amount for a long haul that is charged for a short haul is reasonable.

4. This proviso abridges the present statute and common law rights of our citizens to the establishment of reasonableness of rates

as a question of fact; and substitutes instead of such present rights a legislative declaration that the same charge for greater service as for the less, is reasonable.

5. It seeks to establish by legislative declaration of intent, that railroads may discriminate against persons and localities, a thing which has never yet been sanctioned by statute in Iowa.

J. H. SWENEY,

Senator Forty-first District of Iowa.

This expresses my individual view of the effect of the proviso. This view substantially is shared by a majority of the committee, and the belief is entertained that this proviso not only defeats the purpose of the bill, but that the enactment of the bill with the proviso in would be worse than that the bill should wholly fail.

Another bill, House File No. 373, having passed one branch of the General Assembly, embodying substantially the same principles, has been referred to your Committee on Railways.

In some of its provisions it was deemed less satisfactory than Senate File No. 18, as submitted by the Railway Committee, and less satisfactory than the same remained up to the incorporation therein of the proviso referred to, but better than Senate File No. 18 with the proviso inserted.

Apparently a belief has been fostered that the Senate Railway Committee, or certain members thereof, took a personal interest and pride in their own measures and in Senate File No. 18, to such an extent as to lead them to subordinate other considerations to the consideration and passage of their own bills.

That such has not been and is not the case, but that their only ambition is to secure good legislation in response to the demands of the people of the State and of their own consciences, they are ready to prove by their acts.

Rather than secure the passage of their own bill, so diligently and conscientiously labored over, amended so as in their belief to be an injury to the State instead of a benefit, the majority prefer to join in asking that the Senate at once take up House File No. 373, which does not contain the provision to which the majority of the committee cannot assent, and pass that in such form as to retain the equitable principles of equality before the law of the persons and localities of our State.

As the one who introduced originally Senate File No. 18, I will say that it was introduced to establish equity and to correct the abuses of discrimination.

I have no ambition in connection with that or any other legislation which could bring me to consent to its passage in such form as to legalize discrimination in Iowa.

J. H. SWENEY, *Chairman.*

The following members of the Senate Railway Committee fully unite and concur in the above:

LAFAYETTE YOUNG.
J. B. HARSH.
F. D. BAYLESS.
JNO. K. DEAL.
A. F. MESSEVEY.
G. L. FINN.
J. D. McVAY.

Ordered passed on file.

I desire in connection with the supplemental report made by the Railway Committee on Senate File No. 18 that the following explanation be spread upon the journal, and ask the unanimous consent of the Senate that it be done. I deem it but just to myself as the author of the amendment referred to in said report to make the following explanation of its effect, as I understand it, and the purpose for which it was introduced. Section 2 of Senate File No. 18 is as follows:

"All charges made for services rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivering, storage or hauling of such property shall be reasonable and just, and every unjust or unreasonable charge for such service is prohibited and declared to be unlawful."

Sec. 3. That it shall be unlawful for any common carrier subject to the provisions of this act to make or give any preference or advantage to any particular person, company, firm, corporation or locality or to any particular description of traffic in any respect whatever; or subject any particular firm, corporation or locality to any prejudice or disadvantage in any respect whatever; and,

Sec. 5. That it shall be unlawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of a like kind of property for a shorter than a longer distance over the same line in the same direction, the shorter being included within the longer distance, but this shall not be construed as conferring authority on any common carrier to receive as great compensation for the shorter as the longer distance.

Section 10 provides that any violation by the carrier of the provisions of the act shall be deemed a misdemeanor, and that upon conviction thereof a fine of not less than \$200 or more than \$1,000 shall be assessed.

It is a well known fact under the operation of the inter-state commerce law that railways give to competing points, or points having two or more lines, the same rates on passenger and freight traffic, the rate being that of the shorter line. The object of the amendment was to preserve that principle in our state commerce. We did not undertake in Senate File No. 18 to control what the rates shall be further than that they shall be reasonable and just. It was conceded on the floor of the Senate by a member of the Railway Committee, who signs the supplemental report, that as a practical question, the practice of giving the same rates to competing points was right,

and that after the longer line had carried freight over as many miles as the entire length of the shorter line, then as a practical question it was right to make a horizontal or the same rate to all points beyond, including the competing point.

Section 3 makes it unlawful for a common carrier to give a preference, advantage, or to discriminate between shippers or localities. Said amendment defines simply that the giving of the same rates at and between the points heretofore described on the longer line shall not be deemed to be a preference, advantage, or discrimination.

Section 5 prohibits charging more for the shorter than for the longer haul, limited however, by section 2, which provides that all rates shall be just and reasonable. The amendment certainly modified section 3, so that doing the things set out in the amendment should not be construed to be a preference, advantage or discrimination. It has no effect whatever upon the other provisions of the bill. With the amendment in or out the other provisions of the bill remain intact. The principle contended for in the amendment is right, and on two affirmative votes the Senate of Iowa had endorsed it. It is as plain as the proposition, two plus three equal five, that the general principles of Senate File No. 18 were not materially changed by this amendment. It was a material and vital amendment simply to one section of the bill. Under section 2 of the bill should it have been found upon the trial of an indictment of a common carrier that making the same rate at such points was not reasonable and just, the carrier would have been liable to the general penalties provided in the bill.

It therefore follows that the supplemental report does not fairly represent the true status and effect of said amendment.

I desire to add that in offering the amendment I had no intent to antagonize the bill. I was in full sympathy with its general scope and effect, and the amendment was offered from the desire to preserve its force and yet permit to the railways of the State a fair competition.

Believing that such competition when attended with reasonable charges for services rendered would prove beneficial to the producing and shipping interests of the State, and yet effectually retain the active principle of legislative control, the amendment was offered and I contended for its adoption.

BEN MCCOY,
Senator 14th District.

MESSAGE FROM THE GOVERNOR.

The Governor's private secretary appeared and delivered a message in writing.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, March 12, 1888. }

To the Senate:

GENTLEMEN—I have the honor to herewith transmit to you a copy of a communication from the Oswego Board of Trade relative to a proposed ship canal around the Falls of Niagara. It is evident that the construction of such a canal would greatly benefit the people of

the northwest, and I trust that you will give the subject such consideration as its importance demands.

WM. LARRABEE.

Accompanying communication passed on file.

Senator Brower accepted the postponement of his amendment and called for the yeas and nays.

The question being upon the adoption of the motion of Senator Finn to lay aside the consideration of Senate File No. 18, and to take up House File No. 373 in lieu thereof.

Senator Weidman moved the previous question, which was seconded.

The question being, shall the main question be now put?

It was ordered.

The question being the motion of Senator Finn to lay aside the consideration of Senate No. 18, and take up House File No. 373 in lieu thereof.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—47.

The nays were:

Senator Reiniger—1.

Senator Reiniger offered the following:

I desire to explain my vote on the motion to postpone the consideration of Senate File No. 18, and to proceed to the consideration of House File No. 373. I object to and vote against the motion for the reason that the Senate has devoted many days to the consideration of Senate File No. 18, and reached the last section of the bill for consideration after adopting several amendments and that by now abandoning consideration of the bill and considering another bill covering substantially the same ground much valuable time will be lost in again discussing the questions now determined by the Senate in adopting Senate File No. 18, so far as it has been adopted and the Senate can adopt such parts of House File No. 373, as it deems proper under the amendment offered by the Senator from Hancock.

ROBERT G. REINIGER.

Absent or not voting:

Senators Cassatt and Kent—2.

So the motion of Senator Finn was carried.

Senator McCoy moved that the bill be considered section by section.

Carried.

Senator Woolson moved to strike out the word "individual" in line 14, section 1, printed bill, and insert the word "individuals."

Carried.

Senator Seeds moved to strike out the word "unjust" in line 7, section 8, printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Converse, Davidson, Dodge, Dungan, Finn, Funk, Groneweg, Harsh, Kegler, Kelly, Mattoon, McVay, Meservey, Mills, Price, Seeds, Sweeney, Taylor, Vale, Weber and Wolfe—26.

The nays were:

Senators Barrett, Caldwell, Clark, Dooley, Doud, Garlock, Gatch, Hanchett, Hutchison, Kent, Lawrence, McCoy, Parrott, Poyneer, Reiniger, Schmidt, Smith, Weidman and Woolson—19.

Absent or not voting:

Senators Brower, Cassatt, Deal, Knight and Young—5.

So the amendment was adopted.

Senator Lawrence moved to strike out "from" and insert "for," line ten, section 3, of printed bill.

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., Lieut.-Gov. Hull in the chair.

PETITIONS AND MEMORIALS.

Senator Reiniger presented petitions of B. K. Bronson and 195 others, asking that the laws be so amended in regard to official salaries that our county officers shall receive by statute, an amount not more than \$600 per annum, and what additional compensation may be necessary in regard to deputies may be left optional with the board of supervisors.

Referred to Committee on Compensation of Public Officers.

Senator Young presented petition of S. S. Cassady and others of Atlantic, Iowa, favoring a law abolishing the right to give passes or making any other discrimination, etc.; also asking for maximum rates.

Referred to Committee on Railways.

Also presented petition of Frank Cain and others of Atlantic, Iowa, asking for the passage of the bill to establish a relief fund for the firemen of Iowa.

Referred to Committee on Corporations.

Senator Poyneer presented four petitions of C. J. Stevens and others of Tama county, Iowa, asking legislation to prevent the misappropriation of county swamp land funds.

Referred to Committee on Judiciary.

Senator Harsh presented petition of J. D. Spaulding and others of Union county, Iowa, asking for a uniform school book law to be passed, or Senate File No. 61, introduced by Senator Finn.

Referred to Committee on Schools.

Also presented petition of C. H. Groff and others of Ottumwa, Iowa, favoring the passage of House File No. 521.

Referred to Committee on Railways.

Senator Caldwell presented petition of H. W. Riley and others of Dallas and Polk, in vicinity of Campbell, favoring radical railway legislation.

Referred to Committee on Railways.

Also, presented petition of T. H. Beason and others of Audubon county, same subject.

Same reference.

Also, presented petition of John Poterson and others of Lincoln, Washington county, same subject.

Same reference.

Senator Davidson presented petition of H. T. Mallery and others, of Boone county, favoring radical railroad legislation.

Referred to Committee on Railways.

Also presented petition of Elwood Furnas and others of Story county, Iowa, same subject.

Same reference.

Also, presented petition of H. Blank and others of Buchanan county, Iowa, same subject.

Same reference.

INTRODUCTION OF BILLS.

Senator Seeds, Senate File No. 374, a bill for an act in relation to pleadings in criminal cases.

Read first and second times and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Dungan from the Committee on Judiciary, submitted the following minority report:

MR. PRESIDENT—A minority of your Committee on Judiciary being unable to agree with the majority upon the recommendation to be made upon Senate File No. 208, a bill for an act to provide for holding persons to answer for criminal offences upon information when so ordered by the judge or the court, beg leave to submit a minority report:

The minority of your Committee believe that the legislation proposed in said bill is in the interest of good government and economy in the administration of the criminal law.

At the general election in 1888 the following amendment to the constitution was adopted, to-wit:

"The grand jury may consist of any number of members not less than five nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury."

This amendment was adopted by the people at said election by a majority of 42,848. This bill does not require that the grand jury shall be dispensed with in a single instance, but that by order of the court or judge it may be dispensed with at any particular term, and for that term persons may be held to answer for crimes "without the intervention of a grand jury," as provided in said constitutional amendment, upon information to be filed by the county attorney. This is not a new experiment, several States having similar laws on their statute books for many years, giving general if not universal satisfaction, fully protecting the rights of the accused, and greatly lessening taxation in lessening the costs of criminal prosecution in those States. The minority of your Committee, therefore, recommend that the bill do pass.

WARREN S. DUNGAN.

Ordered passed on file.

Also, the following minority report was submitted:

MR. PRESIDENT—A minority of the Committee on Judiciary, being unable to agree in their recommendation to indefinitely postpone Senate File 12, beg leave to submit a minority report.

The said Wm. H. Birkhead holds title to 120 acres of land in Des Moines county, Iowa, under the will of his aunt, Martha E. Dolbee, but a question has arisen as to whether he holds by title absolute or a life estate only; if a life estate, then the fee will, at his death, vest in the Iowa Soldiers' Orphans' Home.

We are clearly of opinion that he holds by title absolute, and that such was the intention of the deviser. There is no direct method of testing the matter of his title in the courts, as the State cannot be sued.

Wm. H. Birkhead is the son of a worthy Iowa soldier, and is now in almost destitute circumstances. He has sold said land, but the purchaser declines to pay therefor because of said clouds upon the title.

The Iowa Soldiers' Orphans' Home has but few orphans of Iowa soldiers therein, the greater portion being dependent children of parents not soldiers. We think the State of Iowa has no title to said land; that it legally and equitably belongs to said Wm. H. Birkhead, and the State of Iowa cannot afford to withhold that which is just from a child of one of its noble defenders in the war for the integrity of the Union, who is said to be in needy circumstances and in ill health.

WARREN S. DUNGAN,
L. R. BOLTER,
GEO. L. FINN.

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 168, a bill for an act to amend sections 1495 and 1508, of chapter four (4), title eleven (11), of the Code of 1873, in relation to line fences, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all of section 1 after the word "cultivates," and by striking out the "proviso" in section 2, and that when so amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Garlock from the Committee on Penitentiaries and Pardons submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons to whom was referred Senate File No. 1, a bill for an act prohibiting the leasing of convict labor within the State of Iowa, and providing for the employment of such labor, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. O. GARLOCK, *Chairman.*

Ordered passed on file.

Also:

Minority report of Committee on Penitentiaries and Pardons:

MR. PRESIDENT—The undersigned members of the Committee on

Penitentiaries and Pardons respectfully present the following minority report on Senate File No. 1, a bill for an act prohibiting the leasing of convict labor within the State of Iowa, and providing for the employment of convict labor: we respectfully recommend that said bill do pass.

First. In our judgment public opinion in the State is ready for the abolition of the system of leasing convict labor as now in force in the State. In its effect upon competing labor of honest citizenship, and upon the manufacturing interests of the State, we believe this system is injurious. The representative labor organizations of the State have recommended the passage of such a bill, and have formally and by unanimous vote petitioned this General Assembly for such passage. We believe that the manufacturing interests of the State are also sincere in their desire for the action thus proposed.

Second. We dissent from the majority report for the further reason that in our judgment the continuance of the present system seriously impedes the reformation of the convict. Those who have given this matter most serious study are unanimous in the conclusion that the present system of contract labor is detrimental to the largest ideas of reformation of the criminals affected thereby. We believe that the reformation of the criminal is justly regarded as one of the chief ends to be accomplished by the punishment, and that no legitimate steps to this end should be neglected.

Third. The contracts now in force are about to expire, a portion expiring before the next session of the General Assembly.

We believe now is an appropriate time to enter on the step proposed which, sooner or later, the advanced philanthropy and public spirit of the State will require.

JAMES H. BARNETT.
RICHARD PRICH.
T. J. CALDWELL.

Ordered passed on file.

Also,

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate File No. 183, a bill for an act prohibiting the leasing of convict labor within the State of Iowa and providing for the employment of such labor, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. O. GARLOCK, *Chairman.*

Ordered passed on file.

Senator Hanchett moved that 200 copies of House File No. 45 be printed as reported back from the Judiciary Committee.

Carried.

Senator Dooley moved that House messages be taken up.

Carried.

HOUSE MESSAGES.

House File No. 384, a bill for an act to amend section 260, of the Code of 1873, relating to notaries public.

Read first and second times and referred to the Committee on Judiciary.

House File No. 148, a bill for an act to amend section 625, of the Code, in relation to canvass by judges of election.

Read first and second times and referred to the Committee on Elections.

House File No. 476, a bill for an act approved March 20, 1883, entitled an act authorizing the Executive Council to sell and convey an island formed by accretion in Mississippi river, and located in sections 34 and 35, township 78, range 3, east of 5th P. M., in Scott county, Iowa.

Read first and second times.

On motion of Senator Schmidt it was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meeservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—48.

The nays were none.

Absent or not voting:

Senators Cassatt and Dodge—2.

So the bill passed and the title was agreed to.

House File No. 535, a bill for an act to legalize the annexation of certain territory of the incorporated town of Sevastapol, in Polk county, was taken up and on request of the House ordered returned to the House.

Substitute for House File No. 28, a bill for an act to legalize the assessment and levy of taxes for the years 1886 and 1887, made or collected under sub-division two, section 796 of the Code as amended.

Read first and second times and referred to the Committee on Judiciary.

House File No. 178, a bill for an act to amend section 24, chapter 151, of the laws of the Eighteenth General Assembly, changing times of the meetings of local boards of health.

Read first and second times and referred to the Committee on Public Health.

House File No. 212, a bill for an act to repeal section 2803 of the Code of 1883, and to enact a substitute therefor, in relation to the finding of verdict by a jury.

Read first and second times and referred to the Committee on Judiciary.

House File No. 226, a bill for an act to amend section 9, chapter 100, laws of the Sixteenth General Assembly of Iowa, relating to mechanics' liens.

Read first and second times and referred to the Committee on Judiciary.

House File No. 337, a bill for an act relating to challenges of jurors, additional to section 2772 of the Code of 1873.

Read first and second times and referred to the Committee on Judiciary.

House File No. 496, a bill for an act to legalize certain ordinances of the incorporated town of Griswold, Cass county, Iowa, and to legalize acts done thereunder.

Read first and second times and referred to the Committee on Judiciary.

House File No. 537, a bill for an act to legalize certain ordinances of the town of Sac City, Sac county, Iowa, and acts done thereunder.

Read first and second times and referred to the Committee on Judiciary.

House File No. 535, a bill for an act to legalize the organization of the independent school district of Greenwood, in Chickasaw county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

House File No. 347, a bill for an act to resume and reconvey to the United States all the lands and rights to lands granted to the State of Iowa by the act of Congress entitled "an act for a grant of land to the State of Iowa in alternate sections to aid in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act.

Read first and second times.

Senator Barrett moved that the bill be referred to the Committee on Judiciary.

Senator Dooley moved that the motion be amended by striking out the word "Judiciary" and inserting the words "Public Lands."

Carried.

Motion as amended carried.

Bill referred to the Committee on Public Lands.

Senator Woolson moved that Senate File No. 308 be indefinitely postponed.

Carried.

Senator Dodge moved that Senate File No. 373 be withdrawn from Committee on Public Health and referred to a select committee of three.

Lost.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding and the publication and distribution of the public documents and the journals of the two houses, with report of Committee on Printing recommending amendments, and that when amended it do pass.

Senator Sweney moved that the special order be postponed and made a special order to follow Senate File No. 142, and that the Senate proceed with the consideration of House File No. 373.

Carried.

The special order being House File No. 873, it was taken up, the pending question being the motion of Senator Lawrence to amend section 3, line 10, printed bill, by striking out the word "from" and inserting the word "for."

Adopted.

Senator Vale moved to amend line 7, section 3, printed bill, by striking out the word "carriers" and inserting the word "carrier."

Adopted.

Senator Woolson moved to strike out the word "freights" and insert the word "freight."

Adopted.

Senator Bolter offered the following amendment:

Amend section 4 by adding thereto the following: provided, however, that nothing herein shall be construed to prevent any common carrier from giving preference as to time of shipment of live stock, uncured meats and other perishable property.

Adopted.

Senator Woolson offered the following amendment:

Insert in section 4, in line 8, after the words "forwarding and" the words "switching cars, and the receiving, forwarding, and."

Adopted.

Senator Woolson offered the following amendment:

Insert in line 10 of section 4, before word "rates" the word "accommodation."

Adopted.

Senator Sweeney offered the following amendment:

Amend by striking out commencing with the word "but" in line 10 of section 4, and ending with the word "business" in line 12. Also, by striking out the words "but one" in line 12 of said section, and by inserting in lieu thereof the following: "and any common."

The first proposition in the amendment was adopted.

The second proposition in the amendment was adopted.

Senator Dungan moved to strike out the words "every common carrier" in the sixth line of section 4, and insert the words "all common carriers."

Adopted.

Senator Woolson moved to amend section 4 by striking out of line 9 the words "those connecting therewith," and insert "to and from other lines and places connected therewith."

Adopted.

Senator Woolson moved to amend section 4 by adding after word "lines" in line ten the words "and places."

Adopted.

Senator Caldwell moved to amend section 5 by striking out the word "transportation" in line 6 and insert the word "transported."

Adopted.

Senator Price moved to amend by striking out all of section 5 after the word "direction" in line 4 and insert "but this shall not be construed as conferring authority on any common carrier to receive as great compensation for the shorter as the longer distance."

Senator Reiniger moved to amend the amendment as follows: add

before the amendment and after the word distance in the 4th line of the section "the shorter being included within the longer distance."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 132, a bill for an act to amend section 4256 of the Code of Iowa, as enacted by section 3, chapter 42, laws of the Twenty-first General Assembly, relating to grand jurors.

House File No. 135, a bill for an act to protect wage workers in their rights to organize for mutual protection and benefit.

House File No. 280, a bill for an act for the relief of John Hadiene, of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa.

House File No. 296, a bill for an act for the protection of railroad employes and other persons at frogs, switches, guards, rails and other places.

House File No. 351, a bill for an act relating to reports from State institutions.

House File No. 362, a bill for an act to amend State board of equalization.

Also, that the House refuses to recede from its amendments to Senate File No. 290, and a conference committee has been ordered.

D. C. KOLP, *Chief Clerk*.

Senator Hutchison moved that a conference committee be appointed to confer with the House committee regarding the amendments to Senate File No. 290.

The Chair announced as such committee, Senators Hutchison, Woolson and Kelly.

The Chair announced as a committee on the part of the Senate to investigate the State University, Senators McCoy and Knight.

The hour for the reception of Gen. Bussey being 4 o'clock P. M., the special committee, represented by the chairman, Senator Warren S. Dungan, appeared upon the floor of the Senate, escorting the guest of the Senate accompanied by Hon. Wm. Larrabee, Governor, and the President of the Senate welcomed them to the Senate and invited them to a seat upon the rostrum, and Senator Dungan delivered an address of welcome, which was responded to by Gen. Bussey.

Senator Dungan moved that the hour of adjournment be postponed until 5:30 o'clock P. M.

Carried.

Senator Dungan moved that the Senate take a recess for fifteen minutes.

Carried.

Senate was called to order at 5:05 o'clock P. M.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 7, a bill for an act to prohibit the incorporation of towns and cities within three miles of the incorporated limits of any city of the first class, and to prevent the extension of the limits of towns and cities already organized within such three mile limit, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do not pass.

MATT PARROTT, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 335, a bill for an act providing means for the creation, maintenance and management in the cities of Iowa of public drives, boulevards and parks, and the appointment of park trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by placing the word "section" before the numerals designating each section. Also, by inserting in seventh line of section two (2), printed bill, after the word "trustees" the words "who shall be residents of such city", and when so amended the bill do pass.

MATT. PARROTT, Chairman.

Ordered passed on file.

Senator Seeds moved to postpone the consideration of the special order for five minutes, or to such time as the House resolution relative to trusts, can be disposed of, and the resolution be taken up.

Carried.

So the resolution was taken up.

Senator Davidson moved that the resolution be referred to the Committee on Commerce.

Senator Weidman moved the previous question, which was not seconded.

The question being upon the motion of Senator Davidson.

Senator Davidson moved that the time of adjournment be postponed for twenty minutes.

Carried.

Senator Bayless moved that the resolution lie upon the table.

On this the yeas and nays were demanded.

The yeas were:

Sensors Barnett, Bayless, Billa, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, Mills, Parrott, Poyneer, Reiniger, Sweney, Taylor and Weidman—23.

The nays were:

Sensors Barrett, Chesebro, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hutchison, Lawrence, McCoy, McVay, Meservey, Seeds, Smith, Vale, Weber, Woolson and Young—22.

Absent or not voting:

Senators Clark, Schmidt, Wolfe, Knight and Price—5.

So the motion to lie upon the table prevailed.

The Senate proceeded to the consideration of the special order, it being House File No. 373.

The question being on the adoption of the amendment offered by Senator Reiniger to the amendment offered by Senator Price to section 5.

Senate adjourned until 10 o'clock A. M. to morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 15, 1893. }

The Senate met in regular session at 10 o'clock, A. M.

Lieutenant-Governor Hull in the chair.

Prayer by Rev. F. L. Litzrodt.

PETITIONS AND MEMORIALS.

Senator Price presented petition of J. H. McManus and others, of Warren and Madison counties, favoring radical railway legislation.

Referred to the Committee on Railways.

Also, presented petition of H. A. Kinsman and others, same subject.

Same reference.

Senator Weber moved that the consideration of the special order for this hour, being House File No. 873, be postponed for thirty minutes, and that the Senate consider House File 549.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Davidson, Dungan, Finn, Funk, Kegler, Knight, Mattoon, McVay, Meservey, Price, Reiniger, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—23.

The nays were:

Senators Barrett, Bolter, Clark, Converse, Deal, Dodge, Dooley, Doud, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, McCoy, Parrott, Schmidt, Seeds and Smith—22.

Absent or not voting:

Senators Woolson, Cassatt, Chesebro, Mills and Poyneer—5.

So the motion was lost for the reason that a two-thirds majority was necessary to carry.

Senator Reiniger moved to reconsider the vote by which the resolution relative to trusts was laid upon the table yesterday.

Senator Bolter moved to lay the motion to reconsider on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Clark, Converse, Dodge, Dooley, Finn, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, Price, Schmidt, Sweney, Taylor and Wolfe—18.

The nays were:

Senators Barnett, Bills, Brower, Caldwell, Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Knight, McCoy, McVay, Meservey, Mills, Parrott, Reiniger, Seeds, Smith, Vale, Weber, Weidman, Woolson and Young—27.

Absent or not voting:

Senators Barrett, Cassatt, Chesebro, Poyneer and Sweney—5.

So the motion was lost.

The question recurring upon the motion to reconsider, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Caldwell, Clark, Davidson, Deal, Dodge, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Mattoon, McCoy, McVay, Meservey, Parrott, Reiniger, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—31.

The nays were:

Senators Bayless, Bolter, Converse, Dooley, Finn, Groneweg, Kegler, Kelly, Kent, Lawrence, Mills, Price, Schmidt, Sweney and Wolfe—15.

Absent or not voting:

Senators Cassatt, Chesebro, Knight and Poyneer—4.

So the motion was adopted and the vote was reconsidered.

SPECIAL ORDER.

Senator Knight moved that the special order, being House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11, of chapter 77, of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners, and all laws in force in direct conflict with the provisions of this act, from the Committee on Railways, and take it up for immediate consideration be now taken up.

Carried.

So the Senate resumed consideration of the special order.

The question being upon the adoption of the amendment by Senator Reiniger to amendment offered by Senator Price.

Senator Sweney moved that the further consideration of section 5 be postponed until the remaining sections of the bill have been considered.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Caldwell, Cassatt, Converse, Davidson, Deal, Finn, Groneweg, Harsh, Kegler, Mattoon, McVay, Meservey, Sweney, Taylor and Young—17.

The nays were:

Senators Barrett, Bills, Bolter, Brower, Clark, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Hutchison, Kelly, Kent, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Vale, Weber, Weidman, Wolfe and Woolson—32.

Absent or not voting:

Senator Chesebro—1.

So the motion was lost.

The question recurring upon the amendment offered by Senator Reiniger to the amendment offered by Senator Price to section 5.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Clark, Deal, Dodge, Dooley, Doud, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Vale, Weber, Weidman, Wolfe and Woolson—32.

The nays were:

Senators Barnett, Bayless, Bills, Belter, Cassatt, Converse, Davidson, Dungan, Finn, Funk, Kegler, Kelly, Price, Seeds, Taylor and Young—16.

Absent or not voting:

Senators Sweney and Chesebro—2.

So the amendment to the amendment was adopted.

The question recurring upon the adoption of the amendment as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Clark, Deal, Dodge, Dooley, Doud, Funk, Garlock, Hanchett, Harsh, Hutchison, Kent, Knight, Lawrence, McCoy, McVay, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Vale, Weber, Weidman, Wolfe and Woolson—29.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Cassatt, Converse, Davidson, Dungan, Finn, Groneweg, Kegler, Kelly, Mattoon, Meservey, Price, Seeds, Sweney, Taylor and Young—19.

Absent or not voting:

Senators Chesebro and Gatch—2.

So the amendment as amended was adopted.

The Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock p. m.

Lieut. Gov. J. A. T. Hull in the chair.

The consideration of the special order, House File No. 373 was resumed.

Senator Reiniger moved to amend section 5 by inserting "a" before the word "like" and after the words "or of" in the third line.

Adopted.

Senator Davidson offered the following substitute for section 5:

That it shall be unlawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers or of like kind of property for a shorter than for a longer distance over the same line in the same direction, and said common carrier shall charge no more for transporting freight to or from any point on the line than a fair and just proportion of the price it charges for the same kind of freight transportation to or from any other point, such proportion to be determined or fixed by the Board of Railway Commissioners.

SPECIAL ORDER.

The hour having arrived for the special order, it being Senate File No. 61, a bill for an act creating a Board of School Book Commissioners and to provide for furnishing text books for the use of the common schools of the State, with report of committee recommending amendments, and that it pass.

Senator Finn moved that the special order be made a special order to follow Senate File No. 251.

Carried.

The question recurring on the adoption of the substitute by Senator Davidson for section 5 of House File No. 373.

Senator Gatch moved to amend the substitute by striking out the word "shall" and inserting word "may."

Lost.

On the adoption of the substitute the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Converse, Davidson, Dungan, Finn, Gatch, Kegler, Kent, Mattoon, Price, Seeds and Taylor—
15.

The nays were :

Senators Barrett, Brower, Caldwell, Clark, Deal, Dodge, Dooley, Doud, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Knight, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—39.

Absent or not voting :

Senators Cassatt, Chesebro and Kelly—8.

So the substitute was lost.

Senator Kegler offered the following amendment to section 6:

Add the words "or maintaining rates" after the word "freight" in line 3, printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Cassatt, Converse, Davidson, Finn, Harsh, Kegler, Mattoon, Taylor and Vale—13.

The nays were:

Senators Brower, Caldwell, Clark, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Weber, Weidman, Wolfe, Woolson and Young—33.

Absent or not voting:

Senators Schmidt, Chesebro, Bayless and Parrott—4.

So the amendment was lost.

REPORTS OF STANDING COMMITTEES.

By consent, the following reports of committees were presented without reading:

Senator Woolson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 152, a bill for an act to legalize the annexation of certain territory to the incorporated town of North Des Moines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, the committee having reported back with recommendation for passage Senate File No. 80, on the same subject, but with different provisions.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 354, a bill for an act to legalize the division of Sumner township, Webster county, Iowa, into the townships of Burnside and Sumner, as the same was ordered to be divided by the board of supervisors of said county, at their June session, 1886; the organization of the township of Burnside, pursuant to such division, and all of the subsequent acts of the officers of each of said townships, beg leave to report that they have had the same under consideration and

have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 319, a bill for an act to authorize Jed Lake to demand from the Secretary of the Interior a patent for the S $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 6, township 88, range 9, in order to perfect the title of said land in the State for the use of the Iowa Hospital for the Insane at Independence; also, communications from the Governor and said Jed Lake, relative to the same subject, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 484, a bill for an act to legalize the incorporation of the town of Primghar, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 357, a bill for an act to legalize certain acts of the board of supervisors of Jasper county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by inserting at end of line 6, of section 2, the words, "and in the Iowa State Register, a newspaper published at Des Moines, Iowa," and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred a communication from the trustees of the Iowa Hospital for the Insane at Independence, in relation to the title of the land which the Twentieth General Assembly authorized them to purchase for the use of the Hospital, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate, with the recommendation that the committee be discharged from the further consideration of this communication, for the reason that the subject is not in proper form for them to act upon. The papers accompanying the same and said communication are herewith returned.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 332, a bill for an act to better provide for publishing the proceedings of the county board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 449, a bill for an act to legalize the ordinances of the city of Shenandoah, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 340, a bill for an act authorizing the Mayor of any city or town to cause investigation in cases of burning of property, suspected to have been set on fire, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting the word "incorporated" after the word "or" in the first line of section 1; also, the words "or cities acting under special charters" after the word town in the first line of section 1 and by inserting the words, "jurors and officers" in the second line of section 5; after the word "attending," and by striking out the word "taken" in the third line of section 10, and inserting the word "arrested," in lieu thereof.

Also, by inserting the words "clerk of the" before the word district in the first line of section 12.

Also, by inserting the words "who shall enter the record of the proceedings certified to him by the Mayor on the criminal calendar of his court and index the same as an ordinary criminal case" after the word county in the first line of section 12, and when so amended the bill do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Senator Bayless, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred concurrent resolution in relation to swamp land indemnity, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Davidson, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT.—Your Committee on Public Buildings, to whom was referred Senate File No. 385, a bill for an act requiring the use of fire escapes in certain buildings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by substituting for section 1 the following: "that all buildings of three or more stories high, where the third or any higher story is occupied for hotel, theatrical, boarding house, lodging house or manufacturing purposes, or is used for any public assemblage of persons whatever, said third and higher stories shall be provided with convenient and safe fire escapes as hereinafter provided.

Add as section 2: When the third or higher stories of any building are used for hotel, boarding house or lodging house purposes, and when such houses have not been provided with fire escapes of a permanent character, every lodging room and hall-way having an outside opening in such third and higher stories shall be provided with one or more convenient and safe rope fire escapes. And where such third or higher stories are used for theatrical, manufacturing or public assemblage purposes, such rope fire escapes shall be attached at every outside opening where it is practicable to do so, and where the same would afford the most convenient and safe relief in case of danger.

Insert after the word "first" in second line of section 3 "and second".

Strike out the word "successful" in eighth line of same section and insert the word "succeeding".

Renumber section 2 as 3 and section 3 as 4.

And when so amended that the bill do pass.

D. B. DAVIDSON, Chairman.

Ordered passed on file.

The Senate resumed consideration of House File No. 373.

Senator Caldwell moved to amend section 7 by striking out the word "effect" and inserting the word "affect" in line 8 of the printed bill.

Adopted.

Senator Woolson offered the following amendments to section 7. In line 11, printed bill, strike out "copies" and insert "copy." In lines 11 and 12 strike out "in at least two places." In line 12 strike out "depot or" and insert the word "and."

Lost.

Senator Clark moved to amend section 7 by striking out the word "on" in line 12, printed bill.

Adopted.

Senator Dungan moved to amend section 7, by striking out the word "carriers" and inserting the word "carrier" where it occurs in 61st and 69d lines.

Adopted.

Senator Harsh offered the following amendment to section 7: Strike out of line 8 the words "any such common carrier" and insert between the word "has" and the word "established" the word "been." Also insert after the word "established" the words "either by the railroad commissioners or by said common carrier."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 570, a bill for an act to legalize the city election of Knoxville, Iowa, of 1888, and to legalize the registry lists of voters made for and used at such election.

Also, that the House has indefinitely postponed the following bills:

Senate File No. 2, a bill for an act granting to the Chicago, Burlington and Quincy Railroad Company all the title and interest of the State of Iowa in and to certain grounds on the Des Moines river, in the city of Ottumwa, Wapello county, Iowa.

Senate File No. 17, a bill for an act to repeal section 2521 of chapter 1 of title 17 of the Code, relating to actions upon judgments rendered in this State, and to enact a substitute therefor.

Senate File No. 97, a bill for an act to amend chapter 1 of title 11 of the Code, in reference to the relief of the poor, and the manner of obtaining the same, and providing criminal punishment for violation of this act.

D. C. KOLP, *Chief Clerk.*

Senator Deal offered the following amendment to section 7:

Amend by striking out the word "an" in line 3, and all of line 4.

Lost.

Senators Dooley and Poyneer were excused.

Senator Bolter offered the following amendment:

Amend section 7 by striking out after the word "contempt" in the 59th line all that follows, up to and including the second word "any" in the 65th line printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Caldwell, Chesebro, Deal, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Kegler, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Parrott, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman and Woolson—27.

The nays were:

Senators Barnett, Bayless, Bills, Cassatt, Clark, Converse, Davidson, Finn, Groneweg, Harsh, Hutchison, Kelly, Mattoon, Price, Sweeney, Wolfe and Young—17.

Absent or not voting:

Senators Barrett, Brower, Dodge, Dooley, Mills, and Poyneer—6.
So the amendment was adopted.

The journal of yesterday was corrected.

Senator McCoy presented a protest which he desired spread upon the journal of yesterday.

Objection was made, and on the question of spreading the protest upon the record the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Bolter, Caldwell, Clark, Deal, Dodge, Dungan, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, McVay, Meservey, Parrott, Reiniger, Seeds,

Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—80.

The nays were:

Senators Bayless, Chesebro, Finn, Funk, Groneweg, Mills, Price and Taylor—8.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Converse, Davidson, Dooley, Doud, Lawrence, Mattoon, McCoy, Poyneer and Schmidt—12.

So the protest was ordered spread upon the journal.

Moved by Senator Doud that the following be inserted on page 5 of yesterday's journal just preceding the consideration of Senator Finn's motion:

"Senator Brower accepted the postponement of his amendment and called for the yeas and nays."

Carried.

Journal of yesterday as corrected approved.

Senator Price moved that Senate File No. 245 be taken up and referred to the Committee on Cities and Towns.

So referred.

Senator Davidson moved that the time of the session be extended fifteen minutes.

Carried.

On motion of Senator Davidson House File No. 488, a bill for an act to change the name of the county seat of Boone county, Iowa, from Boonesboro to Boone, with report of Judiciary Committee recommending that it do pass, was taken up and considered.

Senator Davidson moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Cassatt, Clark, Converse, Davidson, Dodge, Doud, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Barrett, Brower, Caldwell, Chesebro, Deal, Dooley, Gatch, Lawrence, Poyneer and Seeds—10.

So the bill passed and the title was agreed to.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 398, a bill for an act to repeal sections 818 and 819 of the Code of Iowa, relating to assessment of property for taxation, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have recommended the following amendment to be added to the end of section 1 of the bill, to-wit: *Provided, further*, That if any portion of the capital surplus or funds of any such bank or banking association or insurance company shall be invested in real estate, and the bank or

insurance company shall hold a title in fee simple thereto, the assessed value of said real estate shall be deducted from the original assessment of the shares of said banking association or insurance companies, and said real estate shall be assessed as other lands or lots. And have instructed me to report the bill back to the Senate with the recommendation that said amendment be adopted and when so adopted that the bill do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

HOUSE MESSAGES.

House File No. 122, a bill for an act to amend section 4256 of the Code of Iowa, as enacted by section 3, chapter 42, of the laws of the Twenty-first General Assembly, relating to grand jurors.

Read first and second times and referred to the Committee on Judiciary.

House File No. 135, a bill for an act to protect wage workers in their right to organize for their mutual protection and benefit.

Read first and second times and referred to the Committee on Labor.

House File No. 280, a bill for an act for the relief of John Haidiens, of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa.

Read first and second times and referred to the Committee on Claims.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 116, an act to extend the time of paying the indebtedness of the Orphans' Asylum at Andrew, Iowa.

Also:

House File No. 476, an act to amend an act authorizing the Executive Council to sell and convey an island formed by accretion in the Mississippi river, and located in sections 34 and 35, township 8, range 3, east of 5th Principal Meridian, in Scott county, Iowa.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

House File No. 296, a bill for an act for the protection of railroad employes, and the persons at frogs, switches, guard rails and other places.

Read first and second times and referred to the Committee on Railways.

House File No. 351, a bill for an act relating to reports from State institutions.

Read first and second times and referred to the Committee on Ways and Means.

House File No. 116, a bill for an act granting to the Chicago, Burlington & Quincy Railroad Company all the title and interest of the State of Iowa in and to certain grounds.

On motion of Senator Hutchison, the time of the session was extended five minutes.

Senator Hutchison moved to take up House File No. 116, a bill for an act granting to the Chicago, Burlington & Quincy Railroad Company all the title and interest of the State of Iowa in aid to certain grounds, for immediate consideration.

Carried.

Senator Hutchison moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bayless, Bills, Bolter, Chesebro, Clark, Davidson, Deal, Dodge, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kent, Lawrence, Mattoon, McVay, McCoy, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—35.

☐ The nays were none.

Absent or not voting:

☐ Senators Barnett, Barrett, Brower, Caldwell, Cassatt, Converse, Dooley, Finn, Groneweg, Kegler, Kelly, Knight, Poyneer, Schmidt and Wolfe—15.

So the bill passed and the title was agreed to.

Pending which Senator Clark moved that House messages be laid aside and that Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, with report of Committee on Railways recommending amendments and that it do pass, be made a special order to follow Senate File No. 61.

Carried.

RESOLUTIONS.

Pending which Senator Seeds offered the following resolutions:

WHEREAS, The title to a portion of the real estate upon which the Hospital for the Insane at Independence is situated, is clouded by reason of the cancellation of the patent which was originally issued for said real estate; and

WHEREAS, There are parties claiming said land under a pre-emption entry before the Land Department at Washington, D. C., alleging the absence of the patent as a fatal defect in the title of the State to said land; and

WHEREAS, It is believed that said cancellation was unauthorized, and that by proper action such patent may be obtained and said title perfected; therefore, be it

Resolved, by the Senate, the House concurring, That the Governor of the State of Iowa is hereby authorized and requested to direct the Attorney-General of the State to take all needed steps to obtain from the Secretary of the Interior at Washington, D. C., a patent to perfect the title in the State to said real estate, the same being described as the south half ($\frac{1}{2}$) of the south-east quarter of section six (6), township eighty-eight (88) north of range nine (9), west of the fifth P. M., in Buchanan county, Iowa.

Pending which, Senator Reiniger moved that Senate File 167 be made a special order to follow Senate File 85.

Lost.

HOUSE MESSAGES.

House File No. 362, a bill for an act to amend section 834, chapter 1, title 6, of the Code of 1878, relating to State Board of Equalization.

Read first and second times and referred to the Committee on Ways and Means.

House File 570, a bill for an act to legalize the city election of Knoxville, Iowa, of A. D. 1888, and to legalize the registry lists of voters made for and used at such election.

Read first and second times and referred to the Committee on Judiciary.

House concurrent resolution relative to pensioning ex-soldiers, prisoners of war.

Referred to the Committee on Federal Relations.

House joint resolution No. 13, in behalf of public forests.

Read first and second times and referred to the Committee on Public Lands.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 16, 1888. }

The Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Hull in the chair.

Prayer by Rev. McPherson.

SPECIAL ORDER.

The special order being House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act, with report of railroad committee recommending that it do pass.

Senator Seeds moved that the special order be postponed for sufficient time to permit the taking up and consideration of the House concurrent resolution relative to trusts.

Carried.

Senator Seeds moved to amend the resolution as follows: By striking out the word "either" in resolution two, and all after the word "Des Moines" to and including the word "advisable," and by adding "provided, that the report of said committee shall be made not later than March 26, 1888, and that this resolution shall in no way affect the taking up and passing any bills relating to this subject at any time."

Senator Davidson moved that the resolution and pending amendments be laid aside, and that Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, with report of committee recommending amendments and that it do pass, be taken up and considered now.

Senator Knight moved to amend by substituting the regular special order, it being House File No. 373, for the matter now before the Senate.

Senator Funk moved the previous question, which was seconded, and the main question was ordered.

The question recurring on the motion of Senator Knight, it was carried and the consideration of the special order, it being House File No. 373, was taken up.

Senator Bolter offered the following amendment to section 7:

Amend the sixty fifth line by inserting before the word "any" the words "and when", and insert after the word "mandamus" the words "shall be so applied for", and strike out in the sixty-sixth line the words "or injunction".

Adopted.

Senator Harsh moved to strike out "has" and insert "have" in line 3, section 7.

Adopted.

Senator Finn offered the following amendment to section 7, add after the word "contempt" in the fifty-ninth line the words "and shall make such corporations liable to a penalty of \$500 for each day's failure to comply".

Adopted.

Senator Woolson moved to strike out the word "establishing" and insert the words "have established".

Adopted.

Senator Wolfe offered the following amendment to section 7:

Amend by striking out all of lines 11 and 12 and up to and including the word "inspected" in the thirteenth line, and insert "and a copy for the use of the public shall be kept in every freight office and passenger station on such railroads, where it can be conveniently inspected, and such common carrier shall keep a printed notice posted in every such freight office and passenger station, indicating where therein such schedule can be found."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bills, Bolter, Brower, Caldwell, Cassatt, Clark, Deal, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, Mills, Price, Reiniger, Schmidt, Seeds, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—33.

The nays were:

Senators Barnett, Bayless, Chesebro, Davidson, Dodge, Dungan and Meservey—7.

Absent or not voting:

Senators Converse, Dooley, Doud, Finn, Lawrence, McVay, Parrott, Poyneer and Smith—8.

So the amendment was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate File No. 116.

House File No. 476.

D. C. KOLF, *Chief Clerk.*

Senator Kegler moved to amend by striking out the word "three" and inserting the word "two" in line 5, section 9, printed bill.

Lost.

Senator Woolson moved to amend section 10 by inserting after the word "testifying" in 18th line the words "or producing said books and papers."

Adopted.

Senator Sweney offered the following amendment to section 10: strike out the word "district" in line 5.

Pending which Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 116, an act to extend the time for paying the indebtedness of the Orphans' Asylum at Andrew, Iowa.

Also, House File No. 476, an act to amend an act authorizing the Executive Council to sell and convey an island formed by accretion in the Mississippi river, and located in sections 84 and 85, township 8, range 8, east of fifth P. M. in Scott county, Iowa.

JNO. K. DEAL, *Chairman*.

By consent, Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 514, a bill for an act to legalize the acts, ordinances and proceedings of the city council of the city of Council Bluffs in the condemnation of lands and lots embracing in the public park known as Fairmount Park, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met in regular session at 2 P. M.
Lieutenant-Governor Hull in the chair.

INTRODUCTION OF BILLS.

By leave Senator Dungan, Senate File No. 375, a bill for an act relating to evidence.

Read first and second times and referred to the Committee on Judiciary.

By leave Senator McVay, Senate File No. 376, a bill for an act to legalize the incorporation of the town of Lohrville, and the corporate acts and ordinances thereof.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Groneweg, House File No. 514, a bill for an act to legalize the acts, ordinances and proceedings of the city council of the city of Council Bluffs in the condemnation of lands and lots embracing in the public park known as Fairmont Park, with report of a majority of committee recommending the bill do pass, was taken up and considered.

Senator Groneweg moved that the rule be suspended, and the bill and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Doud, Dungan, Finn, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—40.

The nays were none.

Absent or not voting:

Senators Cassatt, Deal, Dodge, Dooley, Funk, Hanchett, Mills, Poyneer, Price and Woolson—10.

So the bill passed and the title was agreed to.

PETITIONS AND MEMORIALS.

By leave Senator Bills presented protest of L. Tipton and others of Centerdale, Cedar county, Iowa, against all laws in relation to the control and taxation of telegraphic messages.

Referred to Committee on Corporations.

Senator Parrott by leave presented resolutions of the Black Hawk County Medical Society in reference to pending legislation.

Referred to Committee on Public Health.

Senator Weidman by leave presented resolution from Mills County Pomona Grange No. 1, asking for the enactment of a law that will more effectually tax real estate mortgages, so that the party owning the property shall pay the tax on the mortgage, the tax receipt to be an endorsement on the mortgage note.

Referred to Committee on Judiciary.

Also, presented resolutions from Mills County Pomona Grange No. 1, asking for the enactment of a law making it unlawful for any person or persons, either as principal or agent, to charge or collect, either directly or indirectly, any more than the legal rates of interest, and we further ask that the legal rate of interest be made eight (8) per cent.

Referred to Committee on Judiciary.

Senator Gatch by leave presented petition of Rees Griffiths and 58 others of Des Moines, asking for the passage of Senate Files Nos. 32 and 33 and House File No. 10.

Referred to Committee on Ways and Means.

Also, presented petition of I. Ward and 120 others of Des Moines, in favor of local option by school districts in the purchase of school books, and the purchase of school books by school districts, and to supply them to pupils on such terms as the voters of said district may determine.

Referred to Committee on Schools.

Also, presented petition of W. K. Gilorest and 148 others of Des Moines, in favor of local option in the purchase of school books and supplies and against State commissioners and State publishing.

Referred to Committee on Schools.

Also, presented two petitions of numerous citizens of the State of Iowa, asking investigation of the case of Chester Turney, alleged to be unjustly imprisoned in the Penitentiary at Anamosa.

Referred to Committee on Penitentiary and Pardons.

REPORT OF STANDING COMMITTEES.

By leave Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 254, a bill for an act to provide for the assessment and taxation of telegraph and telephone lines within the State of Iowa, and to repeal chapter 59 of the acts of the Seventeenth General Assembly of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass, it being an exact copy of Senate File No. 148, heretofore passed favorably upon by this committee, and it is thought best to make the same report in regard to this bill, as it has passed one branch of the

General Assembly, and when it has passed the Senate it will become a law.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

By leave Senator Bayless, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred House File No. 347, a bill for an act to resume and reconvey to the United States all lands and right to lands granted to the State of Iowa by the act of Congress entitled "an act for a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, and that it be considered in connection with Senate File No. 283, heretofore favorably reported by this committee.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

The consideration of the special order was resumed, it being House File No. 373.

The pending question being the amendment of Senator Sweney to strike the word "district" from section 10, line 5, printed bill.

□ Adopted.

By unanimous consent, the Senate returned to the consideration of section 9.

Senator Harsh offered the following amendment:

Add to section 9: *Provided*, That in all cases demand in writing on said common carrier shall be made for the money damages sustained, before suit is brought for recovery under this section, and that no suit shall be brought until the expiration of fifteen days after such demands.

Adopted.

Senator McCoy moved to amend section 11 by striking out the word "it," in the sixth line, and inserting the words "said board."

Adopted.

Senator McCoy offered the following amendment to section 12:

In line 12 strike out the words, "of the district;" also strike out the word "courts," and insert "court" in line 13; also strike out in lines 13 and 14 the words, "may and it is hereby made their duty," and insert the word "shall."

Adopted.

Senator Funk moved to amend by striking out the word "any" in line 17, section 13, and inserting the word "an."

Adopted.

Senator McCoy moved to amend section 13 by striking the word "it" from the fifteenth line, and inserting in lieu thereof the words, "said commissioners;" also to strike from line 15 the words, "may and;" also to strike out of line 15 the word "any;" also strike out of the seventeenth line the words, "it shall be their duty to," and insert "shall."

Senator Davidson moved to amend the amendment by retaining the word "any" in line 15.

Lost.

The question recurring on the amendment by Senator McCoy, it was adopted.

Senator Sweney moved to strike out the words, "engaged in," from line 16, section 13.

Adopted.

Senator Deal moved to insert a semi-colon in the fifth line, section 13, after the word "facts."

Adopted.

Senator Woolson moved to strike out of section 13, line 7, the word "carriers" and insert the word "carrier."

Adopted.

Senator McCoy moved to add in section 13, in lines 17 and 18, the words, "on their own motion."

Adopted.

Senator Sweney moved that the word "to" be stricken from section 13, line 4, after the word contravention, and that the word "of" be inserted.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 93, a bill for an act to secure children between the ages of 8 and 15 years the benefit of an elementary education.

Also, that the Speaker of the House has appointed Messrs. Wilbur, Craig and Lewis members of the committee on the part of the House to investigate the management of the State University.

D. C. KOLF, *Chief Clerk.*

Senator Wolfe moved to amend as follows: Insert after the word "commissioners" in first line of section 14 the words "after notice as provided by section 13 of this act."

Adopted.

Senator Caldwell moved to amend section 14 by striking out of line 3 the words "its or."

Adopted.

Senator Reiniger offered the following amendment to section 16: by inserting after the word "Commissioners" where it occurs the first time in the 3d line the words "or any of the provisions of this act."

Lost.

Senator Reiniger offered the following amendment to section 16:

Amend by striking out the words "in a summary way" at the end of the 4th and beginning of the 5th line.

Lost.

Senator Reiniger offered the following amendment:

Insert the word "lawful" after the word "the" in the 20th line.

Adopted.

Senator Harsh offered the following amendment to section 16: insert in the 5th line after the word "district" the words "or superior." Adopted.

Senator Sweney moved that section 16 be amended as follows:

In the 34th line strike out the word "thousand" and insert the word "hundred," and to strike out "\$5,000" and insert in lieu thereof "\$500."

Adopted.

Senator Deal moved to strike from section 16, line 19, the word "in" and insert the word "on."

Adopted.

Senator McVay moved that the session be extended until six o'clock, and that at 5 o'clock the special order be postponed until the Des Moines River Land bill could be taken up and disposed of.

Senate adjourned until ten o'clock to morrow morning.

SENATE CHAMBER.
DES MOINES, IOWA, Saturday, March 17, 1888. }

The Senate met in regular session at 10 o'clock A. M.

Lieut. Gov. Hull in the chair.

Prayer by Rev. Dr. Nash.

Senators Dooley, Woolson and Schmidt were excused until Monday.

Senator Seeds moved that the special order, being House File No. 373, be laid aside, and that the Senate take up the resolution relative to the investigation of trusts.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bills, Chesebro, Dodge, Doud, Funk, Hanchett, Kent, Mattoon, McVay, Seeds and Taylor—12.

The nays were:

Senators Barnett, Bolter, Brower, Caldwell, Converse, Davidson, Dungan, Gatch, Groneweg, Harsh, Hutchison, Kegler, Lawrence, McCoy, Meservey, Mills, Parrott, Price, Smith, Sweney, Vale, Weidman and Young—23.

Absent or not voting:

Senators Bayless, Cassatt, Clark, Deal, Dooley, Finn, Garlock, Kelly, Knight, Poyneer, Reiniger, Schmidt, Weber, Wolfe and Woolson—15.

So the motion was lost.

The Senate took up and resumed consideration of the special order, being House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act, with report of Railroad Committee recommending that it do pass.

Senator Hutchison moved to amend section 17 by adding thereto the following:

Provided, That before finally fixing and deciding what such maximum rates and classification shall be for any particular railroad corporation, it shall be the duty of the Railway Commissioners to publish ten days' notice in two daily papers published at Des Moines, setting forth in such notice that at a certain time and place they will proceed to fix and determine such maximum rates and classification,

and they shall, at such times and places as shall seem to them proper and as soon as practicable after such ten days' notice afford to any person, firm, corporation or common carrier who may desire it, an opportunity to make any explanation or showing, or to furnish information to said Commissioners on the subject of determining and fixing such maximum rates and classification; but in no case shall such hearing delay the making and publication of such schedule of rates and classification of freight longer than five days.

Senator Bolter moved to amend the amendment as follows:

Provided further, That before fixing such maximum rates the said Commissioners are empowered and it is hereby made their duty to notify and call before them not less than three nor more than five persons engaged in shipping live stock, grain or other products, no two of whom shall be residents of the same county and shall cause said persons to be examined on oath or otherwise with regard to their knowledge of charges for freight carriage in different portions of the State, and also their knowledge with regard to charges made and rates adopted by common carriers in adjoining States; such persons so notified and summoned shall be paid by the State, and shall receive the same fees, including mileage, as now provided by law to witnesses in courts of record in this State.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bills, Bolter, Davidson, Doud, Finn, Garlock, Gatch, Groneweg, Hanchett, Kelly, Kent, Lawrence, Mattoon, McVay, Mills, Seeds and Weidman—18.

The nays were:

Senators Barnett, Bayless, Brower, Caldwell, Chesebro, Converse, Deal, Dodge, Dungan, Funk, Harsh, Hutchison, Kegler, Knight, McCoy, Meservey, Parrott, Price, Reiniger, Smith, Sweney, Taylor, Vale and Young—24.

Absent or not voting:

Senators Cassatt, Clark, Dooley, Poyneer, Schmidt, Weber, Wolfe and Woolson—8.

So the amendment to the amendment was lost.

Senator Finn offered the following substitute for the amendment by Senator Hutchison:

Add to the end of section 17: The original schedules mentioned in this section shall be fixed for all roads in Iowa within 90 days from the taking effect of this act, and during said 90 days persons interested shall be allowed to be heard before said commissioners.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Davidson, Dodge, Finn, Kegler, Kelly, McVay, Meservey, Taylor and Young—10.

The nays were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Deal, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Knight, Lawrence, Mattoon, McCoy, Mills, Parrott, Price, Reiniger, Seeds, Smith, Sweney, Vale and Weidman—32.

Absent or not voting:

Senators Cassatt, Clark, Dooley, Schmidt, Poyneer, Weber, Wolfe and Woolson—8.

So the substitute for the amendment was lost.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, March 17, 1888. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State Senate File No. 116, an act to extend the time for paying the indebtedness of the Orphan Asylum at Andrew, Iowa.

FRED'K W. HOSSFELD, *Private Secretary.*

The Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M.
Lieutenant-Governor Hull in the chair.

PETITIONS AND MEMORIALS.

Senator Weidman, by leave, presented amendments to House File No. 374, from attorney D. H. Solomon, of Glenwood, Iowa.

Referred to Committee on Railways.

Senator Doud, by leave, presented petition of C. Owing and others, of Jasper county, Iowa, favoring radical railroad legislation.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By leave, by Senator Finn, by request, Senate File No. 377, a bill for an act making vocal music one of the required studies of the public schools of Iowa.

Read first and second times and referred to the Committee on Schools.

By leave, Senator Dodge, Senate File No. 378, a bill for an act fixing the liability of sleeping car companies for the loss or damage to personal property carried by them; fixing the rate of charges; and providing punishment for violations of this act.

Read first and second times and referred to the Committee on Railways.

REPORTS OF STANDING COMMITTEES.

By leave the following reports were received:

Senator Vale from the Committee on Banks, submitted the following report:

Mr. PRESIDENT—Your Committee on Banks, to whom was referred House File No. 170, a bill for an act to amend section 1571 of the Code of 1873, and section 23 of chapter 60 of the acts of the Fifteenth General Assembly, in relation to publishing quarterly reports, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendments be made: Insert in section 1, after the words "for one week": "or if there be no paper published in said town or city, then in some other paper published in said county"; and as so amended that it do pass.

B. R. VALE, *Chairman.*

Ordered passed on file.

Senator Doud, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 364, a bill for an act to amend section 4063 of the Code, for the better protection of song birds and birds of beautiful plumage in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title be amended by striking out the words "chapter twenty-four of the Fourteenth General Assembly", and when so amended the bill do pass.

M. P. DOUD, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House File No. 178, a bill for an act to amend section 24 of chapter 151 of the laws of the Eighteenth General Assembly, changing time of the meetings of local boards of health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "sixth" in the tenth line thereof, and inserting the word "seventh", and as so amended that the bill do pass.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 373, a bill for an act to enable graduates in medicine who have received certificates from the State Board of Examiners to conduct drug stores, sell medicines and poisons, and to amend section 12 of chapter 75, acts of the Eighteenth General Assembly as amended by chapter 83, acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 353, a bill for an act to amend section 5 of chapter 75 of the acts of the Eighteenth General Assembly, relating to registered pharmacists, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 327, a bill for an act providing for fund-

ing certain outstanding indebtedness of certain cities—an act authorizing certain cities to fund certain outstanding indebtedness, and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the title be amended to read: A bill for an act providing for funding certain bonds and outstanding indebtedness of certain cities and authorizing certain cities to fund certain outstanding indebtedness, and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax. Also, that the words “not less than” be stricken out of the second line of section one (1), and the words “or more” be inserted in the second line of section one (1) after the word “thousand”, and by adding to section one (1) these words: “And such cities may also in the same manner refund the indebtedness of said corporations, evidenced by bonds thereof, heretofore issued and outstanding at the time of the passage of this act.”

Also, by inserting the words “or bonds” in the sixth line of section 3 after the word “warrants,” and the words “bonds or” in the tenth line of section 3 after the word “such.”

Also, by adding these words to section four (4) “or to refund outstanding bonds at such time,” and when so amended the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

The special order under consideration at the hour of adjournment, being House File No. 373, was resumed.

The question being on the adoption of the amendment offered by Senator Hutchison, Senator Caldwell moved to amend the amendment as follows: “And in any event the original schedule of rates and classification of freights on all lines of railroads in Iowa shall be fixed within ninety days from the taking effect of this act.”

On this question the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weidman and Young—38.

The nays were:

Senators Chesebro, Gatch and Price—3.

Absent or not voting:

Senators Barrett, Cassatt, Clark, Davidson, Dooley, Schmidt, Weber, Wolfe and Woolson—9.

So the amendment to the amendment was adopted.

Senator McCoy moved to amend the amendment by striking out the words “but in no case shall such hearing delay the making and publication of such schedule of rates and classification of freight longer than five days.”

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Brower, Caldwell, Davidson, Deal,

Dodge, Doud, Funk, Garlock, Hutchison, Kegler, Kent, Lawrence, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Vale, Weidman and Young—27.

The nays were:

Senators Barnett, Chesebro, Converse, Dungan, Finn, Groneweg, Harsh, Kelly, Meservey, Price, Sweney and Taylor—12.

Absent or not voting:

Senators Barrett, Cassatt, Clark, Dooley, Gatch, Hanchett, Knight, Schmidt, Weber, Wolfe and Woolson—11.

So the amendment to the amendment was adopted.

Senator Davidson offered the following substitute for the amendment by Senator Hutchison.

Add to section 17. Provided that before finally fixing and deciding what such maximum rates and classification shall be for any railroad, the railroad commissioners may call before them at any time or place, any person or persons they may deem proper for the purpose of obtaining any information they may wish relative to fixing such schedule of maximum rates; provided, that such first schedule of maximum rates shall be fixed within 90 days after the taking effect of this act on all railroads within the State.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Converse, Davidson, Dungan, Finn, Harsh, Kegler, Kelly, McVay, Meservey, Mills, Parrott, Price, Taylor and Young—18.

The nays were:

Senators Bolter, Caldwell, Doud, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kent, Knight, Lawrence, Mattoon, McCoy, Poyneer, Reiniger, Smith, Sweney, Vale and Weidman—20.

Absent or not voting:

Senators Barrett, Cassatt, Chesebro, Clark, Deal, Dodge, Dooley, Schmidt, Seeds, Weber, Wolfe and Woolson—12.

So the substitute for the amendment was lost.

Senator Harsh offered the following substitute for the amendment to section 17 by Senator Hutchison:

Provided, That before finally fixing and deciding what such first maximum rates and classification shall be for all the railroads of this State, it shall be the duty of the Railroad Commissioners to publish ten days' notice in two daily papers published at Des Moines, setting forth in such notice that at a certain time and place they will proceed to fix and determine such maximum rates and classification, and they shall at such time and place afford to any person, firm, corporation or common carrier who may desire it, an opportunity to make an explanation or showing or to furnish information to said Commissioner on the subject of determining and fixing such maximum rates and classification; but in no case shall such hearing delay the making and publication of such schedule of rates and classification of freight longer than ten days, and in any event the original schedules contemplated in this section shall be made and published for all the railroads of this State within ninety days from the taking effect of this act.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Converse, Davidson, Finn, Funk, Harsh, Kegler, Kelly, Meservey, Mills, Price, Seeds, Taylor and Young—17.

The nays were:

Senators Bolter, Caldwell, Dodge, Doud, Dungan, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kent, Lawrence, Mattoon, McCoy, Parrott, Poyneer, Reiniger, Smith, Vale and Weidman—20.

Absent or not voting:

Senators Barrett, Cassatt, Chesebro, Clark, Deal, Dooley, Knight, McVay, Schmidt, Sweney, Weber, Wolfe and Woolson—13.

So the substitute for the amendment was lost.

Senator Young offered the following substitute for the amendment pending:

Provided that the Board of Railway Commissioners shall make and publish complete schedules of maximum rates for all the railway lines in this State within 90 days from the taking effect of this act.

On this the yeas and nays were demanded.

The yeas were:

Senator Barnett, Bayless, Bills, Brower, Converse, Davidson, Dodge, Finn, Groneweg, Harsh, Kelly, McVay, Meservey, Mills, Price, Seeds, Taylor and Young—18.

The nays were:

Senators Barrett, Bolter, Caldwell, Deal, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Hutchison, Kegler, Kent, Knight, Lawrence, Mattoon, McCoy, Poyneer, Reiniger, Smith, Sweney, Vale and Weidman—23.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Dooley, Parrott, Schmidt, Weber, Wolfe and Woolson—9.

So the substitute was lost.

Senator Hutchison offered the following amendment to his own amendment to section 17:

Strike out of the first line the word "such" and insert in lieu thereof the words "the original".

Adopted.

Senator Meservey offered the following amendment to the amendment of Senator Hutchison:

Amend by striking out the words "for any particular railroad corporation".

Adopted.

Senator Harsh offered the following amendment to the Hutchison amendment:

Strike out "as shall seem to them proper after such ten days notice".

Adopted.

Senator Harsh moved to strike out the word "places" and insert "place" in the Hutchison amendment.

Adopted.

The question recurred on the adoption of the amendment of Senator Hutchison as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Brower, Caldwell, Deal, Dodge, Doud, Funk, Garlock, Gatch, Hanchett, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Vale, Weidman and Young—81.

The nays were:

Senators Barnett, Bills, Converse, Davidson, Dungan, Finn, Grone-weg, Harsh, Meservey, Mills, Price and Taylor—11.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Dooley, Schmidt, Wolfe, Woolson and Weber—8.

So the amendment of Senator Hutchison was adopted.

Senator Young, in voting yea, offered the following explanation:

I vote for this amendment because it contains the provision requiring the schedules to be completed within 90 days, and for no other reason. The other provision of the amendment is wholly unnecessary.

LAFAYETTE YOUNG.

Senator McCoy moved to reconsider the vote by which the amendment was adopted.

Senator Caldwell moved to lay the motion to reconsider upon the table.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Brower, Caldwell, Deal, Dodge, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Vale and Weidman—29.

The nays were:

Senators Barnett, Bayless, Bills, Converse, Davidson, Finn, Grone-weg, Harsh, Meservey, Mills, Sweney, Taylor and Young—13.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Dooley, Schmidt, Weber, Wolfe and Woolson—8.

So the motion to lay upon the table prevailed.

By consent Senator Clark, from the Committee on Suppression of Intemperance, submitted the following reports:

MR. PRESIDENT—Your Committee on Suppression of Intemperance to whom was referred Senate File No. 317, a bill for an act supplemental to chapter 143 of the acts of the Twentieth General Assembly, and chapter 66, acts of the Twenty-first General Assembly, relating to the sale of intoxicating liquors and abatement of nuisances, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that it be amended, and when so amended that it do pass. Add as section 7 the following:

Sec. 7. That section 1553 of the Code as enacted in section 10, chapter 66, acts of the Twenty-first General Assembly, be amended by striking out the word "knowingly" in both places where it occurs in said section.

Second, amend by making the publication clause section 8 instead of section 7, as now numbered in the bill.

T. E. CLARK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 307, a bill for an act to facilitate the trial of actions brought to abate nuisances by injunctions or other restraining order, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

T. E. CLARK, *Chairman*.

Ordered passed on file.

The Journal of yesterday was corrected and approved.

Senator Barnett was excused until Monday.

Senator McCoy moved that the consideration of the special order, House File No. 373, be postponed until Monday next at 9 o'clock P. M.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Brower, Dodge, Doud, Dungan, Hanchett, Harsh, Kent, Knight, McCoy, McVay, Meservey, Mills, Reiniger, Seeds, Smith, Sweney, Taylor and Young—18.

The nays were:

Senators Barrett, Bayless, Bills, Bolter, Caldwell, Converse, Davidson, Deal, Finn, Funk, Garlock, Gatch, Groneweg, Hutchison, Kegler, Kelly, Mattoon, Parrott, Poyneer, Price, Vale and Weidman—22.

Absent or not voting:

Senators Barnett, Cassatt, Chesebro, Clark, Dooley, Lawrence, Schmidt, Weber, Wolfe and Woolson—10.

So the motion was lost.

Senator Sweney offered the following explanation of his vote:

Because the record shows eight absentees at the present time who will probably not be here until Monday afternoon, and being unwilling to risk the fate of this bill to so reduced a number of Senators, I am in favor of postponement until the absentees shall be here to vote.

J. H. SWENEY.

Senator McCoy moved that when the Senate adjourn it adjourn until 9 o'clock P. M. Monday next.

Senator Price moved to amend the motion by striking out two o'clock P. M. and inserting 10:30 A. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Davidson, Finn, Funk, Harsh, Kegler, Kelly, McVay, Meservey, Mills, Parrott, Price and Seeds—13.

The nays were:

Senators Barrett, Bills, Bolter, Caldwell, Converse, Deal, Dodge, Doud, Dungan, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kent, Knight, Mattoon, McCoy, Poyneer, Reiniger, Smith, Sweney, Taylor, Vale and Weidman—25.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Chesebro, Clark, Dooley, Lawrence, Schmidt, Weber, Wolfe, Woolson and Young—12.

So the amendment was lost.

Senator Kegler moved to amend the motion by striking out two o'clock P. M. and inserting 9:30 A. M.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 19, 1888. }

The Senate met in regular session at 10 o'clock A. M., and was called to order by President *pro tem* Senator Poyneer.

SPECIAL ORDER.

Senator Bayless moved that the special order, being House File 373, be postponed until 2 o'clock P. M., and that the Senate proceed to take up bills on the calendar.

Carried.

LEAVE OF ABSENCE.

Senator Hutchison was excused for the day.

BILLS ON CALENDAR.

On motion of Senator Kent, Senate File No. 204, a bill for an act to authorize certain cities under special charters to provide for the construction of sewers, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Smith moved to amend section 1 by inserting the word "now" between the words "the" and "last," in the third line and in the fifth line of the bill.

Adopted.

Senator Knight moved to strike out in section 2, from and including the word "that" down to and including the words "section 1."

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weber and Weidman—40.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Dungan, Hutchison, McCoy, Price, Vale, Wolfe, Woolson and Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Taylor, House File No. 492, a bill for an act to legalize the acts of Joseph A. Elliott, of Appanoose county, as notary public, with report of committee recommending that it do pass, was taken up and considered.

Senator Taylor moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Clark, Davidson, Dodge, Dooley, Doud, Finn, Funk, Gatch, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Weber, Weidman and Woolson—35.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Converse, Deal, Dungan, Gronlock, Groneweg, Hanchett, Hutchison, McCoy, Schmidt, Vale, Wolfe and Young—15.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 561, a bill for an act to authorize boards of supervisors to levy a tax to pay interest upon certain outstanding bonds.

Also, has passed with amendments substitute for Senate File No. 80, a bill for an act to amend chapter 143 of the acts of the Nineteenth General Assembly, relating to superior courts and proceedings therein.

D. C. KOLF, *Chief Clerk.*

On motion of Senator Bolter, Senate File No. 88, a bill for an act to amend section 1464 of the Code, so as to prevent stock from running at large in the public highway, with report of committee recommending amendments and that it do pass as amended, was taken up and considered, and the amendments recommended by the committee were adopted.

Senator Price moved to amend as follows: by inserting the words "streets or" after the word "public" in third line of section one (1).

Lost.

Senator Meservey moved to strike out the word "found" in second line of section 1, printed bill.

Adopted.

Senator Barnett moved to amend as follows:

Add to section 1: "Provided, that nothing in this act shall apply to incorporated towns or cities".

Adopted.

Senator Bayless moved to amend as follows:

Add to section 1: "Provided that this act shall only apply to such counties as have adopted the herd law."

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Dooley, Doud, Finn, Funk, Hanchett, Kelly, Mattoon, Price and Taylor—10.

The nays were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Clark, Converse, Deal, Garlock, Groneweg, Harsh, Kent, Knight, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Weber, Weidman and Woolson—28.

Absent or not voting:

Senators Cassatt, Chesebro, Davidson, Dodge, Dungan, Gatch, Hutchison, Kegler, McCoy, Vale, Wolfe and Young—12.

So the amendment was lost.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dooley, Garlock, Groneweg, Harsh, Kent, Knight, Lawrence, McVay, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Sweney, Weber, Weidman, Woolson and Young—27.

The nays were:

Senators Bayless, Doud, Funk, Gatch, Hanchett, Kelly, Mattoon, Meservey, Price, Seeds and Taylor—11.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Chesebro, Dodge, Dungan, Finn, Hutchison, Kegler, McCoy, Vale and Wolfe—11.

So the bill passed and the title was agreed to.

Senator Harsh moved to take up House messages.

Carried.

HOUSE MESSAGES.

Senate File No. 80, a bill for an act to amend chapter 143, acts of the Sixteenth General Assembly, and chapter 24, acts of the Nineteenth General Assembly, increasing the power of superior courts and increasing the pay of jurors therein, with amendments by the House.

On the question shall the Senate concur in the amendment by the House?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Funk, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber, Weidman, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Dungan, Finn, Garlock, Gatch, Hutchison, Knight, Mattoon, McCoy, Smith, Vale and Wolfe—18.

So the amendment by the House was concurred in.

House File No. 561, a bill for an act to authorize boards of supervisors to levy tax to pay interest upon certain outstanding bonds, was read first and second times.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Schmidt, Seeds, Smith, Weber, Weidman and Young—29.

The nays were:

Senators Barnett, Doud, Price and Sweney—4.

Absent or not voting:

Senators Cassatt, Chesebro, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Hutchison, Knight, Mattoon, McCoy, Reiniger, Taylor, Vale, Wolfe and Woolson—17.

So the bill passed and the title was agreed to.

On motion of Senator Young, Senate File No. 258, a bill for an act to amend section 1, chapter 137, laws of the Nineteenth General Assembly, relating to registered pharmacists, with report of committee, recommending that it do pass, was taken up and considered.

Senator Caldwell moved that the time for adjournment be postponed for five minutes or until such time as the bill can be passed by the Senate.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dooley, Doud, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weber, Weidman and Young—37.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Dungan, Dodge, Finn, Funk, Garlock, Gatch, Hutchison, McCoy, Vale, Wolfe and Woolson—13.

So the bill passed and the title was agreed to.

Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

Senate met in regular session at 2 P. M.

Lieut.-Gov. Hull in the chair.

The journal of yesterday corrected and approved.

INTRODUCTION OF BILLS.

By leave Senator Finn, by request, Senate File No. 379, a bill for an act to amend section 1800 of the Code, relating to independent school districts.

Read first and second times and referred to the Committee on Schools.

Senator Weber moved that when the Senate adjourn this evening it be until 7:30 this evening, and at that time the Senate take up bills on the calendar.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Deal, Dooley, Dungan, Finn, Harsh, Kegler, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman and Young—32.

The nays were:

Senators Barrett, Clark, Dodge, Doud, Garlock, Gatch, Groneweg, Hanchett, Kelly, Knight, Schmidt, Smith and Woolson—13.

Absent or not voting:

Senators Cassatt, Chesebro, Funk, Hutchison and Wolfe—5.

So the motion prevailed.

Senator McCoy offered the following resolution:

Resolved, That until otherwise ordered the daily sessions of the Senate begin at 10 o'clock A. M. and 2 o'clock P. M.

Senator Bayless moved to amend by striking out 10 o'clock A. M. and inserting 9 o'clock A. M.

Lost.

The question recurring upon the resolution it was adopted.

The Senate resumed consideration of the special order, it being House File No. 373, a bill for an act to regulate railroad corporations and other common carries in this State, and to increase the powers and further define the duties of the board of railroad commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State and to prescribe a

mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly, in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act, with report of Railroad Committee recommending that it do pass.

Senator Reiniger moved to amend as follows:

Amend section 17 by adding: Provided further, that the Railroad Commissioners in making the schedule of maximum rates as contemplated by this section, shall so far as practicable, conform and harmonize the rates with any just and reasonable Inter State Commerce rates in force in this State under the Inter-State Commerce law along the same lines of road.

On this the yeas and nays were demanded.

The yeas were:

Senator Reiniger—1.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—40.

Absent or not voting:

Senators Barrett, Chesebro, Clark, Doud, Garlock, Hutchison, Knight, McCoy and Wolfe—9.

So the amendment of Senator Reiniger was lost.

Senator Doud moved to amend as follows: Insert after the word "State" in twentieth line of printed bill, section 17, the words "which notice shall state the date of the taking effect of said schedules."

Adopted.

Senator Sweney moved to amend section 17 of printed bill as follows: Strike out the word "publication" in line eighteen and insert the word "notice" in lieu thereof. Also to strike from same line the word "made" and insert in lieu thereof the word "published."

Adopted.

Senator Dungan moved to strike out the word "such" before the word "suits" in line twenty three, section 17, printed bill.

Adopted.

Senator Kegler moved to strike from lines 18 and 19, section 17, printed bill, the words, "three successive weeks," and insert in lieu thereof the words, "two publications."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Brower, Caldwell, Converse, Davidson, Dungan, Groneweg, Harsh, Kegler, Mills, Taylor Vale and Weber—15.

The nays were:

Senators Bolter, Deal, Dodge, Dooley, Garlock, Hanchett, McCoy, McVay, Meservey, Poyneer, Price, Reiniger, Seeds, Sweney, Weidman, Woolson and Young—17.

Absent or not voting:

Senators Bills, Cassatt, Doud Finn, Funk, Gatch, Chesebro, Clark,

Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, Parrott, Schmidt, Smith and Wolfe—18.

So the amendment was lost.

Senator Deal moved to amend as follows:

Strike out the words "published, purporting to be printed and," in line 22, section 17, printed bill, and insert in lieu thereof the words, "notice of which has been."

Senator Davidson offered the following substitute for the amendment:

Strike out all of line 22, section 17, after the word "made."

Adopted.

The question recurring on the adoption of the substitute as an amendment to the bill it was adopted.

Senator Dungan moved to strike out last words in the twenty-sixth line and all of the twenty-seventh line, section 17.

Senator Sweney offered the following substitute for the amendment:

Insert in section 17 after the word "that" in line twenty-seven, the words "notice of making".

Adopted.

The question recurring on the adoption of the substitute as an amendment to the bill it was adopted.

Senator Harsh offered the following amendment to section 17: Insert in line twenty after the word "be" the words "published by," and strike from line twenty the word "posted" and insert in lieu thereof the word "posting."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 162, a bill for an act amendatory of chapter 77, acts of the Seventeenth General Assembly, establishing railroad commissioners and defining their duties.

House File No. 288, a bill for an act for the relief of the Sixth Iowa Infantry.

House File No. 547, a bill for an act to legalize the acts and ordinances of the town of Stuart, Guthrie county, Iowa.

House File No. 259, a bill for act relative to the support of the poor.

House File No. 425, a bill for an act to repeal section 8, chapter 75, laws of the Eighteenth General Assembly, as amending section 2, chapter 82, laws of the Twenty-first General Assembly, and enact a substitute therefor, relating to the sale of intoxicating liquors. Not to be printed.

House File No. 474, a bill for an act to enable administrators, guardians, trustees and referees to deposit funds and securities due or to become due to heirs, legatees, devisees or other persons with the clerk of the district court, and to facilitate settlement of estates.

Substitute for House File No. 582, a bill for an act to prevent fraud in the sale of flour and other mill products.

House File No. 585, a bill for an act to extend the time for the renewal of certain corporations organized under chapter 1, title 9, Code of 1878.

Also concurrent resolution relative to authorizing the railroad commissioners to supply additional supply of railroad maps of the State.

D. C. KOLP, *Chief Clerk.*

Senator Kegler moved to amend section 17 by striking the word "unjust" from the tenth line.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Cassatt, Davidson, Dungan, Finn, Groneweg, Harsh, Kegler, Mattoon, McCoy, McVay, Meservey, Mills, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman and Young—26.

The nays were:

Senators Bills, Clark, Dodge, Dooley, Doud, Funk, Garlock, Hanchett, Poyneer and Woolson—10.

Absent or not voting:

Senators Barrett, Bolter, Chesebro, Converse, Deal, Gatch, Hutchison, Kelly, Kent, Knight, Lawrence, Parrott, Smith and Wolfe—14.

So the amendment was adopted.

Senator Reiniger moved to strike from the first line of section 18 the word "upon" and insert the word "in."

Lost.

Senator Finn offered the following amendment to section 18:

Strike out the words "to that end" in eighth line and insert in lieu thereof "if such complaint appears to be well founded and not trivial in character," and strike out the word "complaint" in ninth line and insert the word "same" in lieu thereof.

Adopted.

Senator Reiniger moved to strike from section 20, line 17, the words "or of the United States."

Adopted.

Senate adjourned until 7:30 P. M.

Absent or not voting:

Senators Bolter, Chesebro, Converse, Gatch, Hutchison and Wolfe—6.

So the amendment was not concurred in.

Senator Weber moved that substitute No. 549, a bill for an act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands, be passed on file and keep its place on the calendar.

Carried.

BILLS ON SECOND READING.

House File No. 41, a bill for an act to provide for the relief of Union soldiers, sailors and marines and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and marines.

The question being on the adoption of the amendment offered by Senator Sweney by inserting after the word "mariners" in line six of section 1 the words "with families."

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Cassatt, Converse, Dodge, Dooley, Finn, Groneweg, Kegler, Kelly, Kent, Knight, Lawrence, Parrott, Sweney, Taylor and Weber—16.

The nays were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Clark, Davidson, Deal, Doud, Dungan, Funk, Garlook, Hanchett, Harsh, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Vale, Weidman, Woolson and Young—29.

Absent or not voting:

Senators Chesebro, Gatch, Hutchison, Smith and Wolfe—5.

So the amendment was lost.

Senator McCoy moved to amend by striking out the word "may" and insert the words "are hereby authorized to," in section 1.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Clark, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlook, Hanchett, Harsh, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—34.

The nays were:

Senators Bolter, Cassatt, Converse, Dooley, Groneweg, Kegler, Kent, Knight, Lawrence, Price and Taylor—11.

Absent or not voting:

Senators Chesebro, Gatch, Hutchison, Parrott and Wolfe—5.

So the bill passed and the title was agreed to.

Senator Converse offered the following explanation of his vote:

Believing that the enactment of this law will to a large extent prevent the use of the Soldiers' Home, I vote no.

S. A. CONVERSE.

Senator Taylor offered the following explanation of his vote:

I consider this bill a reflection on legislation two years ago. I cannot vote to tax the people \$150,000 a year to create a separate fund to care for the poor, creating also more officers, who will soon want pay for services. I believe our county authorities will do justice to the poor soldiers and their families without further legislation on the subject.

Senator Kegler offered the following explanation of his vote:

Thinking it unnecessary for any extra relief, as it is already provided by the Code that soldiers and their families cannot be sent to the poor-house, but must be maintained by the county; and this bill not only causes extra trouble to boards of supervisors of the counties, but it also causes an extra commission to be appointed and takes the powers heretofore given to township trustees out of their hands without any cause. I further think it not a wise plan to place in the hands of the needful all money for their year's support at one time, as provided in this bill, and therefore vote no.

KEGLER.

House File No. 10, a bill for an act to amend section 4, chapter 140, of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the Twentieth General Assembly relative to State Mine Inspector, their duties and manner of appointment, with report of committee recommending amendments and that it do pass, was taken up.

Senator Dungan moved that the bill pass on file and retain its place on the calendar.

Carried.

CONCURRENT RESOLUTION.

Concurrent resolution requesting Committee on Ways and Means to inquire into the expediency of exempting homesteads to amount of \$500 from taxation, with report of committee recommending it be indefinitely postponed, was taken up.

Senator McCoy moved that calendar Nos. 3, being resolution under consideration, and 5, 6 and 8 be passed and retain their place on the calendar.

Carried.

Senate File No. 111, a bill for an act to provide for the assessment of railway property by the board of supervisors, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

Senator Weber moved that the bill pass on file and retain its place on the calendar.

Adopted.

Senate File No. 74, by Bayless, a bill for an act to prevent discrim-

ination against female teachers, with report of committee recommending that it do pass, was taken up and considered.

Senator Barnett moved to amend by adding at the end of section 1, the words, "in the same school."

Lost.

Senator Dungan moved to amend as follows:

Add to section 1, "and possessing equal experience and competency as teachers."

Lost.

Senator McCoy moved to amend by inserting after the word "teachers," in line 2, section 1, printed bill, the words, "in the same district."

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Garlock, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mattoon, McCoy, McCoy, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Young—39.

The nays were:

Senators Groneweg, Kent, Knight, Parrott, Schmidt and Woolson—6.

Absent or not voting:

Senators Chesebro, Funk, Gatch, Hutchison and Wolfe—5.

So the bill passed and the title was agreed to.

Senator Seeds offered the following concurrent resolution:

Resolved by the Senate, the House concurring:

That the President of the Senate and the Speaker of the House shall each declare their respective houses adjourned *sine die* on Thursday, April 5, 1888, at 2 o'clock P. M.

Passed over under the rule.

Senator McCoy offered the following resolution:

Resolved, That the record of March 6, 1888, be corrected so as to show the fact that the substitute offered by the Senator from Mahaska, for all of House File No. 41, after section 1 being sections 2 and 3 as amended was adopted and that this resolution be spread upon the journal of to-day.

Adopted.

INTRODUCTION OF BILLS.

By leave, Senator Clark, Senate File No. 384, a bill for an act to amend section 1432 of the Code of Iowa in regard to the admission of patients into the Insane Hospital.

Read a first and second time and Senator Clark moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Garlock, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—48.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Deal, Funk, Gatch, Hutchison and Wolfe—7.

So the bill passed and the title was agreed to.

On motion of Senator Sweney, House File No. 444, a bill for an act to legalize the incorporation and ordinances of the town of Northwood, Worth county, Iowa, with report of committee recommending amendments and that it do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—39.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Deal, Funk, Garlock, Gatch, Hutchison, Schmidt, Taylor and Wolfe—11.

So the bill passed and the title was agreed to.

On motion of Senator Bolter, House File No. 305, a bill for an act to legalize the organization and official proceedings of the independent school district of Panama, Shelby county, Iowa, with report of committee recommending that it do pass was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Caldwell, Clark, Davidson, Dodge, Doud, Finn, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Bayless, Brower, Cassatt, Chesebro, Converse, Deal, Dooley,

Dungan, Funk, Garlock, Gatch, Hutchison, Schmidt, Smith and Wolfe—15.

So the bill passed and the title was agreed to.

On motion of Senator Harsh Senate File No. 364, a bill for an act to amend chapter 2, title 24, of the Code (chapter 74 of the Fourteenth General Assembly), in relation to offenses against public policy, in such way as to provide further protection for the song birds and birds of beautiful plumage in this State, with report of committee recommending amendments and that it do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Clark, Converse, Davidson, Dodge, Doud, Dungan, Finn, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Young—35.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Deal, Dooley, Funk, Garlock, Gatch, Hutchison, Knight, Mattoon, Parrott, Schmidt, Wolfe and Woolson—15.

Senator Harsh moved to amend the title to read as follows: A bill for an act to amend section 4063 of the Code, and fix penalty for violation thereof, and defining duty of peace officers in relation to offenses against public policy in such way as to provide further protection for the song birds and birds of beautiful plumage in this State.

Adopted.

So the bill passed and the title as amended was agreed to.

On motion of Senator Seeds Senate File No. 114, a bill for an act to amend section 11, and to repeal section 17, and enact a substitute therefor, of chapter 52 of the acts of the Twenty-first General Assembly, providing for the appointment of a dairy commissioner, continuing said act as amended herein, and providing an appropriation therefor, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Dodge, Doud, Dungan, Finn, Garlock, Groneweg, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Barnett, Cassatt, Chesebro, Deal, Dooley, Funk, Gatch, Hanchett, Harsh, Hutchison, Sweney, Vale and Wolfe—18.

So the bill passed and the title was agreed to.

On motion of Senator Mills, House File No. 145, a bill for an act to amend chapter 111 of the acts of the Sixteenth General Assembly by adding section three (3) thereto, in regard to the construction of cattle-ways across the public highways, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Garlock, Groneweg, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Deal, Funk, Gatch, Hanchett, Hutchison, Parrott, Sweney, Vale and Wolfe—12.

So the bill passed and the title was agreed to.

On motion of Senator Dungan, Senate File No. 320, a bill for an act to repeal section 1623 of the Code and enact a substitute therefor, relating to appointment of trustees of the Soldiers' Orphans' Home for Destitute Children, at Davenport, Iowa, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Garlock, Groneweg, Harsh, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman and Young—37.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Deal, Funk, Gatch, Hanchett, Hutchison, Parrott, Sweney, Vale, Wolfe and Woolson—18.

So the bill passed and the title was agreed to.

On motion of Senator Young, House File No. 487, a bill for an act to legalize the acts and ordinances of the town council of the incorporated town of Aurelia, in Cherokee county, Iowa, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Meservey moved that the rule be suspended, and the bill

be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Doege, Dooley, Doud, Dungan, Garlock, Groneweg, Harsh, Kegler, Kelly, Knight, Lawrence, McCoy, McVay, Meservey, Price, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Weber, Weidman and Young—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Deal, Finn, Funk, Gatch, Hanchett, Hutchison, Kent, Mattoon, Mills, Parrott, Poyneer, Vale, Wolfe and Woolson—17.

So the bill passed and the title was agreed to.

On motion of Senator Davidson, Senate File No. 232, a bill for an act to amend section 506, chapter 10, title 4 of the Code, with report of committee recommending amendment, was taken up.

Senator Caldwell moved that the Senate adjourn.

Carried.

Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 20, 1888. }

Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Hull in the chair.

Prayer by Rev. J. F. Peterson.

Senator Converse, by consent, presented the following concurrent resolution:

WHEREAS, it has been ascertained on inquiry that the issue of the Railroad Commissioners' map of Iowa for general distribution has been exhausted and

WHEREAS, said maps are of great value to all classes of persons interested in sending freight over or travelling upon the railroads in the State, therefore

Be it resolved by the Senate, the House concurring, that the Railroad Commissioners are hereby requested and authorized to procure as soon as possible an additional supply of maps not to exceed five thousand in number, of the same quality as that heretofore issued by them; that the expenses of the same be charged to and paid from the miscellaneous fund of the State; that said maps are to be issued at the discretion of the Commissioners the same as has heretofore been done. Provided it does not require a new stone to be cut, and of said maps each Senator and Representative of the Twenty-second General Assembly shall be entitled to receive twenty copies for distribution.

Adopted.

PETITIONS AND MEMORIALS.

Senator Mills, by consent, presented petitions of men and women of Marshall county, asking an amendment to the constitution by striking the word "male" therefrom.

Referred to Committee on Constitutional Amendments and Suffrage.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills in which the concurrence of the Senate is asked:

House File No. 138, a bill for an act to determine liability in suits for personal injuries.

House File No. 166, a bill for an act to prevent and punish fraud in sale of stock.

House File No. 262, a bill for an act to amend section 4042 of the Code, relating to the sale of adulterated milk.

House File No. 273, a bill for an act to amend section 3106 of the Code of 1872, in relation to rate of interest in cases of redemption.

House File No. 380, a bill for an act to amend section 1144, chapter 4, title 9, of the Code of Iowa, relating to foreign fire insurance companies.

House File No. 384, a bill for an act to fix the compensation to be paid to members of the city council in cities of the first class.

House File No. 455, a bill for an act to amend section 3179 of the Code.

House File No. 469, a bill for an act to amend section 4780 of the Code.

House File No. 197, a bill for an act to amend section 1179 of the Code, as amended by chapter 169 of the laws of the Twenty-first General Assembly, relating to life insurance.

House File No. 393, a bill for an act to amend section 986 of the Code, as enacted in section 3, chapter 200, of the acts of the Twentieth General Assembly.

Also:

The House has passed the following Senate bills:

Senate File No. 69, a bill for an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud.

Senate File No. 85, a bill for an act to amend chapter 93 of the laws of the Twenty-first General Assembly, relating to election of officers in cities organized under special charters.

Senate File No. 258, a bill for an act to amend section 1, chapter 137, laws of the Nineteenth General Assembly, relating to registered pharmacists.

D. C. KOLP, *Chief Clerk.*

Senator Davidson moved that the special order, being House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11, of chapter 77, of the acts of the Seventeenth General Assembly, in relation to the Board of Railroad Commissioners, and all laws in force in direct conflict with the provisions of this act, with report of Railway Committee recommending that it do pass, be postponed until Senate File No. 232, a bill for an act to amend section 506, chapter 10, title 4, of the Code, with report of majority of Committee on Judiciary recommending amendment and as so amended it do pass, could be taken up and disposed of.

Lost.

SPECIAL ORDER.

The consideration of the special order, House File No. 373, was resumed.

Senator Sweney moved to strike the word "unjust" from line 9, section 23.

Adopted.

Senator Seeds moved to strike the words "the same or" from line 8, section 24.

Adopted.

Senator McCoy moved to amend section 24, by striking out the words, "the same or" from line 24.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Caldwell, Clark, Converse, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—32.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Cassatt, Chesebro, Davidson, Dodge, Finn, Harsh, Kegler, Mattoon, Meservey, Mills, Price and Taylor—16.

Absent or not voting:

Senators Deal and Wolfe—2.

So the amendment was adopted.

Senator Sweney offered the following explanation of his vote:

By the amendments incorporated by the Senate in section 5 of the bill, the principle of mileage distance tariff was practically eliminated, and the reasonableness of rates over competing lines was left to be determined as a question of fact, as has heretofore been the complainant's right.

In order to conform section 24 to section 5 as amended by the Senate; and to help secure the passage of the bill, which prohibits all discrimination, as amended, I vote aye.

J. H. SWENEY, *Senator*.

On motion of Senator McCoy the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M.

Lieut. Gov. J. A. T. Hull in the chair.

Senator Weber by leave presented petition of Isaac Brandt and many other citizens of the State, asking that laws be made so as to amend the Constitution of our State by removing all discrimination on account of sex in the exercise of the elective franchise.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Caldwell, by leave, presented petition of W. H. Murphy and 604 other citizens of Dallas county, same subject.

Same reference.

Senator Davidson filed notice of a motion to reconsider the vote by which the Senate declined to concur in the House amendments to Senate File No. 7.

By leave, Senator Reiniger from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 1, proposing to amend section one (1) of article two (2) of the constitution of Iowa, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate, with the recommendation that it do pass.

ROBERT G. REINIGER, *Chairman.*

Ordered passed on file.

By Senator Groneweg, by leave, by request, Senate File No. 385, a bill for an act in relation to places for holding terms of district court, and repealing a portion of section 5 of chapter 134 of the acts of the Twenty-first General Assembly, and amending the same and said chapter.

Read first and second times and referred to the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to request the return to the House of Senate File No. 258.

D. C. KOLF, *Chief Clerk.*

The consideration of the special order, House File No. 373, was resumed.

Senator Sweney offered the following amendment to section 24:

Amend by striking out of line 38 the words, "the same or." Also, strike out from line 39 the words "rates of toll or," also, insert after the word "compensation" in line 39 the words "in the aggregate."

By leave, Senator Woolson moved that the secretary be directed to return Senate File No. 258, to the House.

Carried.

The question recurring upon the amendment of Senator Sweney, division of the question was demanded.

The question being on striking out the words "the same or" from the 38 line.

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Caldwell, Clark, Converse, Deal, Dooley, Doud, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—32.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Cassatt, Chesebro, Davidson, Dodge, Dungan, Finn, Harsh, Kegler, Mattoon, Meservey, Mills, Price and Taylor—17.

Absent or not voting:

Senator Wolfe—1.

So the first part of the amendment was adopted.

The question being on the remainder of amendment to strike from line 39 the word "rates of toll or," and to insert in line 39 after the word compensation the words "in the aggregate," the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Caldwell, Clark, Converse, Deal, Dodge, Dooley, Doud, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Knight, Lawrence, McCoy, McVay, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—34.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Cassatt, Chesebro, Davidson, Dungan, Finn, Kegler, Mattoon, Meservey, Mills and Taylor—14.

Absent or not voting:

Senators Kent and Wolfe—2.

So the second part of the amendment was adopted.

Senator Kegler moved to amend section 24 by striking out the words "the unjust" at the end of the 35th line, and also the word "unjust" in the 43d line.

Adopted.

Senator Sweney offered the following amendment to section 24:

Add at the end of section the following: "Provided the same are issued alike to all applying therefor."

Senator Barnett offered the following amendment to the amendment:

"Provided further, that they shall not be given as a retainers' fee to lawyers, or to farmers who, under that guise, act for railroads as agents."

Ruled out of order by the chair as not germane to the question.

Amendment of Senator Sweney adopted.

Senator Seeds offered the following amendment to section 25:

From line 12 strike out the word "of" and insert the word "or" in lieu thereof.

Adopted.

Senator Sweney moved to strike from line 13, section 24, the word "unjust."

Adopted.

Senator Price moved to strike out all of section 25 after the word "act" in the 13th line.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Chesebro, Kegler, Kelly, Mattoon, Mills, Price and Sweney—8.

The nays were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Parrott, Poynear, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—40.

Absent or not voting:

Senators Finn and Wolfe—2.

So the amendment was lost.

Senator Barnett moved to strike from line one section 26 the word "unjust"

Adopted.

Senator Sweney offered the following amendment to section 26: Insert after the word "second" in line 5 the words "and each succeeding offense," and also by striking out commencing with the word "and" in line 6 and to and including the figures \$25,000 in line 10 of said section.

Pending which Senator Groneweg by request introduced Senate File No. 386, a bill for an act to amend section 5 of chapter 134 of the acts of the Twenty-first General Assembly, and to define the jurisdiction of the district court held at places other than county seats.

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

Pending which Senator Meservey, by request, introduced Senate File No. 387, a bill for an act to amend section 2 of chapter 148 of laws of the Sixteenth General Assembly, in relation to interference with railways.

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

Pending which Senator Barrett introduced Senate File No. 388, a bill for an act to require county treasurers to keep cash accounts and to keep county money separate from their own money.

Read first and second times and referred to the Committee on Ways and Means.

Pending which, Senator Dungan presented petition of N. Kenny and forty other citizens of Lucas county, praying the Legislature to pass radical railroad legislation.

Referred to Committee on Railways.

Pending which Senator Converse presented petition of Isaac C. Wilcox and others on same subject.

Same reference.

Pending which, Senator Deal from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 294, a bill for an act to amend section 4783 of the Code, re-enacted by chapter 200, laws of the Eighteenth General Assembly, fixing the compensation of the officers and guards at the penitentiaries at Fort Madison and Anamosa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN K. DEAL, *Chairman*.

Ordered passed on file.

The question recurring on the amendment of Senator Sweney it was adopted.

Senator Seeds moved to strike from line 16, section 27, the word, "unjust."

Adopted.

By leave Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 310, a bill for an act to protect breeders and owners of animals and securing a lien on their progeny, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Senator Reiniger offered the following amendment to section 27:

Strike out after the word "State," in the sixth line of the section down to and including the word "upon," in the seventh line, and insert in lieu thereof "the court shall assess a fine."

Adopted.

Senator Seeds moved to strike from line 3, section 27, the word "unjust."

Adopted.

Senator Sweney offered the following amendment to section 27:

Amend by adding after the word "defendant" in the eighth line, the words "as provided in section 26 of this act." Also amend by striking out all of said section commencing with the word "at," in line eight to and including the word "State" at the end of said section 27.

Pending which Senator Gatch introduced Senate File No. 329, a bill for an act to amend chapter 92, laws of the Seventeenth General

Assembly, and fix the per diem and expenses of trustees of the State institutions, members of visiting committees to the hospitals for the insane and regents of the State University.

Read a first and second time and referred to the Committee on Ways and Means.

Pending which Senator Chesebro presented petitions of H. H. Funk, S. Courteny and others of Louisa county, in favor of railway legislation.

Referred to the Committee on Railways.

The question being the amendment of Senator Sweney it was adopted.

Senator Seeds moved to strike from line three, section 28, the word "unjust."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills and joint resolution, in which the concurrence of the Senate is asked:

House File No. 187, a bill for an act amending section 159 of the Code, in regard to the disposition of reports of the supreme court.

House File No. 312, a bill for an act to prevent the collection of any greater rate of interest on a stay bond than is provided for in judgment.

Joint Resolution No. 16, relating to instruction of representatives in Congress to pass an act providing for the retention at the capitol of the State the records of the government land office.

Also, the House has passed the following Senate bill: Senate File No. 204, a bill for an act to authorize certain cities under special charters to provide for the construction of sewers.

Also, the House has concurred in Senate Concurrent Resolution, relative to providing railroad maps by the railroad commissioners.

D. C. KOLP, *Chief Clerk.*

Senator Harsh offered the following amendment to section 28:

Strike out the words "are informed and" from line one.

Adopted.

Senator Lawrence offered the following amendment to section 28:

Strike out all after the word "thereto" in line eleven.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Chesebro, Clark, Converse, Dooley, Doud, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Keller, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, Mills, Parrott, Reiniger, Schmidt, Smith, Vale, Weber and Woolson—29.

The nays were:

Senators Barnett, Bayless, Bills, Brower, Cassatt, Davidson, Deal, Dodge, Dungan, Finn, Meservey, Poyneer, Seeds, Sweney, Taylor, Weidman and Young—17.

Absent or not voting:

Senators Caldwell, McVay, Price and Wolfe—4.

So the amendment was adopted.

Senator Harsh explained his vote:

I vote aye because I am opposed to giving any class of civil cases preference over any other class. It has been decided that railroad corporations, organized under the laws of a State, are citizens of such State, and I do not desire to give one citizen a preference over another or to discriminate in favor of any citizen.

J. B. HARSH,
Senator 5th District.

Senator Woolson moved to amend section 28 as amended, by adding at the end the following: "and the court in which any such suit is pending shall, if necessary for the speedy trial thereof, call a special term of said court for such trial."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Knight, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—41.

The nays were:

Senator Davidson, Kelly, Lawrence, Price and Taylor—5.

Absent or not voting:

Senators Finn, Gatch, McVay and Wolfe—4.

So the amendment was adopted.

Senator Sweney offered the following amendment: Amend section 28 by striking out the word "section" and the figures "25" in line 4 and inserting in lieu thereof the word "section" and the figures and words "26 and 27."

Adopted.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 30, 85 and 69.

House Files Nos. 483, 492, 514 and 561.

D. C. KOLP, *Chief Clerk.*

Senator Caldwell offered the following amendment to section 29: Insert after the word families in the 8th line "dependent upon said officer or employes for support."

Adopted.

REPORTS OF COMMITTEES.

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 561, an act to authorize boards of supervisors to levy a tax to pay interest upon certain outstanding bonds.

House File No. 492, an act to legalize the acts of Jas. A. Elliott, of Appanoose county, as notary public.

And find the same correctly enrolled.

JNO. K. DEAL, Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

House File No. 514, an act to legalize the acts, ordinances and proceedings of the city council of the city of Council Bluffs, in the condemnation of the lands and lots embraced in the public park known as Fairmount Park.

House File No. 488, an act to change the name of the county seat of Boone county, Iowa, from Boonsboro to Boone.

House File No. 116, an act granting to the Chicago, Burlington & Quincy Railroad Company all the title and interest of the state of Iowa in and to certain grounds on the Des Moines river in the city of Ottumwa, Wapello county, Iowa.

And find the same correctly enrolled.

JNO. K. DEAL, Chairman.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 85, an act to amend chapter ninety-three (93) of the acts of the Twenty-first General Assembly, relating to election of officers in cities under special charters.

Senate File No. 30, an act to amend chapter 143 of the acts of the Sixteenth General Assembly, and chapter 24 of the acts of the Nineteenth General Assembly, relating to superior courts and to proceedings therein.

Senate File No. 60, an act to amend section 2114 of the Code relating to negotiable paper obtained by fraud.

And find the same correctly enrolled.

JNO. K. DEAL, Chairman.

The journal of yesterday was corrected and approved.

Senator Kegler offered the following amendment:

Add at end of section 29, and provided further that attorneys and physicians are not considered employees under this section.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Finn and Kegler—3.

The nays were:

Senators Barrett, Bills, Bolter, Brower, Caldwell, Cassatt, Cheesebro Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Funk,

Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney Taylor, Vale, Weber, Weidman, Woolson and Young—40.

Absent or not voting:

Senators Bayless, Doud, Garlock, Kelly, Mattoon and Wolfe—7.

So the amendment was lost.

Senator Bolter moved to amend by striking out section thirty.

Senator Sweney offered the following as a substitute for the amendment of Senator Bolter:

Amend by striking out all of the section after the word "stated" in line 3, section 30.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Caldwell, Clark, Converse, Davidson, Dooley, Finn, Gatch, Groneweg, Harsh, Knight, McVay, Parrott, Poyneer, Price, Schmidt, Sweney, Vale, Weber and Weidman—20.

The nays were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Cassatt, Chesebro, Deal, Dodge, Doud, Dungan, Funk, Garlock, Hanchett, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Reiniger, Seeds, Smith, Taylor, Woolson and Young—29.

Absent or not voting:

Senator Wolfe—1.

So the substitute was lost.

Senator Deal moved that the Senate now adjourn until Thursday morning at ten o'clock.

On this the yeas and nays were demanded.

The yeas were:

Senators Converse, Garlock, Hanchett, Kegler, Knight, Price, Schmidt, Seeds, Vale and Woolson—10.

The nays were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Smith, Sweney, Taylor, Weber, Weidman and Young—37.

Absent or not voting:

Senators Cassatt, Reiniger and Wolfe—3.

So the motion to adjourn was lost.

The question recurred on the amendment of Senator Bolter.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Bolter, Cassatt, Chesebro, Deal, Dodge, Dungan, Funk, Garlock, Kegler, Kelly, Lawrence, Mattoon, McCoy, Meservey, Mills, Price, Reiniger, Schmidt, Seeds, Woolson and Young—22.

The nays were:

Senators Barnett, Bayless, Brower, Caldwell, Clark, Converse, Davidson, Dooley, Doud, Finn, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Knight, McVay, Parrott, Poyneer, Smith, Sweney, Taylor, Vale, Weber and Weidman—26.

Absent or not voting:

Senators Barrett and Wolfe—2.

So the amendment was lost.

Senator Hanchett moved that the Senate do now adjourn until Thursday morning, March 22, at 10 o'clock.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 22, 1888. }

The Senate met in regular session at 10 o'clock A. M.
President *pro tem* Senator Poyneer in the chair.
Prayer by Rev. G. N. Luccock.

LEAVE OF ABSENCE.

Senator Dooley excused.

INTRODUCTION OF BILLS.

By leave, Senator Bolter, Senate File No. 390, a bill for an act to amend section 3, of chapter 186, of the Twentieth General Assembly, in relation to drains, ditches, etc.

Read a first and second time.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—41.

The nays were none.

Absent or not voting:

Senators Cassatt, Converse, Davidson, Deal, Dooley, Kegler, Price, Sweney and Wolfe—9.

So the bill passed and the title was agreed to.

By leave, Senator Finn, Senate File No. 391, a bill for an act to amend chapter 150, laws of the Eighteenth general Assembly, relating to the publication and distribution of the school laws.

Read a first and second time.

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

On the question, shall the bill pass?

The yeas were:

Senator Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Clark, Davidson, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight,

Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Young—42.

The nays were none.

Absent or not voting:

Senators Bolter, Cassatt, Converse, Deal, Dooley, Kegler, Wolfe and Woolson—8

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to extending the time of the committee to investigate and report on State University.

D. C. KOLP, *Chief Clerk*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 376, a bill for an act to punish bribe taking by state, county, township, city, school or other municipal officers, and to punish bribery, or the attempt to bribe, or conspiracy to bribe said officers.

Also the House has passed Senate File No. 280, a bill for an act authorizing the Railway Commissioners to change the names of railway stations in certain cases.

D. C. KOLP, *Chief Clerk*.

The Senate resumed consideration of the special order, it being House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of the Railroad Commissioners and all laws in force in direct conflict with the provisions of this act, with report of Railroad Committee recommending that it do pass.

Senator Brower moved to reconsider the vote by which the Senate refused to strike out section 30 of the bill.

Senator Sweney moved to lay the motion to reconsider on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Caldwell, Clark, Converse, Davidson, Doud, Finn, Groneweg, Hanchett, Harsh, Hutchison, Mattoon, McVay, Parrott, Poyneer, Price, Smith, Sweney, Taylor, Vale, Weber and Weidman—23.

The nays were:

Senators Bills, Belter, Brower, Cassatt, Deal, Dodge, Dungan, Funk, Garlock, Gatch, Kelly, Kent, Lawrence, McCoy, Meservey, Mills, Reiniger, Schmidt, Seeds, Woolson and Young—21.

Absent or not voting:

Senators Chesebro, Kegler, Knight, Wolfe, Dooley, and Barrett—6.

So the motion to lay the motion to reconsider on the table was adopted.

On motion of Senator Price the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M., and was called to order by Lieutenant-Governor Hull.

INTRODUCTION OF BILLS.

By leave, Senator Seeds, Senate File No. 393, a bill for an act to equalize the taxes in independent school districts composed of territory laying in two or more counties.

Read first and second times and referred to the Committee on Ways and Means.

HOUSE MESSAGES.

Senator Seeds moved to take up House messages.

Carried.

House current resolution relative to extending time for making report of the committee appointed to make investigation of Iowa State University.

Concurred in.

House File No. 187, a bill for an act amending section one hundred and fifty-nine (159) of the Code of 1873, in regard to the disposition of reports of the Supreme Court of the State.

Read first and second times and referred to the Committee on Judiciary.

House File No. 312, a bill for an act to prevent the collection of any greater rate of interest on a stay bond than is provided for in judgment.

Read first and second times and referred to the Committee on Judiciary.

JOINT RESOLUTION NO. 17.

Joint resolution contemplating the permanent retention at the Capital of the State of Iowa of the records of the government land office in Des Moines.

Read first and second times and referred to the Committee on Public Lands.

House File No. 376, a bill for an act to punish bribe taking by State, county, township, city, school or other municipal officers, and to punish bribery, or the attempt to bribe, or conspiracy to bribe said officers.

Read first and second times and referred to the Committee on Judiciary.

Senator Sweney moved that the further reading of House messages be dispensed with, and that the special order, House File No. 373, be taken up.

Carried.

Senator Seeds offered the following amendment to section 30:

Strike out the words "and their secretary", in the first line of section 30; also, to strike out the words "experts or other agents whose services they may require and", in lines 3 and 4 of said section, and insert in lieu thereof the words "their secretary and stenographer"; and add to the end of said section the following: "But in no case shall either or any of said officers have the right of free transportation as herein provided except in the actual performance of their duties."

Senator Sweney moved the previous question, which was seconded.

On the question shall the main question be now put, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Converse, Davidson, Deal, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Kelly, Knight, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—80.

The nays were:

Senators Barrett, Bills, Bolter, Dodge, Doud, Garlock, Gatch, Hutchison, Kent, McCoy, Reiniger, Schmidt, Smith and Woolson—14.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Dooley, Kegler and Lawrence—6.

So the main question was ordered.

Senator Woolson filed the following protest:

I protest against the adoption at this time of the previous question, because,

1. I have two amendments to this bill which I desire to offer, both of which I have been discussing with different Senators, one of them the chairman of the railway committee, and the mover of the previous question. And I had, as I understood, his approval of the amendment and his assent to my offering it. The other amendment is to strike out of the bill the words in lines 7 and 8 of section 1, of printed bill, after the words "to any point within the State" to and including the words "State or States." If these words I desire to strike out shall remain in the bill, they will make that part of the bill, in my judgment unconstitutional. I have consulted with a number of Senators, for whose legal judgment I have great regard, and they have agreed with the construction I have given them. I greatly desire to offer this amendment, and trust the same may be adopted. I desire to vote for this bill. I expect to vote for the bill, even though the amendments I have mentioned are not adopted. The features deemed by me unconstitutional, if so held, will not invalidate the bill generally. The more valuable features will remain. But I wish to be permitted to attempt the removal of this unconstitutional feature, before voting for the bill.

2. When considering the first section of the bill, section by sec-

tion, the President of the Senate, in response to my inquiry, announced as the parliamentary law governing the matter that when the bill had been passed upon, section by section, the Senate could return to any section and amend it. Relying on that statement and believing it to be correct, I have delayed attempting to offer the amendment referred to. Section 1 of the bill was considered by the Senate hastily. At the time I was not thoroughly convinced as to the unconstitutionality of that portion of the bill. I have since examined the matter and satisfied myself that this State has no power to do what it attempted in this regard. The previous question will, if carried, overthrow my present right to offer the amendments I proposed.

3. The Senator from Dallas has on his desk an amendment he had intended to offer, adding the publication clause, thus putting this law into operation before the date provided in the constitution. Instead of waiting to July 4, the law may be brought into effect in thirty days, and the commissioners be engaged within sixty days, in their duties at revising and lowering the freight rates, and thus affording sixty to ninety days earlier relief to the people of the State, than can be afforded, if the law goes into effect under the general provisions of the constitution. If this relief is needed as imperatively as now appears, the public are entitled to its remedial operation, and to its very earliest practicable enforcement. Had I not ascertained that the Senator from Dallas had such an amendment, and on consultation with him found that its provision for going into effect in thirty days, was satisfactory to me, I should myself have prepared and attempted to offer an amendment to that effect.

4. The bill has not been considered in all of its sections. The of the Senate was to consider it section by section. It is conceded not to be perfect. No Senator will claim to the contrary. But the previous question, if now ordered, will prevent the offering of any of the amendments I have named, and compel the Senate to vote upon the question of ordering the bill, in its present condition, to a third reading. The State is entitled to a perfected bill, at least as perfect as we may be able to make it, and that as speedily as practicable. I know of no amendments, prepared, proposed or in process of preparation, other than I have named above.

I propose to vote for the bill. But I earnestly protest against any action of the Senate which will cut off the opportunity of perfecting the bill in points concededly imperfect. I would not delay action on the bill. Weeks have been occupied and profitably to the State, in discussing the matter, and bringing thus far toward matured perfection, the present bill. But I do protest that I shall be allowed the right to offer the amendments I have named and to vote for a bill as perfect as it is possible for us to make it.

JNO. S. WOOLSON,
Senator 10th District.

The question recurring on the amendment of Senator Seeds, it was lost.

The question being shall the bill be read a third time to-morrow? On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—46.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Dooley and Kegler—4.

So the bill was ordered to a third reading to-morrow.

Senator McCoy moved to reconsider the vote by which the bill was ordered engrossed.

Senator Bayless moved to lay the motion to reconsider on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Kelly, Knight, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—80.

The nays were:

Senators Barrett, Bills, Bolter, Cassatt, Clark, Dodge, Doud, Garlock, Gatch, Hanchett, Kent, Lawrence, Mattoon, McCoy, Reiniger, Schmidt, Smith and Woolson—18.

Absent or not voting:

Senators Dooley and Kegler—2.

So the motion to lay upon the table prevailed.

Senator McCoy offered the following explanation of his vote:

MR. PRESIDENT—I desire to explain my vote. I moved a reconsideration by which it was ordered that House File No. 373 be read a third time to-morrow, for the sole and only reason that there might be a publication clause added, and that the people of Iowa might get the full benefit of this bill at once, instead of having to wait until July 4th, and the ninety days longer in which the Commissioners have to fix maximum rates for the relief which it will furnish, had no amendments to offer, and would have offered none.

BEN MCCOY, *Fourteenth District.*

The Journal of Tuesday was corrected and approved.

Senator Seeds moved to take up concurrent resolution relative to perfecting the title to the land upon which the Hospital for the Insane at Independence is situated.

Carried.

The resolution was adopted.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 561, an act to authorize boards of supervisors to levy a tax to pay interest upon certain outstanding bonds.

House File No. 492, an act to legalize the acts of Jos. A. Elliott of Appanoose county, as notary public.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 145, an act to amend chapter 111 of the acts of the Sixteenth General Assembly by adding section three thereto in regard to the construction of cattle ways across the public highways.

House File No. 487, an act to legalize the acts and ordinances of the town council of the incorporated town of Aurelia, in Cherokee county, Iowa.

House File No. 305, an act to legalize the organization and official proceedings of the independent school district of Panama, in Shelby county, Iowa.

Senate File No. 230, an act providing for a change in name of railway stations in certain cases, and prescribing penalties for non-compliance therewith.

Senate File No. 204, an act to authorize cities organized under special charters to provide for the construction of sewers.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 514, an act to legalize the acts, ordinances and proceedings of the city council of Council Bluffs in the condemnation of the lands and lots embraced in the public park known as Fairmount Park.

House File No. 483, an act to change the name of the county seat of Boone county, Iowa, from Boonesboro to Boone.

House File No. 116, an act granting to Chicago, Burlington & Quincy Railroad Company all the title and interest of the State of Iowa in and to certain grounds on the Des Moines river, in the city of Ottumwa, Wapello county, Iowa.

Senate File No. 85, an act to amend chapter 93 of the acts of the Twenty-first General Assembly, relating to elections of officers in cities under special charters.

Senate File No. 30, an act to amend chapter 143 of the acts of the Sixteenth General Assembly and chapter 24 of the acts of the Nineteenth General Assembly, relating to superior courts and to proceedings therein.

Senate File No. 69, an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud.

JNO. K. DEAL, *Chairman*.

On motion of Senator Weber, substitute for House File No. 549 a bill for an act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands, was taken up.
Carried.

The question being upon the amendment by Senator Gatch to strike out the preamble of the bill.

Senator Weber moved the following substitute for the amendment, by adding after the word "whereas" wherever it occurs the words, "it is alleged."

Senator Gatch moved to postpone further consideration of the bill until 4 o'clock P. M.

Carried.

INTRODUCTION OF BILLS.

By Senator Funk, by leave, Senate File No. 393, a bill for an act to amend section 1, chapter 63, acts of the Twenty-first General Assembly, relative to the maintainance of fish dams across the outlets of meandered lakes.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Funk House File No. 159, a bill for an act to legalize the ordinances of the incorporated town of Peterson in Clay county, Iowa, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Funk moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Caldwell, Chesebro, Clark, Davidson, Dodge, Doud, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Hutchison, Kent, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weber, Weidman and Wolfe—34.

The nays were none.

Absent or not voting:

Senators Bayless, Bolter, Cassatt, Converse, Deal, Dooley, Gatch, Harsh, Kegler, Kelly, Lawrence, Mattoon, Schmidt, Sweney, Woolson and Young—16.

So the bill passed and the title was agreed to.

PETITIONS AND MEMORIALS.

Senator Weidman presented resolution of J. R. Graham and L. S. Ferguson of Hastings, Mills county, Iowa, in favor of House Files Nos. 24, 26, 37, 113, 135 and 286, also Senate Files Nos. 1, 32 and 33.

Referred to Committee on Labor.

Senator Reiniger presented resolution of E. A. Teeling and C. P. Collins of Charles City, same subject.

Same reference.

On motion of Senator Barrett, House File No. 484, a bill for an act to legalize the incorporation of the town of Primghar, with report of committee recommending that it do pass, was taken up and considered.

Senator Barrett moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass? .

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cassatt, Chesebro, Deal, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—35.

The nays were none.

Absent or not voting:

Senators Clark, Converse, Davidson, Dodge, Dooley, Doud, Hanchett, Kegler, Lawrence, Mills, Reiniger, Schmidt, Smith, and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator McVay, Senate File No. 354, a bill for an act to legalize the division of Sumner township, Webster county, Iowa, into the townships of Burnside and Sumner, as the same was ordered to be divided by the board of supervisors of said county at their June session, 1886, the organization of the township of Burnside pursuant to such division, and all of the subsequent acts of the officers of each of said townships, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Dodge, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kent, Knight, McCoy, McVay, Meservey, Poyneer, Price, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—34.

The nays were none.

Absent or not voting:

Senators Brower, Clark, Converse, Davidson, Deal, Dooley, Doud, Hanchett, Kegler, Lawrence, Mattoon, Mills, Parrott, Schmidt, Smith and Sweney—16.

So the bill passed and the title was agreed to.

The hour having arrived for consideration of substitute for House File No. 549, a bill for an act to relinquish all right and title of the State of Iowa to the United States, in the so-called river lands.

The question being upon the substitute offered by Senator Weber, for the amendment by Senator Gatch.

Senator Funk moved that Senator Gatch be allowed 80 minutes in which to discuss the bill.

Carried.

The question being upon the substitute of Senator Weber, it was adopted.

Senator Gatch moved to amend the preamble by adding at the end

of each whereas, "which said allegation is on the other hand denied."

Lost.

The question being upon the adoption of the substitute as an amendment to the bill, it was adopted.

Senator Gatch offered the following amendment to the bill:

Add at the end of section 1, "provided that nothing in this act shall be construed as applying to any lands, the title to which, under the decisions of the Supreme Court of this State and of the United States is vested in *bona fide* purchasers thereof from the State, and on which the taxes for more than twenty years have been paid by such *bona fide* purchasers or those through whom they claim from the State."

On this the yeas and nays were demanded:

The yeas were:

Senators Bolter, Caldwell, Chesebro, Clark, Doud, Garlock, Gatch, Hanchett, Hutchison, Kent, Lawrence, McCoy, Mills, Parrott, Poyneer and Seeds—16.

The nays were:

Senators Barnett, Bayless, Brower, Cassatt, Converse, Davidson, Dungan, Finn, Funk, Groneweg, Kelly, Mattoon, McVay, Price, Reiniger, Sweney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—23.

Absent or not voting:

Senators Barrett, Bills, Deal, Dodge, Dooley, Kegler, Knight, Meservey, Schmidt, Smith and Vale—11.

So the amendment was lost.

Senator Weber moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were:

Senators Clark, Garlock, Gatch, Hanchett and Lawrence—5.

Absent or not voting:

Senators Barrett, Bills, Dooley, Kegler, Kent, Knight, Parrott and Schmidt—8.

Senator Weber moved to amend the title by striking out the word "relinquish" and inserting the word "certified."

Adopted.

So the bill passed and the title as amended was agreed to.

SPECIAL ORDER.

Senator Sweney moved that the special order be postponed until to-morrow at ten o'clock.

Carried.

■ On motion of Senator Wolfe, Senate File No. 80, a bill for an act to legalize the annexation of certain territory to the incorporated town of North Des Moines, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the amendments of the committee were adopted.

Senator McVay offered the following amendment: add to section 1, "Provided, that this act shall not affect pending litigation."

Senator Bayless moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 28, 1888. }

The Senate met in regular session at 10 o'clock, A. M.
President *pro tem*, Senator Poyneer, in the chair.
Prayer by Rev. A. W. Stark.

PETITIONS AND MEMORIALS.

Senator Parrott, by consent, presented petition of Local Assembly No. 10807, of Waterloo, asking for passage of the following labor bills: House Files Nos. 24, 26, 37, 113, 135, and 286; also, Senate Files Nos. 1, 32 and 33.

Referred to the Committee on Labor.

Also, presented petition of Local Assembly No. 5251 of Waterloo, same subject.

Same reference.

Also, presented petition of Local Assembly No. 5252 of Cedar Falls, same subject.

Same reference.

INTRODUCTION OF BILLS.

By leave Senator Smith, Senate File No. 394, a bill for an act to amend section 2367 of the Code of Iowa, to remove the limitation of original administration when decedent has money due from the United States after the lapse of five years from the death of the decedent.

Read first and second times and referred to the Committee on Judiciary.

By leave, Senator Weidman, Senate File No. 395, a bill for an act legalizing the acts of the council of the city of Red Oak Junction, in the county of Montgomery, State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

Read a first and second time.

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

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesbro, Clark, Dooley, Doud, Dungan, Funk, Gatch, Groneweg, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—38.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Converse, Davidson, Deal, Dodge, Finn, Garlock, Hanchett, Kegler, Seeds and Woolson—12.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order it being sundry railway bills, the pending question being the consideration of Senate File No. 18, a bill for an act to regulate commerce by railroads within the State of Iowa, with report of committee reporting amendments and that it do pass.

Senator Bolter moved that the special order be postponed for fifteen minutes.

Carried.

On motion of Senator Bolter, Senate File No. 299 a bill for an act to legalize the incorporation of the town of Panama, Shelby county, Iowa, the election of its officers and all acts done, and ordinances passed by the council of said town, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—44.

The nays were none.

Absent or not voting:

Senators Brower, Deal, Garlock, Kegler, Lawrence and Seeds—6.
So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

Senate Files Nos. 204 and 230.

House Files Nos. 145, 305 and 487.

D. C. KOLF, *Chief Clerk.*

Senator Weber moved that when the Senate adjourn it adjourn until half past seven o'clock this evening.

Senator Gatch moved as substitute that the session of to-day be devoted to the calendar, preference being given to legalizing acts and other matters not involving debate or discussion.

Senator Bayless moved to amend the amendment by striking out the word "to-day" and inserting "to-morrow and Monday forenoon."

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being sundry railroad bills, Senator Meservey moved that the special order be postponed for ten minutes.

Lost.

Senator Woolson moved that House Messages be taken up for reference.

Carried.

HOUSE MESSAGES.

House File No. 47, a bill for an act to enable administrators, guardians, trustees and referees to deposit funds and securities, due or to become due to heirs, legatees, devisees, or other persons, with the clerk of the district court, and to facilitate settlements of estates.

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

House File No. 393, a bill for an act to amend section 986 of the Code, as enacted in section 3, chapter 200, acts of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Highways.

House File No. 469, a bill for an act to amend section 4780 of the Code.

Read first and second times and referred to the Committee on Penitentiaries and Pardons.

House File No. 455, a bill for an act to amend section 3179 of the Code.

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

House File No. 384, a bill for an act to fix the compensation to be paid to members of the city council in cities of the first class.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 380, a bill for an act to amend section 1144 of chapter 4, title 9 of the Code of Iowa, relating to foreign fire insurance companies.

Read first and second times and referred to the Committee on Insurance.

House File No. 273, a bill for an act to amend section 3106 of the Code of 1873, in relation to rate of interest in cases of redemption.

Read first and second times and referred to the Committee on Judiciary.

House File No. 262, a bill for an act to amend section 4042 of the Code, relating to the sale of milk.

Read first and second times and referred to the Committee on Agriculture.

House File No. 166, a bill for an act to punish fraud in the sale of cattle, horses and other domestic animals.

Read a first and second times and referred to the Committee on Agriculture.

House File No. 188, a bill for an act entitled an act to determine liability in suits for personal injuries.

Read first and second times and referred to the Committee on Judiciary.

House File No. 288, a bill without a title.

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

House File No. 93, a bill for an act to secure to children between the ages of 8 and 12 years the benefit of an elementary education.

Read first and second times and referred to the Committee on Schools.

House File No. 547, a bill for an act to legalize the acts and ordinances of Stuart, in Guthrie and Adair counties, Iowa.

Read first and second times and referred to the Committee on Judiciary.

Substitute for House File No. 582, a bill for an act to prevent fraud in the sale of flour and other mill products.

Read first and second times and referred to the Committee on Commerce.

House File No. 162, a bill for an act to repeal section 10 of chapter 77 of the acts of the Seventeenth General Assembly and enact a substitute therefor relating to the furnishing of cars and to the prompt transportation of property by railroad companies.

Read first and second times and referred to the Committee on Railway.

House File No. 425, a bill for an act relating to the public health and amending section 4038 of the Code of Iowa.

Read first and second times and referred to the Committee on Public Health.

House File No. 259, a bill for an act to amend section 1365 of the Code relative to the support of the poor.

Read first and second times and referred to the Committee on Charitable Institutions.

House File No. 585, a bill for an act to extend the time for the renewal of certain corporations organized under chapter 1, title 9, Code of 1873.

Read first and second times and referred to the Committee on Judiciary.

House File No. 197, a bill for an act to amend section 1179 of the Code as amended by chapter 169 of the laws of the Twenty-first General Assembly, relating to life insurance companies.

Read first and second times and referred to the Committee on Insurance.

House concurrent resolution relative to instructing the Railroad Commissioners to issue 5,000 railroad maps at the expense of the State.

On motion of Senator Converse it was indefinitely postponed.

Senator Weber moved that the special order be postponed until 2 o'clock this afternoon.

Lost.

The question recurring on the special order, being sundry railway bills, Senator Young moved that the pending bills of the special

order, being Senate Files Nos. 18 and 15, be laid aside without change in their order, and that the Senate take up and consider bill reported by Railway Committee in lieu of the following named bills:

Senate File No. 8, by McVay, a bill for an act to repeal section two (2), chapter seventy-seven (77), acts of the Seventeenth General Assembly, and providing for the election of Railroad Commissioners by the people.

Senate File No. 26, by Young, a bill for an act to change the manner of electing Railroad Commissioners, to increase their number and enlarge their powers, and to repeal section 2, chapter 77, acts of the Seventeenth General Assembly.

Senate File No. 48, by Gatch, a bill for an act providing for the manner of appointment and removal of Railroad Commissioners.

Senate File No. 102, by Caldwell, a bill for an act to provide for the election of Railway Commissioners, and to repeal section 2, of chapter 77, title 11, laws of the Seventeenth General Assembly, and to enact a substitute therefor.

Senate File No. 108, by Deal, a bill for an act to amend chapter 77, laws of 1878, relating to the duties and establishment of a board of Railroad Commissioners.

And part of Senate File No. 89, by Harsh, a bill for an act to regulate railroads, prevent unjust discriminations and unreasonable charges, provide for the election of a board of Railroad Commissioners by the people, define its duties and powers, repeal chapter 88 of the acts of the Fifteenth General Assembly and 77 of the Seventeenth General Assembly, and all amendments and substitutes therefor, and all laws in conflict herewith, and to cause the laws of Iowa relating to common carriers conform to the national inter-State commerce law.

Carried.

Committee bill being Senate File No. 896, a bill for an act to change the manner of selecting railroad commissioners, to increase their number and to repeal section 2, chapter 77, acts of the Seventeenth General Assembly.

Read first and second times.

Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., Lieut.-Gov. Hull in the chair.

Leave granted Senator Gatch to recall certain papers previously presented and referred to the Committee on Penitentiaries and Pardons.

By leave, Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 366, a bill for an act to legalize the incorporation of the Boone Valley Pure Bred Horse Association at Eagle Grove, Iowa, the election of its officers and all acts done by it, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 537, a bill for an act to legalize certain ordinances of the town of Sac City, Sac county, Iowa, and acts done thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 496, a bill for an act to legalize certain ordinances of the incorporated town of Griswold, Cass County, Iowa, and to legalize acts done thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 126, a bill for an act to legalize certain ordinances of the town of Kingsley, in Plymouth County, Iowa, and the

acts of its officers thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 468, a bill for an act to legalize the ordinances and resolutions of the town of Panora, Guthrie county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 28, a bill for an act to legalize the assessment and levy of taxes for the years 1886 and 1887, made or collected under sub-division 2, section 796, of the Code as amended, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 585, a bill for an act to legalize the organization of the independent school district of Greenwood, in Chickasaw county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 212, a bill for an act to repeal section 2803 of of the Code, and enact a substitute in relation to finding verdicts of juries, beg leave to report that they have had the same under consideration and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 387, a bill for an act relating to challenge of jurors (additional to section 2772 of the Code of 1873), beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back

to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 460, a bill for an act to legalize deed of Polk county, Iowa, to Judson K. Taylor, for se. qr. of ne. qr. sec. 24, twp. 78, range 23, West 5th P. M., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

The consideration of the special order, Senate File No. 396, was resumed.

Senator Harsh offered the following amendment:

Amend by striking out all after the enacting clause of the bill under consideration, and insert the following:

Section 1. That section 2 of chapter 77, acts of the Seventeenth General Assembly, and all acts and parts of acts inconsistent with this act are hereby repealed:

Section 2. That at the regular election in the year 1888, there shall be three persons having the qualification of electors, in the places where they shall respectively reside in the State of Iowa, chosen by the electors of the State, from the body of the electors of said State, who, when they shall have taken the oath of office and given such bond as may be required of them by the Governor of the State, shall be known and styled *The Board of Railroad Commissioners of the State of Iowa*. They shall hold office, beginning on the second Monday in January, 1889, for the period of one, two and three years respectively, as shall be decided between them by lot, at their first meeting as a board in such manner as may be designated by the Secretary of State. At the regular election in the year 1889, and every year thereafter at each such election there shall be chosen one person as commissioner, having the qualifications hereinbefore and hereinafter described, who shall hold his office for three years from the second Monday in January after his election, and until his successor is elected and qualified. Said person shall fill the vacancy caused by the expiration of the term of the commissioner whose term expires on the second Monday in January following his said election. It shall organize on each second Monday in every year immediately after the new member has been qualified, and if for any cause this is not done, it may be done at a subsequent meeting. The organization shall be by the selection of one member as chairman, and a person having the qualifications hereinbefore and hereinafter described for a commissioner, as secretary. The board shall have power to employ such additional clerical help as it may deem necessary and for the good of the service. No person in the employ of any common carrier, or who is a stockholder in the corporation of the same shall be eligible to any office or position connected with the board of railway commissioners created by this act.

Sec. 3. All vacancies in the office of Railroad Commissioners shall be filled by appointment of the Governor, the person appointed to serve until his successor is elected and qualified. The Board of Commissioners as constituted by chapter 77, acts Seventeenth General Assembly, shall hold office under such act, subject to all its provisions, until Commissioners shall be chosen and enter upon their duties as contemplated by this act.

Sec. 4. The canvass of votes cast for election of Commissioners provided for in this act shall be made, and returns and abstracts thereof and relating thereto be made, certified and forwarded, and results of said election declared by the Executive Council, in all respects in the same manner and by the same officers and boards as now provided by law for canvassing, making, certifying, forwarding and declaring the same as to other State officers.

Sec. 5. The Commissioners chosen under this act shall have all the powers that are conferred upon the Railway Commission by chapter 77, acts of the Seventeenth General Assembly, and such other powers and authority as may be now or shall hereafter be imposed by law.

Senator Gatch offered the following amendment to the amendment:

Section 1. That the members of the Board of Railroad Commissioners shall hereafter, as appointments are required to be made, be appointed by the Governor, by and with the consent of the Senate: *Provided*, that in case of any vacancy or vacancies from any cause occurring when the General Assembly is not in session the appointment or appointments to fill, the same shall be made by the Governor by and with the consent of the Executive Council, but every such appointment to fill a vacancy shall be subject to approval by the Senate at the next General Assembly, and unless then so approved the office shall become vacant and shall be filled in the manner first above provided.

Sec. 2. Any member of said Board of Railroad Commissioners may, when the General Assembly is in session, be removed by the Governor, by and with the advice and consent of the Senate, and when the General Assembly is not in session by the Governor by and with the advice and consent of the Executive Council, and not otherwise.

Sec. 3. So much of section 2, chapter 77 of the acts of the Seventeenth General Assembly as is in conflict with this act is hereby repealed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 113, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa at regular intervals in lawful money of the United States, and to protect said workmen in the management and control of their own earnings.

House File No. 577, a bill for an act to legalize the incorporation of the town of Manilla, Crawford county, Iowa, the election of its town officers, and all acts done and ordinances passed by the said town officers.

Also, the House has adopted the report of the Conference Committee on Senate File No. 257.

D. C. KOLP, *Chief Clerk.*

LEAVE OF ABSENCE.

Senator Seeds excused until next Tuesday.

Senators Vale and Dodge excused indefinitely on account of sickness.

Senators Clark, Schmidt and Brower excused.

Senator Sweeney moved that the further consideration of the special order be laid aside for the taking up and reading a third time of House File No. 373. A bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners, in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act.

Carried.

By unanimous consent Senator Caldwell offered the following amendment to the bill:

Section 33. This act being deemed of immediate importance shall take effect and be in force from and after thirty days after publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

By unanimous consent it was inserted in the bill as section 33 of the bill.

The bill was read a third time.

By unanimous consent of the Senate the word "upon" was inserted after the word "fine" in section 27, as amended by Senator Reiniger.

On the question "Shall the bill pass?"

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Converse, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Garlook, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweeney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—44.

The nays were none.

Absent or not voting:

Senators Brower, Clark, Dodge, Kegler, Seeds and Vale—6.

Senator Sweeney moved that the word "unjust" be stricken from the title.

Adopted.

So the bill passed and the title as amended was agreed to.

Senator Reiniger offered the following explanation of his vote:

I desire to explain my vote on this bill, House File No. 378. On yesterday I voted for a reconsideration of the vote by which this bill was passed for a third reading to day, for the reason stated at the time, that a publication clause should be added to the bill—to-day a publication clause has been added to the bill by common consent—if this had been done yesterday, before the vote on this bill was taken I should have voted no on the question of reconsidering the vote.

ROBT. G. REINIGER,
Senator Forty-fourth District.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 218, a bill for an act granting additional powers to cities of the first class in the construction of sewers and to provide for the payment of the costs of the same and to repeal a part of section (10) of chapter (25) of the acts of the Twentieth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking the words "for cities" out of the second line of section one, and by striking out the letters "s" from the words "costs and expenses," in the sixth line of section one (1.)

Also, by striking out all of section 2 after the word "ordinance" in the seventh line of section two (2), and when so amended the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 221, a bill for an act giving to cities of the first class power to provide the manner in which fronting and abetting property owners may be served with notice for making special assessments against private property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking the words "now organized or hereafter" out of the first line of section one, and by striking the word "or" out of the second line of section one and insert the word "and" in lieu thereof, and by striking out the word "such" in the fifth line of section one; also by striking out of the fifth and sixth lines of section one the words "may be either by passage of an ordinance or" and by inserting in lieu thereof the words "of such assessment shall be given," and when so amended the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Sweney from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 237, a bill for an act to control the operation

of telegraphy by railroad companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENNEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 362, a bill for an act to amend section 1320 of the Code, as amended by chapter 153, laws of the Sixteenth General Assembly, relating to the assessment and taxation of the property of railway corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

J. H. SWENNEY, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 255, a bill for an act to regulate the runs made by train men on passenger and freight trains, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENNEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 67, a bill for an act to regulate railroad corporations, and declaring all railways within the State of Iowa public highways, and increasing the powers of the Railroad Commissioners and defining their duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the matter contained therein has been substantially covered by other bills which have been reported from this committee.

J. H. SWENNEY, *Chairman*.

Ordered passed on file.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 230, an act providing for a change in name of railway stations in certain cases, and prescribing penalties for non compliance therewith.

Also, Senate File No. 204, an act to authorize cities organized under special charters to provide for the construction of sewers.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully

report that they have this day presented to the Governor for his approval:

House File No. 145, an act to amend chapter 111, of the acts of the Seventeenth General Assembly, by adding section 3 thereto in regard to the construction of cattle ways across public highways.

House File No. 487, an act to legalize the acts and ordinances of the town council of the incorporated town of Aurelia, in Cherokee county, Iowa.

House File No. 305, an act to legalize the organization and official proceedings of the independent school district of Panama, in Shelby county, Iowa.

JNO. K. DEAL, *Chairman.*

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred House File No. 362, a bill for an act to amend State Board of Equalization to amend section 834, chapter 1, title 6 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. F. WEBER, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 85, a bill for an act amendatory of chapter 77 of the acts of the Seventeenth General Assembly, to repeal section 2 thereof, and enact a substitute therefor relative to the election of Railroad Commissioners.

D. C. KOLF, *Chief Clerk.*

RESOLUTION.

Senator Knight offered the following resolution:

WHEREAS, at this time, in view of the near ending of the present session and the crowding of business consequent thereon, it is inadvisable to have members of the Senate and House absent themselves to attend to the University investigation heretofore ordered; therefore,

Resolved by the Senate, the House concurring, That the committee heretofore appointed for the purpose of said investigation be relieved from further attention thereto, and that the resolution heretofore ordering the same be cancelled.

Adopted.

PETITIONS AND MEMORIALS.

Senator Poyneer presented petition of E. E. Hartwig and 100

others of Norway, Benton county, Iowa, in favor of woman suffrage.
Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Gatch, Senate File No. 397, a bill for an act to repeal chapter 39, laws Fifteenth General Assembly, and section 1, chapter 68, laws Seventeenth General Assembly, and section 295 of the Code relating to the division of counties into supervisor districts, and to enact a substitute therefor.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gatch, Senate File No. 398, a bill for an act to amend an act entitled "an act to provide for the permanent survey of lands, approved March 5, 1874."

Read first and second times and referred to the Committee on Judiciary.

Journal of yesterday corrected and approved.

HOUSE MESSAGES.

Senator Harsh moved that House messages relative to House File No. 85 be taken up.

Carried.

House File No. 85, a bill for an act amendatory of chapter seventy-seven (77) of the Seventeenth General Assembly, to repeal sections thereof and enact a substitute therefor, relative to the election of Railroad Commissioners.

Read first and second times.

Senator Harsh offered the following amendment:

Amend section 1 by striking out "section" in first line and inserting "sections," and inserting after "2" the words "and 8."

Adopted.

Senator Bayless moved that the Senate adjourn.

Lost.

Senator Weber moved that the Senate adjourn until half-past seven this evening.

Lost.

Senator Price moved to amend, as follows: Strike out of section 4 after the word "declared" in 4th line the following words: "by the Executive Council."

Adopted.

Senator Garlock moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Converse, Deal, Dooley, Funk, Garlock, Gatch, Groneweg, Hanchett, Kent, Knight, Mattoon, Price, Reiniger, Smith, Sweney, Woolson and Young—18.

The nays were:

Senators Barnett, Bayless, Caldwell, Davidson, Doud, Dungan,

Harsh, Hutchison, Kelly, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Taylor, Weber and Weidman—19.

Absent or not voting:

Senators Barrett, Bolter, Brower, Cassatt, Chesebro, Clark, Dodge, Finn, Kegler, Schmidt, Seeds, Vale and Wolfe—13.

So the motion to adjourn was lost.

By consent, Senator Harsh, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate File No. 153, a bill for an act to establish a normal school at Algona, Kossuth county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the unanimous recommendation that it be indefinitely postponed; the committee being of the opinion that when a normal school is located in Northwest Iowa publicity should be given of intention to locate a school in that region, and different localities should be given an opportunity to make propositions to the State for its location.

J. B. HARSH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate File No. 280, a bill for an act to encourage meteorological and other scientific researches, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. B. HARSH, *Chairman*.

Ordered passed on file.

Senator Harsh moved that the rule be suspended, and the bill be read a third time now.

Senator Smith moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Converse, Davidson, Deal, Dooley, Funk, Garlock, Gatch, Groneweg, Hanchett, Kelly, Kent, Knight, Lawrence, Mattoon, Meservey, Parrott, Price, Reiniger, Schmidt, Smith, Sweney, Wolfe, Woolson and Young—25.

The nays were:

Senators Barnett, Bayless, Caldwell, Dungan, Hutchison, McCoy, McVay, Mills, Poyneer, Taylor, Weber and Weidman—12.

Absent or not voting:

Senators Barrett, Bolter, Brower, Cassatt, Clark, Dodge, Doud, Finn, Harsh, Kegler, Seeds, Vale and Chesebro—13.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, March 24, 1898. }

The Senate met in regular session at 10 o'clock A. M.
Lieutenant-Governor Hull in the chair.
Prayer by Rev. B. St. John.
Senators Sweeney and Bolter excused until Tuesday next.

INTRODUCTION OF BILLS.

By Senator Dungan, Senate File No. 399, a bill for an act to amend section 1811 of the Code, relating to the consolidation of independent school districts and legalizing consolidation heretofore made in certain cases.

Read first and second times and referred to the Committee on Judiciary.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, March 24, 1898. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State:

Senate File No. 204, an act to authorize cities organized under special charters to provide for the construction of sewers.

Senate File No. 230, an act providing for change in name of railway stations in certain cases and prescribing penalties for non-compliance therewith.

Senate File No. 30, an act to amend chapter 143 of the acts of the Sixteenth General Assembly and chapter 24 of the acts of the Nineteenth General Assembly, relating to superior courts and to proceed ings therein.

Senate File No. 69, an act to amend section 2114 of the Code, relating to negotiable paper obtained by fraud.

Senate File No. 95, an act to amend chapter ninety-three (93) of the laws of the Twenty first General Assembly, relating to the election of officers in cities under special charters.

FRED'K W. HOSSFELD, *Private Secretary.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that

the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 24, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith.

House File No. 55, a bill for an act to amend chapter 21, acts of the Twentieth General Assembly, providing for the weighing of coal at the mines.

House File No. 224, a bill for an act to provide for enforcing the liability of stockholders of foreign corporations doing business with in this State.

House File No. 451, a bill for an act to prevent fraud in the sale of vinegar.

Also, the House has passed the following bills:

Senate File No. 299, a bill for an act to legalize the incorporation of the town of Panama, Shelby County, Iowa, the election of its officers, and acts and ordinances passed by the council of said town.

Senate File No. 395, a bill for an act to legalize the acts of the council of the city of Red Oak Junction, in the county of Montgomery, State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

D. C. KOLP, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Kent presented petition of Local Assembly No. 5396, Knights of Labor of Keokuk, and 175 other citizens of Lee county, asking the passage of the following bills, viz.: House Files Nos. 24, 26, 37, 113, 135, 286, and Senate Files Nos. 1, 32 and 33, usually referred to as labor bills.

Referred to Committee on Labor.

Senator Mattoon presented petition of R. F. Rogers and others of Fayette, Iowa, asking for railroad legislation.

Referred to Committee on Railways.

Senator Meserve presented petition of Local Assembly No. 5825, LeMars, asking for passage of House Files Nos. 24, 26, 37, 113, 135 and 286; also, Senate Files Nos. 1, 32 and 33.

Referred to Committee on Mines and Mining.

Senator Dooley presented petition of Andrew Engle and others of Poweshiek county, requesting the necessary preliminary steps for the amendment of the State constitution so as to establish woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Bayless moved that the consideration of the special order including House File No. 85, be postponed until Tuesday next, at 10 o'clock, A. M.

Senator Finn moved that House File No. 85 be not included among the bills as special order to be postponed.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Caldwell, Davidson, Deal, Dooley, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Kelly, Lawrence, McCoy,

MoVay, Meservey, Mills, Parrott, Poynear, Price, Smith, Taylor and Weber—24.

The nays were:

Senators Bayless, Converse, Dond, Garlook, Gatch, Hanchett, Mattoon, Reiniger, Weidman, Wolfe, Woolson and Young—12.

Absent or not voting:

Senators Barrett, Bolter, Brower, Cassatt, Clarke, Chesebro, Dodge, Kegler, Kent, Knight, Schmidt, Seeds, Sweney and Vale—14.

So the amendment was adopted.

The question recurring upon the motion as amended, it was adopted.

On motion of Senator Finn, House File No. 85, a bill for an amendatory of chapter seventy-seven (77,) of the act of the Seventeenth (17) General Assembly, to repeal section two (2) thereof, and enact a substitute therefor, relative to the election of Railroad Commissioners, was taken up and considered.

Senator Reiniger moved to amend as follows:

Add to section 2. "And the entering into the employ of any common carrier or the acquiring of any stock or other interest in any common carrier by any officer under this act after his election or appointment shall disqualify him to hold the office and to perform the duties thereof."

Adopted.

Senator Woolson offered the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. That section 2, of chapter 77, acts of the Seventeenth General Assembly, be and the same is hereby repealed.

Sec. 2. At the general election held in the year 1888, and regularly thereafter as their terms of office as determined by this act shall expire, there shall be elected five competent persons, who shall constitute a board of railway commissioners. For the purpose of electing said commissioners, the State is hereby divided into five commissioner districts, as follows:

Sec. 3. The first district shall consist of the counties of Lee, Des Moines, Henry, Van Buren, Jefferson, Louisa, Washington, Muscatine, Johnson, Cedar, Scott, Clinton, Jackson, Jones and Linn.

Sec. 4. The second district shall consist of the counties of Dubuque, Delaware, Buchanan, Black Hawk, Grundy, Hardin, Franklin, Butler, Bremer, Fayette, Clayton, Chickasaw, Floyd, Cerro Gordo, Worth, Mitchell, Howard, Winneshiek and Allamakee.

Sec. 5. The third district shall consist of the counties of Story, Marshall, Tama, Benton, Iowa, Poweshiek, Jasper, Polk, Warren, Marion, Mahaska, Keokuk, Wappello, Monroe, Lucas, Wayne, Appanoose and Davis.

Sec. 6. The fourth district shall consist of the counties of Harrison, Shelby, Audubon, Guthrie, Dallas, Madison, Adair, Cass, Pottawattamie, Mills, Montgomery, Adams, Union, Clarke, Decatur, Ringgold, Taylor, Page and Fremont.

Sec. 7. The fifth district shall consist of the counties of Monona, Crawford, Carroll, Greene, Boone, Hamilton, Webster, Calhoun, Sac,

Ida, Woodbury, Plymouth, Cherokee, Buena Vista, Pocahontas, Humboldt, Wright, Hancock, Winnebago, Kossuth, Palo Alto, Clay, O'Brien, Sioux, Lyons, Osceola, Dickinson and Emmet.

Sec. 8. Each district shall be entitled to one railway commissioner, said commissioner shall be a qualified elector of the State and resident of the district from which he is elected, and shall be elected by the qualified electors of the district in which he resides. The said commissioners shall hold office as the result of the first election under this act for the period of time as follows: One commissioner for the period of two years, two commissioners for the period of three years, two commissioners for the period of four years as shall be determined by lot at the first meeting of said board after the first election under this act. Commissioners elected at subsequent elections shall hold their offices for the period of four years. The terms of office of the first board of commissioners chosen under this act shall begin on the second Monday in January in the year 1889.

Section 9. All vacancies in the office of railway commissioners shall be filled by appointment of the Governor, the person appointed to serve until his successor is elected and qualified.

Sec. 10. The canvass of votes cast for election of commissioners provided for in this act shall be made and returns and abstracts thereof and relating thereto be made, certified and forwarded, and results of said election declared, in all respects in the same manner and by the same officers and boards as now provided by law for canvassing, making, certifying, forwarding and declaring the same as to judges of the district court.

Section 11. Upon the taking effect of this act, the board of railway commissioners shall consist of five commissioners, and the Governor of the State shall thereupon appoint two railway commissioners from districts not now represented upon said board, who shall hold their offices together with the three commissioners now provided by law, until the commissioners provided by section 2 of this act shall have been elected and shall have duly qualified.

Sec. 12. Immediately upon the appointment and qualification of the two commissioners provided for in the preceding section, the five commissioners then in office shall organize by electing one of their number chairman, and after said election and qualification of the commissioners under this act, the said commissioners shall organize.

Sec. 13. The Commissioners under this act shall have the powers that are conferred upon the Railway Commission by chapter 77, acts of the Seventeenth General Assembly, and such other power and authority as may now be or shall hereafter be provided by law.

Sec. 14. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Senator Gatch moved to amend the amendment by striking out all after the enacting clause, and insert in lieu thereof the following:

"Section 1. That the members of the Board of Railroad Commissioners shall hereafter, as appointments are required to be made, be appointed by the Governor, by and with the consent of the Senate; provided that in cases of any vacancies from any cause occurring

when the General Assembly is not in session, the appointment or appointments to fill the same shall be made by the Governor, by and with the consent of the Executive Council; but every such appointment to fill a vacancy shall be subject to approval by the Senate at the next General Assembly, and unless then so approved the office shall become vacant and shall be filled in the manner first above provided.

"Sec. 2. Any member of said Board of Railroad Commissioners may, when the General Assembly is in session, be removed by the Governor by and with the advice and consent of the Senate, and when the General Assembly is not in session by the Governor, by and with the advice and consent of the Executive Council and not otherwise.

"Sec. 3. So much of section 2, chapter 77 of the acts of the Seventeenth General Assembly as is in conflict with this act is hereby repealed."

On this the yeas and nays were demanded.

The yeas were:

Senators Doud, Garlock, Gatch, Hanchett and Parrott—5.

The nays were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Chesebro, Converse, Davidson, Deal, Dooley, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—34.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Dodge, Kegler, Knight, Schmidt, Seeds, Sweney and Vale—12.

So the amendment to the amendment was not adopted.

The question recurring upon the amendment by Senator Woolson.

Senator Reiniger moved to amend the amendment as follows:

Add as additional section:

Sec. 15. No person in the employ of any common carrier, or who owns or controls any bonds, stock or other security, of any common carrier, or who has any other pecuniary interest in any common carrier, shall be eligible to the office of Railroad Commissioner. And the entering into the employ of any common carrier, or the acquiring of any bonds, stock or other security or obligation of a common carrier, by any Railroad Commissioner after his election shall disqualify him from holding the office and from performing the duties thereof.

Adopted.

The question being upon the adoption of the amendment as amended, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Davidson, Groneweg, McVay, Meservey, Woolson and Young—7.

he nays were:

Senators Barrett, Bayless, Bills, Caldwell, Chesebro, Converse, Deal, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Smith, Taylor, Weber, Weidman and Wolfe—32.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Dodge, Kegler, Knight, Schmidt, Seeds, Sweney and Vale—11.

So the amendment was lost.

The question recurring upon the original bill, House File No. 85.

Senator Harsh moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senator Barnett, Barrett, Bayless, Bills, Caldwell, Converse, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—36.

The nays were:

Senators Chesebro, Gatch and Parrott—3.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Dodge, Garlock, Knight, Schmidt, Seeds, Sweney and Vale—11.

Senator Wolfe moved to amend the title so as to read as follows: A bill for an act to change the manner of selecting railroad commissioners, and to repeal sections 2 and 8, chapter 77, acts of the Seventeenth General Assembly, and to provide for the election of and to prescribe the qualifications of railroad commissioners, and for the appointment of a secretary.

Adopted.

So the bill passed and the title as amended was agreed to.

Senator Weidman presented the following:

MR. PRESIDENT—I am in favor of an elective railway commission, but we are just entering upon an exciting national contest that will largely overshadow all other issues, and I feel that to force upon the next election the choosing of an entire new board of commissioners, may work havoc to the great reforms demanded by the people, and which are contemplated by the law so recently enacted, and to perfect which this honorable body has bestowed so much patient labor.

I have suggested upon this floor to elect one commissioner next fall and one annually thereafter as vacancies occur, should be adopted.

WEIDMAN.

On motion of Senator Funk Senate File 153, a bill for an act to establish a normal school at Algona, Kossuth county, Iowa, was taken up and referred to the Committee on Appropriations.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means have had under consideration the subject pertaining to the establishment of a Board of Supervision of State Institutions and offices, and have prepared a bill on the subject, which bill is herewith offered, and your committee have instructed me to ask that the bill be read the first and second time by its title, and that it be ordered printed.

Your committee also have instructed me to report the same to the Senate with the recommendation that it do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

The bill presented by the Committee numbered, Senate File No. 400 was as follows:

By Senator Hutchison, from Committee on Ways and Means, Senate File No. 400, a bill for an act to provide for the establishment of a Board of Supervisors of State Institutions and Offices.

Read a first and second time, passed on file and ordered printed.

REPORTS OF COMMITTEES.

Senator Bayless, from the Committee on Public Lands submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands to whom was referred joint resolution No. 17, a joint resolution contemplating the permanent retention at the Capitol of the State of Iowa, of the records of the government land office in Des Moines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred Senate File No. 220, a bill for an act granting additional authority to certain cities of the first class relating to improvement of public places, streets, highway, avenue and alley intersections, and to provide a system of payment therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred Senate File No. 219, a bill for an act authorizing certain cities of the first class to appoint assessors of property within their limits for taxation for all revenues purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 137, a bill for an act providing for salary of mayors of cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back

to the Senate with the recommendation that it be indefinitely postponed.

MATT PARBOTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 838, a bill for an act authorizing cities and towns to construct electric light plants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

MATT PARBOTT, *Chairman*.

Ordered passed on file.

On motion of Senator Taylor the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION

Senate met in regular session at 2 o'clock P. M.

Lieut.-Gov. Hull in the chair.

Journal of yesterday corrected and approved.

Senator Woolson moved that when the Senate adjourn on Monday afternoon it be until 7:30 o'clock on Monday evening.

Carried.

Senator Gatch moved that the Senate adjourn until 2 o'clock P. M. on Monday, March 26th.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, March 28, 1888. }

Senate met in regular session at 2 o'clock P. M.

Lieut.-Gov. J. A. T. Hull in the chair.

Prayer by Rev. C. J. Kephart.

PETITIONS AND MEMORIALS.

Senator Weidman presented petition of Daniel H. Solomon, of Mills county, relative to the creation of an agency and selecting of delegates to represent Iowa in a Federal Inter-State Commerce Convention.

Referred to the Committee on Railways.

Senator Smith presented petition of C. L. Miller and others of Linn county, favoring woman suffrage and asking that the word "male" be stricken out of the constitution.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Chesebro presented petition of H. Mark and others of Muscatine county, same subject.

Same reference.

Also, presented petition of Amos Walton and 213 others of West Liberty, Iowa, same subject.

Same reference.

Senator Kent presented petition of Carson & Rand and 220 other firms and business men of Lee county, asking for the continuance of the present Railway Commission system, but favoring their confirmation by the Senate.

Referred to the Committee on Railways.

Senator Weber presented petition of O. B. Chapin and 50 others of Hardin county, praying for a law establishing a relief fund for Iowa firemen.

Referred to Committee on Cities and Towns.

Senator Taylor presented petition of J. F. Bilby and others, asking the formation of an independent school district for the village of Iconium, Appanoose county, Iowa.

Referred to Committee on Schools

Senator Parrott moved that Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding and the publication and distribution of the public documents and the journals of the two Houses, with report of Committee on Printing recommending amendments and that when amended it do pass, be made a special order for three o'clock this afternoon.

Carried.

Senator Finn moved that Senate File No. 61, a bill for an act creat-

ing a Board of School Book Commissioners and to provide for furnishing text-books for the use of the common schools of the State, with report of Committee on Schools recommending amendments, and that it pass, be made special order to follow Senate File No. 251, and be continued as a special order until disposed of.

Carried.

Senators Mills, Davidson and Hutchison excused for the day.

INTRODUCTION OF BILLS.

By Senator Converse, Senate File No. 401, a bill for an act to appropriate money to repay citizens for money advanced to make the exhibit of Iowa, at the worlds' exposition at New Orleans, Louisiana, in years 1884 and 1885.

Read first and second times and referred to the Committee on Claims.

By Senator Lawrence, Senate File No. 402, a bill for an act to empower cities of the first class organized as such since January 1, 1885, to levy taxes additional to section 461 of the Code.

Read first and second times and referred to the Committee on Cities and Towns.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 540, a bill for an act to amend section 1 of chapter 158, acts of the Nineteenth General Assembly, providing for taxation of certain property for road purposes.

Also, the House has passed the following: Senate File No. 114, a bill for an act to amend section 11 and to repeal section 17 and enact a substitute therefor, of chapter 52 of the acts of the Twenty-first General Assembly, providing for the appointment of a dairy commissioner, continuing said act as amended herein and providing an appropriation therefor.

Also, the House has concurred in Senate Concurrent Resolution relative to perfecting title to real estate at insane hospital at Independence, Iowa.

D. C. KOLP, *Chief Clerk.*

Senator Doud, from the Committee of Conference on Senate File No. 257, presented the following report:

MR. PRESIDENT—Your Conference Committee, to whom was referred Senate File No. 257, a bill for an act amending chapter 83, acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have agreed to the following amendments, to-wit:

Strike out of section one after the word "following," in the fifth line, and insert as follows:

"Nor from selling concentrated lye and potash, provided, however,

that if any person sell or deliver said concentrated lye or potash without having the word 'poison' and the true name thereof written or printed upon a label attached to the said vial, box, or parcel containing the same shall be punished by imprisonment in the county jail not more than thirty days, or by fine not exceeding one hundred dollars, but they shall not be compelled to register the sales of said lye and potash as required by section 4088, Code of 1878, and that as so amended it do pass."

On part of Senate:

M. P. DOUD,
BEN MCCOY.

On part of House:

JAS. G. BERRYHILL,
L. A. RILEY,
L. D. HOTCHKISS.

On the adoption of the report of the Conference Committee.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Chesebro, Caldwell, Deal, Dooley, Doud, Dungan, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—83.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Converse, Davidson, Dodge, Finn, Garlock, Hanchett, Hutchison, Knight, Mills, Schmidt, Seeds, Sweney and Vale—17.

So the report of the Conference Committee was adopted.

HOUSE MESSAGES.

House File No. 55, a bill for an act to amend chapter 21 of the Twentieth General Assembly providing for the weighing of coal at mines.

Read a first and second time and referred to the Committee on Mines and Mining.

House File No. 24, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith.

Read first and second times

Senator Dooley, moved that the bill be passed on file, because a similar bill had been passed upon by the Committee on Mines and Mining.

Carried.

House File No. 577, a bill for an act to legalize the incorporation of the town of Manilla, Crawford county, Iowa, the election of its town officers, and all acts done and ordinances passed by the said town officers.

Read first and second times and referred to the Committee on Judiciary.

House File No. 118, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa, at regular

intervals, in lawful money of the United States, and to protect said workmen in the management and control of their own earnings.

Read a first and second times.

Senator Dooley moved that the bill be passed on file.

Senator McCoy moved to amend by referring to the Committee on Labor.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Caldwell, Converse, Deal, Dond, Dungan, Finn, Garlook, Gatch, Harsh, McCoy, McVay, Meservey, Parrott, Poynear, Price, Reiniger, Smith, Weber, Weidman, Woolson and Young—22.

The nays were:

Senators Barnett, Bayless, Bills, Chesebro, Dooley, Funk, Grone-weg, Kegler, Kelly, Kent, Mattoon, Taylor and Wolfe—13.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Davidson, Dodge, Hancock, Hutchison, Knight, Lawrence, Mills, Schmidt, Seeds, Sweney and Vale—15.

So the bill was referred to the Committee on Labor.

House File No. 540, a bill for an act to amend section 1, chapter 158, acts of the Nineteenth General Assembly.

Read first and second times and referred to the Committee on Judiciary.

House File No. 224, a bill for an act to provide for enforcing the liability of stockholders of foreign corporations doing business within this State.

Read first and second times and referred to the Committee on Judiciary.

House File No. 451, bill for an act to prevent fraud in the sale of vinegar.

Read first and second times and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 226, a bill for an act to amend section 9, chapter 100, laws of the Sixteenth General Assembly of Iowa, relating to mechanics' liens, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 365, a bill for an act to amend section 3639, chapter 1, title 22 of the Code of Iowa, relative to evidence, beg leave to report that they have had the same under consideration

and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 361, a bill for an act to amend section 3979 of the Code, relating to malicious mischief and trespass on property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 216, a bill for an act to amend section 4546 of the Code, in relation to impeachment, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 376, a bill for an act to legalize the incorporation of the town of Lohrville and corporate acts and ordinances thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at the end of section 1, the following:

“Provided a transcript of the records and papers of incorporation as required by section 423 of the Code, are filed with the Secretary of State within thirty days after the passage of this act” and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 138, a bill for an act to determine liability in suits for personal injury beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 73, a bill for an act to amend section 3106 of the Code of 1873, in relation to rate of interest in cases of redemption, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out

all after the enacting clause, and inserting in lieu thereof the following: Section 1. That section 3106 of the Code of 1873 be amended as follows: Strike out of the seventh and eighth lines the words "of ten per cent;" and inserting in lieu thereof the words "named in the note secured by such mortgage;" and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 205, a bill for an act relating to the selection of jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOLSON, *Chairman*.

Ordered passed on file.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 306, a bill for an act to amend section 1179 of the Code as amended by chapter 169 of the laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 197, a bill for an act to amend section 1179 of the Code as amended by chapter 169 of the laws of the Twenty-first General Assembly, relating to life insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BEN MCCOY, *Chairman*.

Ordered passed on file.

On motion of Senator McCoy, House File No. 197, a bill for an act to amend section 1179 of the Code as amended by chapter 169 of the laws of the Twenty-first General Assembly, relating to life insurance companies, with report of committee that it do pass was taken up and considered.

Senator McCoy moved that the rule be suspended, and the bill and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Caldwell, Chesebro, Deal, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservy, Parrott, Poyneer, Price, Smith, Weber, Weidman, Wolfe, Woolson and Young—29.

The nays were:

Senators Barnett, Converse, Mattoon and Reiniger—4.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Davidson, Dodge, Dooley, Finn, Hanchett, Hutchison, Knight, Mills, Schmidt, Seeds, Sweney, Taylor and Vale—17.

So the bill passed and the title was agreed to.

On motion of Senator Wolfe, Senate File No. 268, a bill for an act to repeal chapter 188, laws of the Twentieth (20th) General Assembly, relating to drainage, and to enact a substitute therefor, with report of committee recommending amendments and that it do pass, was taken up, considered and the amendments of the committee were adopted.

The hour having arrived for the consideration of special order, being Senate File No. 251, Senator Wolfe moved that the special order be postponed until the bill under consideration be disposed of.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Chesebro, Converse, Deal, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Reiniger, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—34.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Clark, Davidson, Dodge, Finn, Hanchett, Hutchison, Knight, Mills, Price, Schmidt, Seeds, Sweney and Vale—16.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order, being Senate File No. 251, Senator Young moved that the special order be postponed for the presentation and consideration of a resolution.

Carried.

Senator Kegler requested that it be entered upon the journal of the Senate that he would have voted yea had he been present when House File No. 373 was ordered to a third reading, and also when it passed.

Granted.

Senator Young offered the following resolution:

Resolved, That the State Printer is hereby directed to re-print the Senate journal from page 96 (date January 24, 1888), to page 192 (date February 4, 1888), the copy for the re-printed sheets to be furnished in connected form by the first and second assistant secretaries of the Senate, who now have charge of the copying and printing of the journal, "the supervision of the copying and printing of the journal not having been a part of the duties of the First and Second Assistant Secretaries at the time the pages to be re-printed were first copied and printed."

Resolved, further, That a sufficient number of sheets be re-printed

between the pages named to complete the permanent bound volumes of the journal now contemplated by law, and that no sheets of said corrected pages be printed for the extra or temporary copies of the journal ordered for the use of the Senate while in session.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 22, a bill for an act to prevent the issuance of the capital stock of corporations without full payment thereof, and to create a personal liability for a violation thereof.

House File No. 387, a bill for an act to regulate the appropriation of money in cities of the first class.

House File No. 388, a bill for an act to amend section 1, chapter 51, acts of the Fifteenth General Assembly.

House File No. 395, a bill for an act to repeal section 9 of chapter 116 of the laws of the Twenty-first General Assembly, and to enact a substitute in lieu thereof.

House File No. 396, a bill for an act to amend section 457 of the Code, relating to fire districts.

House File No. 602, a bill for an act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

House File No. 603, a bill for an act to amend section 1811 of the Code, relative to the consolidation of independent school districts.

Also, the House has passed the following Senate bills:

Senate File No. 83, a bill for an act to amend section 6, chapter 60, laws of the Fifteenth General Assembly, relating to banks.

Substitute for Senate File No. 279, a bill for an act to amend sections 2, 3 and 9, chapter 129, acts of the Sixteenth General Assembly, making the superintendent of public instruction a member of the board of directors of the State Normal School.

D. C. KOLP, *Chief Clerk.*

SPECIAL ORDER.

The question being the consideration of the special order, Senate File No. 251, a bill for an act to amend, revise, and consolidate the various acts relating to the public printing and binding, and the publication and distribution of the public documents and the journals of the two Houses, with report of Committee on Printing recommending amendments, and that when amended it do pass, and it was taken up and considered.

Senator Deal moved that the bill be considered section by section, with the amendments proposed by the committee.

Carried.

Amendments proposed by the committee to section 2 were adopted.

Senator Parrott moved to strike from line 7, section 6, printed bill, the word "else".

Adopted.

Committee amendments to section 8 were adopted.

The question being upon the amendment proposed by the committee to section 11, Senator Weber moved that the amendment of the committee be amended by striking out the words "six thousand" as applied to the number of reports of the Commissioners of Pharmacy, and inserting "four thousand" in lieu thereof.

Lost.

The amendments of the Committee to section 11 were adopted.

The amendment of the Committee to section 12 was adopted.

Senator Parrott moved to amend section 12 by inserting the words "reporter and" between the words "the" and "clerk" in line 42 printed bill.

Adopted.

Senator Dungan moved to amend section 12 by adding the letter "s" to the word inspector in line 25, printed bill.

Adopted.

Senator Groneweg moved to amend section 12 by striking the word "and" from line 45 where it occurs before the word district, and that the words "superior and" be inserted after the word district.

Adopted.

Senator Kegler moved to strike the word "one" from line 3 printed bill, section 12, and to insert the word "two" in lieu thereof.

Adopted.

Senator Parrott, moved to insert the word "each" after the word "copies" and before the word "of" and add the letter "s" to the word "journal" in line 1, section 16, printed bill.

Adopted.

□ Committee amendments to section 17 were adopted.

Senator Finn moved to amend section 17 by striking the word "two" from line 5, printed bill, and inserting the word "five" in lieu thereof; also, that the word "one" where it occurs the first time be struck out of line 6, and that the word "five" be inserted in lieu thereof.

Adopted.

Senator Funk moved to strike from line 1, section 17, the word "their" and insert the word "the."

Adopted.

Committee amendment to section 19 adopted.

Senator Parrott moved to strike the figures "17" from line five, section 21, and the figures "50" from line six, section 21.

Adopted.

The first amendment proposed by the committee to section 23 was adopted.

The second amendment proposed by the committee was adopted.

The third amendment proposed by the committee was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the follow-

ing bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

House Files Nos. 159, 444, 484 and 549.

D. C. KOLP, *Chief Clerk*.

Senator Parrott moved to amend section 23 by inserting the word "for" in line six, after the word "ems."

Adopted.

Senator Young moved to amend the committee amendment for paragraph "b" by striking out of line nine, printed bill, as amended by committee, the sum "\$2.50" and insert "\$3.00," and in the tenth line to strike out "\$1.50" and insert "\$2.00."

Pending which Senator Woolson moved that Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, with report of Committee on Railways recommending amendments and that it do pass, be set as a special order to follow Senate File No. 61.

Carried.

The journal of yesterday was corrected and approved.

Senator Woolson moved that when the Senate adjourn this afternoon that the consideration of special order, Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding and the publication and distribution of the public documents and the journals of the two Houses, with report of Committee recommending amendments and that when amended it do pass, be postponed until to-morrow morning at 10 o'clock, and that it then be continued until disposed of.

Carried.

On motion of Senator Converse the Senate adjourned.

EVENING SESSION.

Senate met in regular session at 7:30 o'clock p. m., Lieut.-Gov. Hull in the chair.

Senator Garlock excused until Wednesday morning.

On motion of Senator Mattoon Senate File No. 273, a bill for an act to amend section 1881, chapter 2, title 12 of the Code, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments of the committee were adopted.

Senator Poyneer moved to amend as follows:

Strike out the word "taxes" in second line and insert the word "tax".

Adopted.

Senator Poyneer moved to amend by striking out the words "five thousand" and inserting the words "three thousand" in lieu thereof. On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Caldwell, Converse, Dungan, Finn, Gatch, Groneweg, Harsh, Lawrence, Meservey, Poyneer, Price, Reiniger, Seeds, Smith and Weber—16.

The nays were:

Senators Bayless, Bills, Cassatt, Dooley, Doud, Funk, Kegler, Kelly, Mattoon, McCoy, McVay, Parrott, Taylor, Wolfe, Woolson and Young—16.

Absent or not voting:

Senators Barrett, Bolter, Brower, Chesebro, Clark, Davidson, Deal, Dodge, Garlock, Hanchett, Hutchison, Kent, Knight, Mills, Schmidt, Sweney, Vale and Weidman—18.

It being a tie vote the chair voted aye.

So the amendment was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Converse, Dooley, Doud, Dungan, Finn, Funk, Harsh, Kelly, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Wolfe, Woolson and Young—29.

The nays were:

Senators Gatch, Groneweg, Kegler and Lawrence—4.

Absent or not voting:

Senators Bolter, Brower, Chesebro, Clark, Davidson, Deal, Dodge,

Garlock, Hanchett, Hutchison, Kent, Knight, Mills, Schmidt, Sweney, Vale and Weidman—17.

So the bill passed and the title was agreed to.

On motion of Senator Poyneer, House File No. 14, a bill for an act to amend section 1, of chapter 73, of the acts of the Twenty-first General Assembly of Iowa, relating to swine, with report of committee recommending that it do pass, was taken up and considered.

Senator Kelley moved to amend by striking from the fourth line, printed bill, the words "escaped his control or."

Lost.

On motion of Senator Poyneer, the words "the State of" were inserted in the enacting clause.

Senator Poyneer moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Converse, Deal, Dooley Doud, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Woolson and Young—33.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Chesebro, Clark, Davidson, Dodge, Finn, Garlock, Hanchett, Hutchison, Knight, Mills, Schmidt, Sweney, Vale, Weidman and Wolfe—17.

So the bill passed and the title was agreed to.

On motion of Senator Young House File No. 496, a bill for an act to legalize certain ordinances of the incorporated town of Griswold, Cass county, Iowa, and to legalize acts thereunder, with report of committee recommending that it do pass, was taken up and considered.

Senator Young moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Dodge, Garlock, Hanchett, Hutchison, Knight, McVay, Mills, Schmidt, Sweney, Vale and Weidman—15.

So the bill passed and the title was agreed to.

On motion of Senator Reiniger, House File No. 535, a bill for an act to legalize the organization of the independent school district of

Greenwood in Chickasaw county, Iowa, with report of committee recommending that it do pass was taken up and considered.

Senator Reiniger moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Grone-weg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Wolfe and Young—35.

The nays were none:

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Dodge, Garlock, Hanchett, Hutchison, Knight, Mills, Schmidt, Sweney, Vale, Weidman and Woolson—15.

So the bill passed and the title was agreed to.

On motion of Senator Meservey, House File No. 478, a bill for an act to legalize the incorporation of the town of Holstein, with report of committee recommending that it do pass, was taken up and considered.

Senator Meservey moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Grone-weg, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Dodge, Garlock, Hanchett, Harsh, Hutchison, Knight, Mills, Schmidt, Sweney, Vale and Weidman—15.

So the bill passed and the title was agreed to.

On motion of Senator Caldwell, House File No. 468, a bill for an act to legalize the ordinances and resolutions of the town of Panora, Guthrie county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Caldwell moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Grone-weg, Harsh, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meser-

vey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Wolfe, Woolson and Young—85.

The nays were none.

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Dodge, Garlock, Hanchett, Hutchison, Knight, Mattoon, Mills, Schmidt, Sweney, Vale and Weidman—15.

So the bill passed and the title was agreed to.

On motion of Senator Bolter House File No. 28, a bill for an act to legalize the levy of certain taxes in Crawford county, Iowa, with report of committee, recommending that it do pass, was taken up and considered.

Senator Bolter moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Dodge, Garlock, Hanchett, Hutchison, Knight, Lawrence, Mills, Sweney, Vale and Weidman—15.

So the bill passed and the title was agreed to.

On motion of Senator Bills, Senate File No. 345, a bill for an act to prevent fraud in the sale of flour and other mill products, with report of committee recommending that it do pass, was taken up and considered.

Pending which, on motion of Senator Doud, substitute for House File No. 582, a bill for an act to prevent fraud in the sale of flour and other mill products was withdrawn from the Committee on Commerce and taken up and considered.

Senator Finn moved to amend by inserting after the word "person" the words "knowingly or negligently" in the sixth line.

Lost.

Senator Poyneer moved to amend as follows: strike out the words "the number of pounds therein" and insert "the weight of" in lieu thereof.

Adopted.

Senator Bayless moved to strike out the word "contained" and insert the word "weight" in lieu thereof in the 2d line, and also in the 4th line.

Adopted.

Senator Bills moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Converse, Doud, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber and Wolfe—27.

The nays were:

Senators Dungan, Finn and Lawrence—3.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Garlock, Hanchett, Hutchison, Knight, Mills, Parrott, Schmidt, Sweney, Vale, Weidman, Woolson and Young—20.

So the bill passed and the title was agreed to.

Senator Bills moved that Senate File No. 345, a bill for an act to prevent fraud in the sale of flour and other mill products, be indefinitely postponed.

Adopted.

On motion of Senator Price, House File No. 183, a bill for an act to legalize certain ordinances and acts of the council of the town of Rock Rapids, Iowa, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Barrett moved to amend by striking out the words "Rock Rapids" before the word "Review" in the publication clause.

Adopted.

Senator Price moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Barnett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Wolfe and Young—34.

The nays were none:

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Dodge, Garlock, Hanchett, Hutchison, Knight, McCoy, Mills, Schmidt, Sweney, Vale, Weidman and Woolson—18.

So the bill passed and the title was agreed to.

President *pro tem*, Senator Poyneer in the chair.

HOUSE MESSAGES.

On motion of Senator Dooley House File No. 603, a bill for an act to amend section 1811 or the Code relating to the consolidation of independent school districts, was taken up and read first and second times.

Senator McCoy offered the following amendment:

That section 1811 be further amended by adding the following words: "That where from the sources of Iowa rivers and the contour of the adjoining territory, the proper school facilities cannot be given to school children of each territory by forming school districts from

the territory of any one county, independent school districts may be formed from the contiguous territory in adjoining counties."

Adopted.

Senator Dungan offered the following amendment as a separate section:

"Any independent school district heretofore formed under said section 1811 where there were less than ten legal voters residing therein at the time of the consolidation, is hereby legalized and made valid, provided, that two-thirds of the legal voters then residing in such independent district petitioned for such consolidation."

Adopted.

Senator Deal excused on account of sickness.

Senator Dooley moved that the sections of the bill be renumbered so that the amendment of Senator Dungan be section 2, and the publication clause be section 3.

Adopted.

Senator Dooley moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Dooley, Dungan, Funk, Gatch, Groneweg, Kegler, Kent, Mattoon, McCoy, McVay, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Weber, Wolfe, Woolson and Young—28.

The nays were none.

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Deal, Dodge, Doud, Finn, Garlock, Hanchett, Harsh, Hutchison, Kelly, Knight, Lawrence, Meservey, Mills, Schmidt, Smith, Sweney, Vale, and Weidman—22.

Senator McCoy moved to amend the title by adding the following: "and to allow contiguous territory in adjoining counties to be formed into independent school districts in certain cases."

Adopted.

Senator Dungan moved to amend the title by adding the following: "and to legalize the consolidation of independent school districts heretofore effected in certain cases."

Adopted.

So the bill passed and the title as amended was agreed to.

On motion of Senator Gatch, House File No. 460, a bill for an act to legalize deed of Polk county, Iowa, to Judson K. Taylor for ac $\frac{1}{2}$ of ne $\frac{1}{2}$ Sec. 24, T. 78, R. 23 west, 5 P. M., with report of committee recommending that it do pass, was taken up and considered.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Dooley, Dungan, Funk, Gatch, Groneweg, Kegler, Kent,

Mattoon, McCoy, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Weber, Woolson and Young—26.

The nays were none.

Absent or not voting:

Senators Brower, Chesebro, Clark, Davidson, Deal, Dodge, Doud, Finn, Garlock, Hanchett, Harsh, Hutchison, Kelly, Knight, Lawrence, McVay, Meservey, Mills, Schmidt, Smith, Sweney, Vale, Weidman and Wolfe—24.

So the bill passed and the title was agreed to.

Senator Seeds offered the following explanation:

Having been unavoidably absent from the sessions of the Senate of March 23 and 24, 1888, on account of sickness, I wish to state upon the journal of this body that had I been present I should have voted for the passage of House File No. 373, as amended by the Senate; also, House File No. 85, being a bill for the election of Railway Commissioners.

ED. P. SEEDS.

On motion of Senator McCoy the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 27, 1888. }

The Senate met in regular session at 10 o'clock A. M.
President *pro tem* Senator Poyneer in the chair.
Prayer by Rev. S. E. Wishard.

REPORTS OF COMMITTEES.

Senator Woolson, from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 570, a bill for an act to legalize the city election of Knoxville, Iowa, A. D. 1888, and to legalize lists of voters made for and used at such elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 329, a bill for an act to amend sections 249 and 250 of the Code, relating to guarantee companies and official bonds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

1. Add at end of section 1, the following: "Provided that a guarantee company shall not be accepted as surety in any criminal action or proceeding." 2. Add at end of section 2, the following: "Provided that a guarantee company shall not be accepted as surety in any criminal action or proceeding," and that as so amended the bill do pass.

JNO S. WOOLSON, *Chairman*.

☐ Ordered passed on file.

SPECIAL ORDER.

The Senate resumed consideration of the special order, it being Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding and the publication and distribution of the public documents and the journals of the two Houses, with report of committee, recommending amendments and that when amended it do pass.

The question being upon the amendment by Senator Young, to

strike out of committee amendment to section 23, in sub-division "b" line 9 printed bill, the sum "\$2.50" and insert "3.00," and in the 10th line to strike out "1.50" and insert "\$2.00."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Caldwell, Deal, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, Meservey, Parrott, Poyneer, Price, Schmidt, Smith, Weidman, Woolson and Young—21.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Cassatt, Chesebro, Dooley, Finn, Groneweg, Kegler, Kelly, Kent, Mattoon, Reiniger, Seeds, Sweney, Taylor, Weber and Wolfe—20.

Absent or not voting:

Senators Clark, Converse, Davidson, Dodge, Garlock, Knight, McVay, Mills, and Vale—9.

So the amendment to the committee amendment was adopted.

Senator Weber offered the following:

Add to section 23 at foot of sub-division "b" line 13: "No extra charge shall be allowed for dry pressing of sheets, which shall be done in all cases when so directed by the Secretary of State".

Adopted.

The committee amendment as amended to sub-division "b", section 23 was adopted.

The first amendment by committee to sub-division "c", section 23 was adopted.

Senator Weber moved to amend section 23, sub-division "c," at line 19, by striking out all words after and including "provided" and in lieu thereof insert "provided, that when the blank contains over 1,000 ems of composition, pica or smaller measure, such additional composition shall be paid for as provided for in sub-division "a" of this section, and when such matter must be adjusted to ruled lines thirty per cent. additional shall be allowed in the composition therefor. When two or more blanks or jobs are printed at the same time on the same sheet, the same shall be counted as a single impression".

Adopted.

The committee amendments to sub-division "c" as amended were adopted.

Senator Schmidt moved to reconsider the vote by which the committee amendment to sub-division "b," section 23 was adopted. Also, to reconsider the vote by which the amendment by Senator Young, to strike out "\$2.50" and insert "\$3.00" in first line and "\$1.50", and inserting "\$2.00" in second line of sub-division "b", section 23, was adopted.

Senator Woolson moved to lay the motion to reconsider on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Caldwell, Deal, Dungan, Funk, Gatch, Harsh, Hutchison, McCoy, McVay, Meservey, Parrott, Poyneer, Smith, Weidman, Woolson and Young—17.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Cassatt, Chesebro,

Dooley, Doud, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber and Wolfe—23.

Absent or not voting:

Senators Clark, Converse, Davidson, Dodge, Finn, Garlook, Knight, Lawrence, Mills and Vale—10.

So the motion to lay on the table was lost.

The question recurring upon the motion of Senator Schmidt to reconsider the vote by which the amendment by Senator Young was adopted, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Cassatt, Chesebro, Dooley, Doud, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber and Wolfe—23.

The nays were:

Senators Barrett, Caldwell, Deal, Dungan, Funk, Gatch, Harsh, Hutchison, McCoy, McVay, Meservey, Parrott, Poyneer, Smith, Weidman, Woolson and Young—17.

Absent or not voting:

Senators Clark, Converse, Davidson, Dodge, Finn, Garlook, Knight, Lawrence, Mills and Vale—10.

So the motion to reconsider prevailed.

The question being upon the adoption of the amendment by Senator Young to the Committee amendment in paragraph "b", section 23.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Caldwell, Deal, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Smith, Weidman, Woolson and Young—21.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Cassatt, Chesebro, Dooley, Groneweg, Kegler, Kelly, Kent, Mattoon, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber and Wolfe—20.

Absent or not voting:

Senators Clark, Converse, Davidson, Dodge, Finn, Garlook, Knight, Mills and Vale—9.

So the amendment was adopted, and the committee amendment as amended was adopted.

The committee amendments to section 24 were adopted.

The committee amendments to section 25 were adopted.

The committee amendments to section 34 were adopted.

The committee amendment to section 41 was adopted.

Senator Sweney moved to amend section 8 by striking out from line 10 the words "the Adjutant General".

Adopted.

Senator Sweney moved to amend section 8 by inserting the words "that of the Adjutant-General" after the word "college" in line 17.

Adopted.

Senator Sweney moved to amend section 9 by inserting the words "and the Adjutant-General" after the word "instruction" in line 5.

Adopted.

Senator Funk moved to amend as follows:

Strike out the word "five" and insert the word "four" in line 4, section 11.

Adopted.

Senator Funk moved to amend section 11 by striking out the word "four" and inserting the word "three" in line 8.

Adopted.

Senator Sweney moved to reconsider the vote by which the committee amendment to section 11, line 8, was adopted.

Carried.

Senator Funk moved to amend section 11, in line 8, by striking out the word "six" and inserting the word "five".

Adopted.

The question being upon the adoption of the committee amendment as amended, it was adopted.

Senator Bills moved to amend section 12, sub-division "a," by striking out in line 9 the word "hundred", between the "two" and "copies" and inserting in lieu thereof the word "thousand," so the section will read, "of the report of the State Board Health two thousand copies."

Adopted.

By Senator Parrott, substitute for sub-divisions *a* and *b* of section 17, the following:

(a) Of the bound journals of the respective Houses, five copies of each shall be distributed to each member thereof, five copies each to the secretary of the Senate and clerk of the House respectively, and one copy to each officer, employe and reporter of the respective Houses.

(b) The remaining copies shall be distributed as follows: One copy each to the Governor, Lieutenant-Governor, the State officers and deputies, as provided in section 12, for the distribution of the documents.

Adopted.

Senator Barnett moved to amend as follows: Add to section 10: Provided, further, that no banquet speeches nor advertising shall be included in the printed proceedings of any report.

Adopted.

Senator Bayless moved to strike out the word "may" and insert the word "shall" from line 2, section 10.

Adopted.

Senator Parrott moved to insert the word "half" before the word "sheep" in line 6, section 18.

Adopted.

Senator Parrott offered the following amendment: Add to section 29, "and section 1601 of the Code is amended by striking therefrom the words 'General Assembly' and inserting instead the word 'Governor.'"

Adopted.

Senator Parrott moved to add to the third line of section 41, before the word "chapter" where it occurs the second time the words "chapter 27 and".

Adopted

Senator Funk moved to strike from line 1, section 16, the figures "1500" and insert "2000."

Senator Finn moved to amend the amendment by striking out "2000" and insert "2500."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 299 and 395.

I am also directed to inform your honorable body that the House refuses to recede from the following amendment to section 1 of Senate File No. 7: "Provided, however, that this act shall not be so construed as to compel a railway company to fence its road through the land of any farmer or other person, who, by written agreement with said company has waived or may waive the fencing of said road through said land."

The Speaker has appointed Messrs. Hall, Lockin and Theophilus a Conference Committee on the part of the House, and ask a like committee appointed on the part of the Senate on the above amendment.

D. C. KOLP, *Chief Clerk.*

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 549, an act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands, except the lands the title to which was certified by the United States to the State of Iowa by joint resolution of Congress of March 2, 1886.

Also, House File No. 484, an act to legalize the incorporation of the town of Primghar.

Also, House File No. 159, an act to legalize the ordinances of the incorporated town of Peterson, in Clay county, Iowa.

Also, House File No. 444, an act to legalize the incorporation and ordinances of the town of Northwood, Worth county, Iowa.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 395, an act legalizing the acts of the council of the city of Red Oak Junction, in the county of Montgomery, State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

Also, Senate File No. 299, an act to legalize the incorporation of the town of Panama, Shelby county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator McVay, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House File No. 259, a bill for an act to amend section 1365 of the Code, relative to the support of the poor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. McVAY, *Chairman.*

Ordered passed on file.

Senator Doud, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 393, a bill for an act to amend section 1, chapter 63, acts of the Twenty-first General Assembly, relative to the maintenance of fish dams across the outlets of meandered lakes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

M. P. DOUD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 236, a bill for an act for the preservation and protection of fish and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of chapter 50, laws of the Fifteenth General Assembly; chapter 70, laws of the Sixteenth General Assembly, sections 5 and 6, chapter 80, Seventeenth General Assembly; chapter 92, Eighteenth General Assembly, and chapter 9, Twentieth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section 4 by striking out "1 and 2" in line 6, and insert "2 and 3," and by inserting in line 7 after the word "any," the words, "of said fish." Amend section 6 by striking out "1" and inserting "2" in line 12. Amend section 8 by striking out "5 or 6" in line 2 and inserting "6 or 7." Amend section 9 by striking out "1" in first line and "5" in line 7, and strike out "proceeding" in thirteenth line and insert "preceding," and when so amended the bill do pass.

M. P. DOUD, *Chairman.*

Ordered passed on file.

On motion of Senator Bayless the Senate adjourned.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M., and was called to order by Lieutenant Governor Hull, and resumed consideration of the special order, it being Senate File No. 251.

The question being the amendment of Senator Finn to the amendment of Senator Funk, by striking out "2,000" and inserting "2,500," it was adopted.

Senator Funk moved to reconsider the vote by which substitutes for sub-divisions "a" and "b" of section 17 were adopted.

Carried.

Senator Funk moved to amend the substitute by adding: "Also, one copy of each journal to each newspaper of general circulation in the State."

Adopted.

The substitute as amended was adopted.

Senator Weber moved to strike out the word "five," in line 12, section 11, and insert "three."

Adopted.

Senator Weber moved to strike out the word "nine," in line 8, section 11, and insert the word "six."

Adopted.

Senator Weber moved to strike out the word "eight," in line 5, section 11, and insert the word "six."

Adopted.

Senator Dungan moved to amend as follows:

Strike out the word "regular," in line 1, section 5, and insert the word "blank." Also, strike out the words "of blank," in lines 1 and 2, section 5.

Lost.

Senator Bayless moved to reconsider the vote by which 2,500 was inserted in the amendment to section 16.

Lost.

Senator Bayless moved to strike out the word "five," in line 6, section 16, and insert the word "fifteen."

Adopted.

Senator Sweney moved to amend as follows: Add as section 42: Sec. 42. Section 11 of chapter 74 of the acts of the Eighteenth General Assembly is hereby amended by striking out, in line 23, the word "October" and inserting the word "December."

Adopted.

Senator Sweney moved to re-number the last section of the bill to make section 42, original bill, section 43.

Adopted.

Senator Wolson moved to strike out the word "one" and insert the

word "two" and strike out the word "two" and insert the word "three," in line 5, section 18.

Adopted.

Senator Woolson moved to insert after the word "deliver" in line 4, section 18, the words "for the use of the Senate and House respectively."

Adopted.

Senator Young offered the following: Insert in line 4 after the word "and," in section 18, "after the same are properly stitched at the State bindery."

Adopted.

Senator Bayless moved to strike out section 43 of the bill.

On this the yeas and nays were demanded:

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Dungan, Finn, Groneweg, Harsh, Kegler, Kelly, Kent, Mattoon, Price, Seeds, Sweney, Taylor, Weidman and Young—22.

The nays were:

Senators Deal, Doud, Funk, Hanchett, Hutchison, Lawrence, McCoy, McVay, Meservey, Parrott, Poyneer, Reiniger, Smith, Weber and Woolson—15.

Absent or not voting:

Senators Barrett, Cassatt, Chesebro, Clark, Dodge, Dooley, Garlock, Gatch, Knight, Mills, Schmidt, Vale and Wolfe—13.

So the motion was adopted and section 43 stricken out.

Senator Reiniger moved to amend as follows:

Amend section 12 by adding to sub division "a" at the end thereof: "The Secretary of State shall also distribute to the clerk of each township one set of all the reports and documents published by the State for distribution.

The township clerks shall keep the same for the use of the public in a book case to be furnished them by the township trustees, and deliver the same with the book-case to their successors in office.

The township trustees are authorized to procure the book case contemplated by this section with any road fund at their disposal.

Five of the set of these reports and documents which under existing laws are distributed to members of the General Assembly, shall be distributed to the township clerks instead of the members of the General Assembly."

Lost.

Senator Parrott moved to amend as follows:

Amend section 12 by inserting in line three after the word "message" the following: "Fifteen hundred copies of the report of the Auditor of State, Superintendent of Public Instruction, and Agricultural College respectively."

Also strike out the word "fifteen" in line nine and insert instead the word "six."

Adopted.

Senator Taylor moved to amend by adding:

Sec. 43. This act being deemed of immediate importance shall be in force on and after its passage and publication in the Iowa State

Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Lost.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—43.

The nays were none.

Absent or not voting:

Senators Chesebro, Clark, Dodge, Dooley, Garlock, Knight and Vale—7.

Senator Parrott moved to amend the title by adding the following: "And relating to the election and duties and compensation of the State Printer and Binder."

Adopted.

So the bill passed and the title as amended was agreed to.

Senator Hutchison presented the following report:

MR. PRESIDENT and MR. SPEAKER—Your conference committee appointed to consider house amendments to Senate File No. 290, being "a bill for an act to provide for the levy of one-half ($\frac{1}{2}$) mill tax for the years 1888 and 1889 to pay the outstanding indebtedness of the State" said amendments being:

1. Amending the title by striking out words and figures "and 1889," and the letter "s" from the word "years."

2. Strike out "and 1889" in the 6th line of the written bill, in which amendments the Senate refuse to concur, respectfully report:

That they have considered the same and unanimously recommend that the House recede from the amendments adopted as aforesaid, and that the bill pass as it originally passed the Senate, without amendment.

Your committee beg leave to report further:

1. That upon careful consideration, they find that it will require the one-half ($\frac{1}{2}$) mill levy for the years 1888 and 1889, to pay the necessary warrants on the treasury, and keep up only the special appropriations, which will be absolutely necessary; and even then the funds coming in from such extra levy, would not enable the State to show itself free from its obligations, until at least six or nine months of the next biennial period will have expired.

2. It seems impossible, that the General Assembly can make special appropriations of less than \$600,000, after the most thorough cutting down sums asked by the various bills, and to do that, the warrants as far as practicable should be made payable in 1889, even on a one half ($\frac{1}{2}$) mill extra levy.

3. The State has outstanding warrants of about \$550,000 resting upon it, growing out of the special appropriations which it has seemed necessary to make in past years to support and keep up our

various State institutions, to build new ones and to complete the capitol.

4. These warrants will continue to rest in that way, causing an interest account of \$50,000 to \$70,000 every two years, unless the General Assembly will continue the extra half mill levy, so that the State may be enabled to pay them and avoid the interest item.

5. It is found that about two-thirds of the tax for 1889 will not be paid into the State treasury before the first of April, 1890, and the remaining one-third before the first of October, 1890, quite far into the next biennial period.

6. Part of the special appropriations of the next General Assembly will have to be paid out of the funds arising from taxes of 1889.

7. The semi-annual payment of taxes has had a tendency to keep the showing of a debt on hand, but if the extra one-half ($\frac{1}{2}$) mill levy for 1888 and 1889 will be continued, the above outstanding warrants will become extinguished, and thereafter the State can easily remain out of debt.

8. We find it has been the law of this State down to 1874 or to the time when the present Code went into effect to levy two and one-half ($2\frac{1}{2}$) mills State tax annually, and that the one-half ($\frac{1}{2}$) mill was taken off by the Code, after which it was found that the State gradually fell behind in its funds.

9. We find that in 1880, the extra one-half ($\frac{1}{2}$) mill levy was renewed and has been kept up since, and we find, too, that with the growth of the State institutions, and the apparent necessary demands on the treasury, that whatever may be the policy of future General Assemblies, that this one cannot possibly make the necessary special appropriations, and at the same time expect to see the State out of debt thirty months hence without the one-half ($\frac{1}{2}$) extra mill levy for 1888 and 1889.

Your committee does not deem it necessary to make a further showing and respectfully submits the foregoing report.

J. G. HUTCHISON,
JNO. S. WOOLSON,
M. J. KELLY,

Senate Committee.

L. A. RILEY,
G. L. DOBSON,

House Committee.

On the question shall the report be adopted?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Weber, Weidman, Wolfe, Woolson and Young—42.

The nays were none.

Absent or not voting:

Senators Chesebro, Clark, Dodge, Dooley, Garlock, Knight, Taylor and Vale—8.

So the report of the committee was adopted.

Senator McVay moved that a committee of three be appointed as a conference committee on Senate File No. 7, a bill for an act requiring railroad companies to fence their tracks within the State of Iowa and to keep the fences in good repair.

Adopted.

Senator Weber moved to postpone the special order, being Senate File No. 61, for twenty minutes.

Carried.

On motion of Senator Weber, Senate File No. 366, a bill for an act to legalize the incorporation of Boone Valley Pure Bred Horse Association at Eagle Grove, Iowa, the election of its officers and all acts done by it, with report of committee recommending that the bill do pass, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Davidson, Deal, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weber, Weidman, Wolfe, Woolson and Young—41.

The nays were none.

Absent or not voting:

Senators Chesebro, Clark, Converse, Dodge, Dooley, Garlock, Knight, McVay and Vale—9.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator McCoy offered the following resolution:

Resolved, That until otherwise ordered, the morning sessions of the Senate begin at 9 o'clock A. M.

Adopted.

On motion of Senator Finn, House File No. 238, a bill for an act to legalize the ordinances of the town of Corning, Adams County, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Finn moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Davidson, Deal, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber, Weidman, Wolfe and Woolson—40.

The nays were none.

Absent or not voting:

Senators Chesebro, Clark, Converse, Dodge, Dooley, Garlock, Knight, Smith, Vale and Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Meservey House File No. 126, a bill for an act to legalize certain ordinances of the town of Kingsley, in Plymouth county, Iowa, and the acts of its officers thereunder, with report of committee recommending that it do pass, was taken up and considered.

Senator Meservey moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weidman, Wolfe and Woolson—38.

The nays were none.

Absent or not voting:

Senators Bills, Chesebro, Clark, Dodge, Garlock, Knight, Parrott, Price, Smith, Vale, Weber and Young—12.

So the bill passed and the title was agreed to.

By leave Senator Young, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House File No. 113, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa at regular intervals in lawful money of the United States, and to protect said workmen in the management and control of their own earnings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. YOUNG, *Chairman*.

Ordered passed on file.

On motion of Senator Deal, House File No. 537, a bill for an act legalizing certain ordinances of the town of Sac City, Sac county, Iowa, and acts done thereunder, with report of committee recommending that it do pass, was taken up and considered.

Senator Deal moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weber, Weidman, Wolfe and Young—41.

The nays were none.

Absent or not voting:

Senators Chesebro, Clark, Dodge, Garlock, Kent, Knight, Poyneer, Vale and Woolson—9.

So the bill passed and the title was agreed to.

Senator Poyneer moved that special order, being Senate File No. 61, be postponed to permit the taking up and reference of House messages.

Carried.

PETITIONS AND MEMORIALS.

Senator Young presented petition of J. F. Kennedy, secretary State Board of Health and others of the State of Iowa, petitioning the Legislature to examine the case of Chester Turney, now imprisoned in the State penitentiary at Anamosa.

Referred to Committee on Judiciary.

Senator Caldwell presented four resolutions as follows:

Of Local Assembly No. 8372, of Bear Grove, Iowa.

Of Local Assembly No. 10334, of Gray, Iowa.

Of Local Assembly No. 10951 of Bagley, Iowa.

Of Local Assembly No. 4762, of Perry, Iowa, asking for the passage of the following labor bills:

House Files Nos. 24, 26, 37, 113, 185, 286 and Senate Files Nos. 1, 82, 83.

Referred to Committee on Labor.

Senator Hanchett presented resolution of Local Assembly No. 9385, of Waverly, Iowa, same subject.

Same reference.

Senator Bayless presented resolution of Local Assembly No. 6381, of North McGregor, same subject.

Same reference.

Senator Doud presented resolution of Local Assembly of Lyna-ville, Iowa, same subject.

Same reference.

HOUSE MESSAGE.

House File No. 602, a bill for an act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town. Whereas doubts have arisen as to the legality of the incorporation of the town of Deep River, Poweshiek county, Iowa, the election of its officers and the ordinances passed by the council of said town.

Read first and second times and referred to the Committee on Judiciary.

House File No. 22, a bill for an act to prevent the issuance of capital stock of corporations without full payment thereof, and to create a personal liability for a violation thereof.

Read first and second times and referred to the Committee on Judiciary.

House File No. 396, a bill for an act to authorize cities of the first class to make regulations against danger or accidents by fire, to establish fire limits and to prohibit the erection of certain buildings within such limits and to provide for the removal of buildings erected contrary to such regulation.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 395, a bill for an act to repeal section 9 of chapter 116, of the laws of the Twenty-first General Assembly and to enact a substitute in lieu thereof.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 388, a bill for an act to amend section one (1) of chapter 51, acts of the Fifteenth General Assembly.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 387, a bill for an act to regulate the appropriation of money in cities of the first class and cities organized under special charters.

Read first and second times and referred to the Committee on Cities and Towns.

Senator Caldwell moved that when the Senate adjourn it be until half past seven this evening, and that other business than the special order be considered.

Carried.

Senator Schmidt stated that had he been present he would have voted in favor of the passage of House File No. 373, and it was ordered so entered on the journal of the Senate.

By leave the following committee reports were received without reading:

Senator Hanchett, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military to whom was referred Senate File No. 270, a bill for an act to amend section 2, chapter 62 of the acts of the Twenty-first General Assembly, providing for the erection of soldiers monuments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 315, a bill for an act to commemorate the patriotism of Iowa union soldiers and sailors by the erection of a monument and work of art on the public grounds at the State capital, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Concurrent Resolution No. 11, relating to using the federal surplus for pensions to veterans of the late war, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a bill has passed both Houses covering the same ground.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 381, a bill for an act for appropriating money in aid of the Pharmaceutical department of the State University of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 153, a bill for an act to establish a normal school at Algona, Kosuth county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 286, a bill for an act to secure recognition of certain private normal schools in the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senator Young, from Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 11, a bill for an act to prohibit the employment of children under fifteen years of age in mines, factories or workshops, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: In section 1, line 1, strike out the word "fifteen" and insert in lieu thereof the word "thirteen;" in section 3, line 1, strike out "Commissioners of Labor Statistics of this State" and insert in lieu thereof "county attorney;" strike out all of section 3 after the word "days" where it occurs the last time in line 13 of that section. In section 4, line 1, strike out "or sub-inspector," also the word "fifteen" in line 2 of same section

and insert in lieu thereof the word "thirteen." In section 5, line 1, strike out "or sub-inspector;" also in same section in line 5 strike out "or sub-inspector." In section 6, line 3, strike out the word "fifteen" and insert the word "thirteen." In section 8, line 1, strike out "sub-inspector;" also in same line strike out "either" and insert "him;" also in same section, line 3, strike out "fifteen" and insert "thirteen." In section 9, line 1, strike out the word "Governor" and insert the words "Commissioner of Labor Statistics;" also in same section, line 3, strike out the word "he" and insert the word "they;" also in line 4 of same section add "s" to the word "report" where it occurs the first time and insert "consolidated and" between "be" and "printed" in the same line; also in same section, line 5, strike out the word "and" and insert "which shall" in lieu thereof; also strike out all of section 10. In section 11, line 1, strike out section 11 and insert section 10, also strike out "sub" in same line of same section, and as so amended it do pass.

L. YOUNG, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed herewith, to return to the Senate, that part of the Senate message, in reference to House File No. 14, to have stricken therefrom the superfluous words inserted by the second assistant secretary and have the amendment by the Senate, simply messaged to the House.

D. C. KOLF, *Chief Clerk*.

SPECIAL ORDER.

The hour having arrived for the special order, it being Senate File No. 61, a bill for an act, creating a board of School book commissioners and to provide for furnishing text books for the use of the common schools of the State, with report of committee on schools, recommending amendments and that it pass, it was taken up and considered.

Senator Finn moved that amendments recommended by the committee, be adopted.

Carried.

Senator Harsh offered the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

Section. 1. The board of directors of any district township or independent district in this State, is hereby empowered to adopt text-books for the teaching of such branches as are now authorized or may hereafter be authorized by law to be taught in the public schools of this State, and to contract for and purchase said books and any other necessary school supplies at said contract prices, and sell the same to pupils at actual cost price to the district.

Sec. 2. The board of directors of any school district township, or independent district, upon the petition of one-fourth of the electors

of such school district, ten days notice having been given by posting notices in four different places in said district, and by giving said notice at least one publication in some newspaper in said school district, if one be published there, shall submit to the electors of such district, at the next regular annual meeting in March, or a meeting specially called therefor and to be held prior to July 1, 1888, the following proposition: Shall the board of directors purchase and supply necessary school text books and school supplies to the pupils free of charge? Electors voting in favor of the above proposition shall write or print the word "Yes" opposite such proposition so affirmatively voted for, and when voting against such proposition shall write or print the word "No" opposite such proposition as voted against. Text books and supplies may be included in the same proposition, or they or either of them, may be submitted separately.

Sec. 3. If a majority of the votes cast at such election shall be in favor of the proposition submitted, the board of directors shall, in the manner hereinafter provided, purchase the necessary text-books and other necessary supplies for the use of the schools in said district: *Provided*, that in the case of district townships said text-books shall be uniform in the several sub-districts therein. Said board of directors shall prescribe all necessary rules and regulations, and shall provide a proper depository for the care and preservation of said school books.

Sec. 4. Said text-books, and other necessary school supplies, purchased under the provisions of this act, shall be paid for from the contingent fund, and the board of directors, in levying the contingent fund tax, shall annually provide for such an amount as they shall find necessary to purchase said text-books and school supplies, but they shall contract no debt for that purpose.

Sec. 5. It shall be the duty of the board of directors in the purchase of text books, to take into consideration the books which are at such time in use in the schools of their respective districts, and they may purchase such additional number of said books as may from time to time be necessary to supply the pupils of said district, and they may arrange on equitable terms for exchange of old books, or books in use, for new books.

Sec. 6. If, at any time, the publishers of such books as shall have been adopted in any school district, shall neglect or refuse to furnish such books, when ordered by any board of directors, in accordance with the provisions of this act, at the lowest contract or wholesale price at which such text books are furnished to any school district or State board elsewhere, then said board of directors may adopt and purchase other similar school text-books at the lowest wholesale or contract prices, as hereinbefore provided.

Sec. 7. It shall be the duty of any board of directors, before purchasing text-books under this act, to advertise by publishing a notice, for three consecutive weeks, in some one or more newspapers published in said county, one of which shall be a paper, selected by the board of supervisors of the county in which to publish their official proceedings; said notice shall state the date up to which all bids will be received, and also in general terms the text-books or supplies, to be contracted for; and said board shall award the con-

tract for said books or supplies, to any responsible bidders offering suitable text-books or supplies, at the most satisfactory prices, or the board may reject any or all bids, or any part thereof, and re-advertise therefor.

Sec. 8. Said board of directors shall not change or displace any text-book obtained under the provisions of this act before five years from and after the date of the adoption thereof, unless authorized to do so by a majority of the electors present and voting at the regular annual meeting, or election in March; and notice of the submission of said proposition to change or displace said text-books shall be included in the notice provided by law for calling said annual meeting.

Sec. 9. Any person or firm desiring to furnish books or supplies under this act, in any county, shall at or before the time of filing his bid hereunder, deposit in the office of the county superintendent samples of all text-books included in his bid, accompanied with lists giving the lowest wholesale and contract price lists therefor. And said samples and lists shall remain as a part of the county records in the county superintendent's office and shall be delivered by him to his successor; and shall be kept in such safe and convenient manner as to be open at all times to the inspection of such school officers, school patrons and school teachers as may desire to examine and compare the same for the purpose of use in the public schools.

Sec. 10. All acts and parts of acts inconsistent or in conflict herewith are hereby repealed.

Sec. 11. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader.

INTRODUCTION OF BILLS.

By leave, Senator Weidman, Senate File No. 408, a bill for an act to establish a board of inspectors for steam boilers (other than locomotives), and to provide for licensing engineers of steam engines.

Read a first and second time and referred to the Committee on Labor.

By leave, Senator Groneweg, Senate File No. 404, a bill for an act to amend section 3 of chapter 139 of the laws of the Twentieth General Assembly, relating to union depot.

Read first and second times and referred to the Committee on Labor.

REPORTS OF COMMITTEES.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 288, a bill for an act for the relief of the Sixth Iowa Infantry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding at the end of section 1 thereof the following: "provided that

the same shall not be paid until satisfactory evidence has been furnished to the Executive Council that said regimental organization is duly incorporated", and that as so amended the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 395, an act legalizing the acts of the council of the city of Red Oak Junction, in the county of Montgomery, State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

Also, Senate File No. 399, an act to legalize the incorporation of the town of Panama, Shelby county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 549, an act to relinquish all right and title of the State of Iowa to the United States in the so-called river lands, except the lands the title to which was certified by the United States to the State of Iowa by joint resolution of Congress, March 2, 1886.

Also, House File No. 484, an act to legalize the incorporation of the town of Primghar.

Also, House File No. 159, an act to legalize the ordinances of the incorporated town of Peterson, in Clay county, Iowa.

Also, House File No. 444, an act to legalize the incorporation and ordinances of the town of Northwood, Worth county, Iowa.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 257, an act to amend chapter 83, acts of the Twenty-first General Assembly, relating to the sale of poisons.

House File No. 28, an act to legalize the assessment and levy of taxes for the years 1886 and 1887, made or collected under subdivision 2, section 796, of the Code as amended.

House File No. 197, an act to amend section 1179 of the Code as amended by chapter 169 of the laws of the Twenty-first General Assembly, relating to life insurance companies.

House File No. 460, an act to legalize deed of Polk county, Iowa, to Judson K. Taylor for $\frac{1}{4}$ of ne $\frac{1}{4}$ section 24, township 87, range 23, west 5 P. M.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File 279, an act to amend two,

three and nine, chapter 129, acts of the Seventeenth General Assembly, making the Superintendent of Public Instruction, a member of the board of directors of the State Normal School.

Senate File No. 83, an act to amend section 6, chapter 60, laws of the Fifteenth General Assembly, relating to banks.

Senate File No. 114, an act to amend section 11 and to repeal section 17, and to enact a substitute therefor, of chapter 52, of the acts of the Twenty-first General Assembly, providing for the appointment of a State dairy commissioner, continuing said act, as amended herein and providing for an appropriation therefor, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Bolter moved that the Senate adjourn.

Senator Barnett moved to amend, by adding at six o'clock.

Lost.

The question recurring on the original motion, it was adopted.

Senate adjourned.

EVENING SESSION.

The Senate met in regular session at 7.30 o'clock P. M.

Lieutenant-Governor Hull in the chair.

On motion of Senator Funk, Senate File No. 359, a bill for an act designating officers who may take acknowledgment of conveyances of real estate and encumbrances affecting the same, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments of the committee was adopted.

Senator Funk offered the following substitute for section 1:

Section 1. That section 1955 of the Code is hereby amended by adding to end thereof the words "or before a county auditor or his deputy."

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Taylor, Weber, Weidman, Wolf and Young—36.

The nays were none.

Absent or not voting:

Senators Bolter, Clark, Converse, Dodge, Garlock, Gatch, Hutchison, Knight, Lawrence, Meservey, Smith, Sweney, Vale and Woolson—14.

Senator Funk moved to amend the title as follows: "and amending section 1955 of the Code."

Adopted.

So the bill passed and the title as amended was agreed to.

On motion of Senator Parrott, Senate File No. 327, a bill for an act providing for funding certain outstanding indebtedness of certain cities—an act authorizing certain cities to fund certain outstanding indebtedness, and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments of the committee were adopted.

Senator Harsh offered the following amendment: Amend section 4 by adding thereto the following, "or by contracts existing at such date and to be performed within the year 1888."

Adopted.

Senator Harsh offered the following amendment: Strike out the word "six" in line 2, section 1, and insert "four" in lieu thereof.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Parrott, Poyneer, Price, Schmidt, Seeds, Taylor, Weber, Weidman, Wolfe and Young—33.

The nays were none.

Absent or not voting:

Senators Bolter, Cassatt, Clark, Converse, Dodge, Garlock, Gatch, Hutchison, Knight, Lawrence, Meservey, Mills, Reiniger, Smith, Sweney, Vale and Woolson—17.

So the bill passed and the title was agreed to.

On motion of Senator Hanchett, substitute for House File No. 45, a bill for an act to repeal sub division 2 of section 796, of the Code of 1873, chapter 28 of the acts of the Fifteenth General Assembly, chapter 13 of the acts of the Eighteenth General Assembly, and chapter 182 of the acts of the Twentieth General Assembly, and to enact a substitute therefor, with report of committee recommending that it do pass, was taken up and considered.

Senator Kegler moved to strike out "twenty thousand" and insert "twenty-five thousand" in line 3, section 2.

Lost.

Senator Hanchett moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Davidson, Dooley, Doud, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Kelly, Kent, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Taylor, Weber, Weidman, Wolfe and Young—34.

The nays were none.

Absent or not voting:

Senators Bolter, Clark, Converse, Deal, Dodge, Garlock, Gatch, Hutchison, Kegler, Knight, Lawrence, Meservey, Smith, Sweney, Vale and Woolson—16.

So the bill passed and the title was agreed to.

On motion of Senator Bayless, House Joint Resolution No. 17, contemplating the permanent retention at the capitol of the State of Iowa of the records of the government land office in Des Moines, with

report of committee recommending that it do pass, was taken up and considered.

Senator Bayless moved that the rule be suspended and the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question shall the joint resolution pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Davidson, Dooley, Doud, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Weber, Weidman, Wolfe and Young—35.

The nays were none.

Absent or not voting:

Senators Bolter, Clark, Converse, Deal, Dodge, Garlock, Gatch, Hutchison, Knight, Lawrence, Meservey, Schmidt, Smith, Vale and Woolson—15.

So the joint resolution passed and the title was agreed to.

Senator Dungan moved that House File No. 10, a bill for an act to amend section 4, chapter 140, of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the Twentieth General Assembly, relative to State Mine Inspectors, their duties and manner of appointment, with report of Committee on Mines and Mining recommending amendments and that it do pass, be taken up and considered.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Cassatt, Chesebro, Davidson, Dooley, Dungan, Finn, Groneweg, Harsh, Kent, Mattoon, McVay, Mills, Price, Schmidt, Seeds, Sweney, Taylor, Weber, Wolfe and Young—24.

The nays were:

Senators Barrett, Doud, Hanchett, McCoy, Parrott, Poyneer and Weidman—7.

Absent or not voting:

Senator Bolter, Brower, Clark, Converse, Deal, Dodge, Funk, Garlock, Gatch, Hutchison, Kegler, Kelly, Knight, Lawrence, Meservey, Reiniger, Smith, Vale and Woolson—19.

So the bill was taken up.

Senator Dungan moved that House File No. 10, a bill for an act to amend section 4, chapter 140 of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the Twentieth General Assembly relative to State Mine Inspector, their duties and manner of appointment, with report of Committee on Mines and Mining recommending amendments and that it do pass, be made a special order to follow Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, with report of Committee on Railways recommending amendments and that it do pass.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnet, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Davidson, Dooley, Doud, Dungan, Finn, Funk, Hanchett, Harsh, Kegler, Kelley, Kent, Mattoon, McCoy, McVay, Mills, Parrott,

Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber, Weidman and Young—34.

The nays were:

Senators Groneweg and Wolfe—2.

Absent or not voting:

Senators Bolter, Clarke, Converse, Deal, Dodge, Garlock, Gatch, Hutchison, Knight, Lawrence, Meservey, Smith, Vale and Woolson—14.

So the bill was made a special order.

Senator Finn offered Joint Resolution No. 11 of the General Assembly of Iowa, relating to the enforcement of the provisions of chapter 7, laws of the Twenty-first General Assembly, entitled an act requiring foreign corporations to file their articles of incorporation with the Secretary of State and imposing certain conditions upon such corporations transacting business in this State.

Read first and second times and referred to the Committee on Railways.

On motion of Senator Poyneer House File No. 168, a bill for an act to amend sections 1495 and 1508 of chapter 4, title 11 of the Code of 1873, in relation to line fences, with report of committee, recommending amendments and that it do pass, was taken up and considered.

The question being on the amendments by the committee, division of the question was called for. The question being the adoption of the first amendment by the committee, it was adopted; the second amendment by the committee was lost.

Senator Doud moved that the Senate do now adjourn.

Lost.

Senator Reiniger moved to reconsider the vote by which the second committee amendment was lost.

Lost.

Senator Weber moved to amend by striking from the last line of section 2 the words "according to the census of 1885."

Lost.

Senator Poyneer moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Davidson, Deal, Doud, Funk, Groneweg, Hanchett, Harsh, Kelly, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Reiniger, Seeds, Sweney, Taylor, Weber, Weidman, Wolfe and Young—28.

The nays were:

Senators Cassatt, Dungan, Kegler and Price—4.

Absent or not voting:

Senators, Bolter, Chesebro, Clark, Converse, Dodge, Dooley, Finn, Gatch, Garlock, Hutchison, Kent, Knight, Lawrence, Meservey, Schmidt, Smith, Vale and Woolson—18.

So the bill passed and the title was agreed to.

On motion of Senator McVay, Senate File No. 376, a bill for an act to legalize the incorporation of the town of Lohrville and the corporate acts and ordinances thereof, with report of committee

recommending amendments, and that it do pass, was taken up and considered, and the amendments of the committee were adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Davidson, Deal, Dooley, Doud, Dungan, Funk, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber, Weidman, Wolfe and Young—33.

The nays were none:

Absent or not voting:

Senator Bolter, Brower, Chesebro, Clark, Converse, Dodge, Finn, Garlock, Gatch, Hutchison, Knight, Lawrence, Mattoon, Meservey, Smith, Vale and Woolson—17

So the bill passed and the title was agreed to.

Senator Reiniger moved that Senate File No. 176, a bill for an act providing for contesting the election of Presidential electors, additional to chapter 6, title 5, of the Code of 1873, with report of Committee on Federal Relations recommending amendments and that it do pass; and Senate File No. 175, a bill for an act to amend chapter 4, title 5, of the Code of 1873, relating to electors of President and Vice-President of the United States, with report of Committee on Federal Relations recommending amendments and that it do pass, be made special order to follow House File No. 10.

Carried.

Senator Young moved that House File No. 118, a bill for an act to provide for the payment of wages of workmen employed in mines, in the State of Iowa, at regular intervals in lawful money of the United States and to protect said workmen in the management and control of their own earnings, be made a special order to follow Senate Files Nos. 175 and 176.

Carried.

Senator McCoy moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 28, 1888. }

The Senate met in regular session at 9 o'clock, A. M.

Lieut.-Gov. Hull in the chair.

Prayer by Rev. W. M. Van Vleet.

REPORT OF COMMITTEE.

Senator Converse, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims to whom was referred House File No. 280, a bill for an act for the relief of John Haidiene of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the following in section 1, line 7, (written bill) after the word "sum": upon the claimant, John Haidiene, filing his affidavit with the Auditor of State, that he has never by sale, occupancy or refund received compensation for purchase money paid by him, and when so amended that it do pass.

S. A. CONVERSE, *Chairman.*

Ordered passed on file.

PETITIONS AND MEMORIALS.

Senator Reiniger presented petition of J. T. Johnson and others of Floyd county, asking for railroad legislation, but opposed to two cent passenger rates.

Referred to the Committee on Railways.

Senator Parrott excused.

The chair announced as conference committee on Senate File No. 7, Senators McVay, Finn and Kent.

On motion of Senator McCoy, House File No. 352, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies, with report of committee recommending that it do pass, was taken up and considered.

Senator Gatch moved that the rule be suspended, and the bill be read a third time new, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senator Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Converse, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch Grone-

weg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Parrott, Reiniger, Seeds, Sweney, Taylor, Weidman, Wolfe, Woolson and Young—34.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Clark, Dodge, Garlock, Hutchison, Knight, Lawrence, Mills, Poyneer, Price, Schmidt, Smith, Vale and Weber—16.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, being Senate File No. 61, a bill for an act creating a board of school book commissioners, and to provide for furnishing text-books for the use of the common schools of the State, with report of committee on schools recommending amendments and that it do pass.

Senator Doud moved that it be postponed until half-past nine.

Carried.

On motion of Senator Doud Senate File No. 357, a bill for an act legalizing certain proceedings of the board of supervisors of Jasper county, Iowa, with report of committee recommending amendments and that it do pass, was taken up, considered and the amendments of the committee were adopted.

Senator Doud moved to amend as follows:

Strike out all of the third line of the third clause of the printed bill and insert as follows: "twenty-seven days prior to the election."

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Dooley, Doud, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Weidman, Wolfe, Woolson and Young—36.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Deal, Dodge, Garlock, Groneweg, Knight, Mattoon, Parrott, Price, Schmidt, Vale and Weber—14.

So the bill passed and the title was agreed to.

On motion of Senator Bayless, Senate File No. 109, a bill for an act fixing the compensation of the deputies of county clerk, county treasurer and county auditor, with report of committee recommending amendments and that it do pass, was taken up and considered and indefinitely postponed.

On motion of Senator Seeds, Senate File No. 81, a bill for an act authorizing township trustees to provide places for holding elections, and for paying for the same, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Deal, Dooley, Dungan, Finn, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Weidman, Wolfe and Young—38.

The nays were:

Senator Mills—1.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Dodge, Doud, Funk, Garlock, Groneweg, Knight, McVay, Parrott, Schmidt, Smith, Vale, Weber and Woolson—16.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order, Senate File No. 61, on motion of Senator Finn it was postponed for fifteen minutes.

INTRODUCTION OF BILLS.

By Senator Finn, Senate File No. 405, a bill for an act to amend section six, chapter 104, acts of the Twenty-first General Assembly, to regulate the practice of medicine and surgery.

Read first and second times.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, Meservey, Mills, Price, Reiniger, Schmidt, Sweney, Taylor, Weidman, Wolfe and Young—34.

The nays were none:

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Deal, Dodge, Doud, Knight, Lawrence, McVay, Parrott, Poyneer, Seeds, Smith, Vale, Weber and Woolson—16.

So the bill passed and the title was agreed to.

Senator Dooley moved that House File No. 286, a bill for an act restricting non-resident aliens in their right to acquire and hold real estate and repealing sections 1908 and 1909 of the Code, with report of Committee on Agriculture recommending that the bill do pass, be made a special order to follow House File No. 113.

Carried.

By Senator Barnett, Senate File No. 406, a bill for an act appointing trustees for the cemetery for which John W. Kendall conveyed land at Indianola, Iowa, and declaring their duties.

Read first and second times.

The hour having arrived for the consideration of the special order, Senate File No. 61, on motion of Senator Barnett it was postponed for five minutes.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Davidson, Dooley, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor and Weidman—32.

The nays were none:

Absent or not voting:

Senators Cassatt, Chesebro Clark, Converse, Deal, Dodge, Doud, Finn, Garlock, Knight, Lawrence, Parrott, Price, Vale, Weber, Wolfe, Woolson and Young—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Senate amendments to House File No. 373.

Amend section 1, in line 14, so that the word "individual" shall not read "individuals."

Strike out of section 3, in line 7, (printed bill,) the word "carriers" and make it "carrier".

Strike out the word "from" in line 10, (printed bill,) and insert in lieu thereof the word "for."

Also, to change the word "freights" in line 10, to "freight."

To section 4, to strike out of line 6, the words "every common carrier" and insert "all common carriers."

Also, to insert in line 8, after the words "forwarding and" the words "switching cars and the receiving, forwarding and."

Also, to insert in line 10, before the word "rates" the word "accommodations."

Also, to strike out all after the words "lines and places" in line 10, and up to and including the words "but one" in line 12, and insert before the word "carrier" in line 12, the words "and any common."

Also, to add to the section the following: "Provided, however, that nothing herein shall be construed to prevent any common carrier from giving preference as to time of shipment of live stock, uncured meats or other perishable property."

To section 5, to insert between the words "of" and "like" in line 8 the word "a."

To section 7, to strike out of line 8 the word "effect" and insert the word "affect."

To section 9, to add thereto: "Provided that in all cases demand

in writing on said common carrier shall be made for the money damages sustained before suit is brought for recovery under this section, and that no suit shall be brought until the expiration of fifteen days after such demand."

To section 10, strike out of line 5 the word "district."

Also, to insert after the word testifying in line 12 the words "or producing said books and papers."

To section 12, to strike out the word "it" in line 6, and insert in lieu thereof the words "said board."

Also, to strike out of line 12 the words "of district courts," and insert in lieu thereof the word "court."

Also, to strike out in lines 13 and 14 the words "may and it is hereby made their duty" and insert in lieu thereof the word "shall."

To section 13, to strike out of line 4 the word "to" and insert the word "of" after the word "controvention."

Also, to strike out of line 15 the word "it" and insert in lieu thereof the words "said commissioners."

Also, to strike out of line 15 the words "may and" before the word "wherever;" also, the word "any" at end of line 15: also, the words "engaged in" in line 16.

Also, the words "it shall be their duty to" in line 17, and insert in lieu thereof the word "shall"; also, in same line strike out the word "any" and insert in lieu thereof the word "an"; also, to strike out the words "on their own motion and" in lines 17 and 18.

To section 14. To insert in first line, after the word "commissioners," the words "after notice as provided by section 13 of this act."

To section 16. To insert after the word "district," in line 5, the word "superior."

Also, to strike out of line 19 the word "in" and insert in lieu thereof the word "on."

To section 18. To strike out the words "to that end," in line 8, and insert in lieu thereof "if such complaint appears to be well founded and not trivial in character"; and in line 9 to strike out the word "complaint" and insert the word "same" in lieu thereof.

To section 24. To add to the section the following: "Provided, that the same are issued alike to all applying therefor."

To section 25. To strike out in line 12 the word "of" and insert in lieu thereof the word "or."

To section 28. To strike out in line 1 the words "are informed and."

Also, in line 4, to strike out the word "section" and figures "25" and insert the word "sections" and the figures and words "26 and 27."

To section 29. Insert in line 8, after the word "families," the words "dependent upon said officer or employe for support."

And also that the House refuses to concur in the following Senate amendments:

To section 3, to strike out the word "unjust" in line 7.

To section 4, to strike out of line 9 the words "those connecting therewith," and insert in lieu thereof the words "to and from other lines connected therewith."

Also, to add after the word "lines," in line 10, the words "and places."

To section 5, to add before the amendment and after the word "direction," in line 4, the words "the shorter being included in the longer distance."

Also, to strike out all of the section after the word "direction," in line 4, and insert the following: "But this act shall not be construed as conferring authority on any common carrier to receive as great compensation for the shorter as the longer distance."

To section 7, to strike out in line 8 the words "any such common carrier." Also, strike out the word "has" and insert the words "have been," and after the word "established," in same line, insert the words "either by the Railroad Commissioners or by said common carrier."

Also, to strike out all of lines 11 and 12, and up to and including the word "inspected," in the 13th line, and insert, "and a copy for the use of the public shall be kept in any freight office and passenger station on each railroad where it can be conveniently inspected, and each common carrier shall keep a printed notice posted in every such freight office and passenger station indicating where therein such schedules can be found."

Also, to strike out of line 38 the word "establishing" and insert the words "have established."

Also, to strike out all after the word "contempt," in line 59 and up to and including the words "application for," in line 65, and insert in lieu thereof, "and shall make said corporation liable to a penalty of (\$5.00) five dollars for each day's failure to comply."

Also, to insert in line 65, before the word "any," the words "and when," and insert after the word "mandamus" the words "shall be so applied for," and strike out in the 66th line the words "or injunction."

To section 16, to insert in line 20 the word "lawful" between the words "the" and "order."

Also, to strike out in line 34 the word "thousand" and the figures "\$5,000," and insert the word "hundred" and the figures "\$500."

To section 17 to strike out of line 10 the word "unjust."

Also, to strike out the word "publication" in line 18, and insert in lieu thereof the word "notice." Also, in same line strike out the word "made" and insert in lieu thereof the word "published."

Also, to insert in line 20 after the word "state" the words "which notice shall state the date of taking effect of said schedules."

Also, in same line after the word "be" and before the word "conspicuously" insert the words "published by;" also, in same line strike out word "posted" and insert the word "posting."

Also, to strike out of line 22 all after the word "made" up to and including the word "aforesaid." Also, in line 23, strike out the word "such."

Also, to insert in line 27 between the words "that" and "the" the words "notice of making."

Also, to add to the end of section the following: "Provided that before finally fixing and deciding what the original maximum freights and classifications shall be, it shall be the duty of the railway com-

missioners to publish ten days notice in two daily papers published in Des Moines, setting forth in such notice that at a certain time and place they will proceed to fix and determine such maximum freights, and they shall, at such time and place, and as soon as practicable afford to any person, firm, corporation or common carrier who may desire it, an opportunity to make any explanation or showing, and to furnish information to said commissioners or the subject of determining and fixing such maximum rates and classification."

And in any event, the original schedule of rates and classification of freights on all lines of railroads, in Iowa, shall be fixed within ninety days from the taking effect of this act.

To section 20, to strike out the words "or of the United States" in line 17.

To section 23, to strike out in line 9, the word "unjust."

To section 24, to strike out in line 3, the words "the same or" after the word "state."

Also, to strike out, in line 24, after the word "distance" the words "the same or."

Also, to strike out, in line 35, the words "the unjust."

Also, to strike out, in line 38, the words "the same or."

Also, to strike out, in line 39, the words "rates of toll" and insert after the word "compensation" the words "in the aggregate."

Also, to strike out, in line 43, the word "unjust."

To section 25, to strike out in line 13, the word "unjust."

To section 26, to strike out in line 1, the word "unjust."

To insert in line 5, between the words "second" and "offense" the words "and each succeeding."

Also, in line 6, to strike out, commencing with the word "and" after the figures "\$10,000" up to and including the figures "\$25,000" in line 10.

To section 27, to strike out in line 3, the word "unjust."

Also, to strike out in line 6, after the word "state" up to and including the word "upon" in line 7 and insert in lieu thereof, the words "the court shall assess a fine."

Also, to add after the word "defendant," in line 8, the words "as provided, in section 26 of this act" and strike out all of the section, commencing with the word "at" in line 8, up to and including the word "state" in line 25.

To section 28, in line 3, to strike out the word "unjust."

Also to strike out all after the word "thereto" in lines 11 and 12, and insert in lieu thereof the words, "and the court in which any such suit is pending, shall, if necessary for the speedy trial thereof, call a special term of said court for said trial."

To section 33, this act being deemed of immediate importance, shall take effect and be in force from and after thirty days after publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

To the title to strike out the word "unjust."

Also, that the House has ordered a Conference Committee of five, and ask a like committee to be appointed on the part of the Senate in regard to the Senate amendments non-concurred in.

D. C. KOLP, *Chief Clerk.*

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, Senate File No. 61, it was taken up and considered; the pending question being the amendment of Senator Harsh to strike out all after the enacting clause, and insert other sections in lieu thereof.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 83, 114, 257 and 270.

House Files Nos. 197 and 460, and substitute for House File No. 28.

D. C. KOLF, *Chief Clerk.*

Senator Wolfe moved that Senator Bolter's time for discussion of the bill be extended ten minutes.

Carried.

Senator Hutchison moved that the time of Senator Weidman be extended ten minutes.

Carried.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 279, an act to amend sections 2, 3 and 9, chapter 129, acts of the Seventeenth General Assembly, making the Superintendent of Public Instruction a member of the board of directors of the State Normal School.

Senate File No. 83, an act to amend section 6, chapter 60, laws of the Fifteenth General Assembly, relating to banks.

Senate File No. 114, an act to amend section 11 and to repeal section 17 and enact a substitute therefor, of chapter 52, of the acts of the Twenty-first General Assembly, providing for the appointment of a State Dairy Commissioner, continuing said act as amended herein and providing for an appropriation therefor.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 257, an act to amend chapter 83, acts of the Twenty-first General Assembly, relating to the sale of poisons.

House File No. 28, an act to legalize the assessment and levy of taxes for the years 1886 and 1887, made or collected under subdivision 2, section 796, of the Code, as amended.

House File No. 197, an act to amend section 1179 of the Code, as

amended by chapter 169 of the laws of the Twenty-first General Assembly, relating to life insurance companies.

House File No. 460, an act to legalize deed of Polk county, Iowa, to Judson K. Taylor for se $\frac{1}{4}$ of ne $\frac{1}{4}$, Sec. 24, T. 87, R. 23, west 5th P. M.

JNO. K. DEAL, *Chairman.*

On motion of Senator Seeds, the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at two o'clock, P. M.
President *pro tem.*, Senator Poyneer, in the chair.
Journal of yesterday corrected and approved.

PETITIONS AND MEMORIALS.

By leave the following petitions were received:

Senator Seeds, presented petition of T. W. Cook and others of Delaware, asking for a proposition to amend the constitution of Iowa by striking out the word "male."

Referred to Committee on Constitutional Amendment and Suffrage.

Senator Chesebro presented petition of Mrs. Sylvia Thompson and 11 others of Altoona, Iowa, same subject.

Same reference.

Senator Gatch presented petition of J. A. Banta and 144 others of Mitchellville, Iowa, same subject.

Same reference.

Senator Kegler presented two petitions. One of Local Assembly No. 2721, of Maquoketa, and one of Local Assembly No. 8641, of Bellevue, asking for passage of House Files Nos. 24, 26, 37, 113, 135 and 286, and also Senate Files 1, 32 and 33.

Referred to Committee on Labor.

Senator Chesebro presented petition of J. E. McElroy and others of Muscatine, Iowa, asking for Railroad legislation.

Referred to Committee on Railways.

Senator Gatch presented remonstrance of Wm. Edge and numerous other citizens of Iowa against the passage of the bill prohibiting the employment of minors under 15 years of age in the business of mining, and asking that the limit be fixed at 12 years.

Ordered passed on file.

Also, presented petition of citizens of Des Moines, asking for the passage of the Gatch bill authorizing cities of the first class to require railroads to construct and maintain viaducts over or under crossings at dangerous points.

Ordered passed on file.

Also, presented petition of citizens of Bloomfield township, Polk county, Iowa, same subject.

Ordered passed on file.

Also, presented petition of 50 of the 85 citizens of the territory affected by Senate File No. 80, requiring the passage of that bill.

Ordered passed on file.

The consideration of the special order, Senate File No. 61 was resumed, the pending question being the amendment of Senator Harsh.

Senator Finn moved that the rule be suspended to allow Senator Woolson to finish his argument.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

Substitute for House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes, and to make more efficient the laws for the suppression of intemperance, and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section two (2), chapter eighty-three (83), acts of the Twenty-first General Assembly after the words "medicines and poisons" in the fifth line thereof.

Also, that the House has concurred in Senate concurrent resolution relative to cancelling the order of an investigation of the State University.

Also, that the House refused to adopt the report of the conference committee on House amendments to Senate File No. 290.

Also, that the House has concurred in Senate amendments to House Files Nos. 41, 183, 582, and 603.

D. C. KOLP, *Chief Clerk.*

Senator Reiniger offered the following amendment to section 3 of the amendment:

Amend section 3 by striking out all after the word "therein" in the fifth line and insert the following in lieu thereof:

"Sec. 7. The books, when purchased, shall be placed in charge of the secretary of the district, who shall deliver such books as are needed to the teacher of each school, and take an invoice receipt for the same. The teacher shall deliver to each scholar the books required for instruction while attending school, and keep an accurate list of books delivered to each scholar in a suitable book to be provided by the board of directors for that purpose, and enter therein the return of any book when returned by the scholar at the end of each term, or when no longer needed by the scholar. At the end of each term of school, and at such other times as the board of directors may direct, each teacher shall account to the board for the books received, and shall also report to the board or its secretary the loss of or destruction of any books by the scholars as soon as the same shall be ascertained, and no final payment shall be made to a teacher for wages or services until the books delivered to the teacher for the school are returned or accounted for. Each board of directors may adopt such other rules and regulations for the preservation and safe-keeping of the books as may be deemed expedient; and the parent or

guardian of any scholar shall be liable to the district for any unnecessary damage to or loss of books by the scholar."

Pending which Senator Taylor offered the following resolution:

Resolved, That the Senate will hold night sessions on Thursday night of this week and on Monday and Wednesday nights of next week, and that at each of such sessions preference shall be given to the consideration of such legalizing acts and reports of committees recommending indefinite postponement as no Senator desires to debate, and the same shall be disposed of in the order in which they are numbered on the calendar.

Adopted.

Pending which, Senator Dungan offered the following resolution:

Resolved, That the State Printer, in printing the Senate calendar, is hereby directed to preserve the same calendar number for each bill or resolution until the same is disposed of by the Senate.

Adopted.

INTRODUCTION OF BILLS.

By consent, Senator Taylor, Senate File No. 407, a bill for an act to provide for the support of the families of insane persons out of their estates.

Read first and second times and referred to the Committee on Judiciary.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 535, an act to legalize the organization of the independent school district of Greenwood, in Chickasaw county, Iowa.

House File No. 496, an act to legalize certain ordinances of the incorporated town of Griswold, Cass county, Iowa.

House File No. 478, an act to legalize the incorporation of the town of Holstein.

House File No. 468, an act to legalize the acts of the council of the town of Panora, Guthrie county, Iowa, and legalize the ordinances passed and adopted for the government of said town, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 535, an act to legalize the organization of the independent school district of Greenwood, in Chickasaw county, Iowa.

House File No. 496, an act to legalize certain ordinances of the incorporated town of Griswold, Cass county, Iowa.

House File No. 478, an act to legalize the incorporation of the town of Holstein.

House File No. 468, an act to legalize the acts of the council of the town of Panora, Guthrie county, Iowa, and legalize the ordinances passed and adopted for the government of said town.

JNO. K. DEAL, *Chairman*.

By leave the following reports of committees were received:

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 195, a bill for an act to amend section 3, chapter 100, laws of the Eighteenth General Assembly, relating to mechanics' liens, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 499, a bill for an act to amend section 1890 of Code as amended by chapter 153, laws of the Sixteenth General Assembly, relating to the assessment and taxation of the property of railway corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 348, a bill for an act to cure any defect that may exist in the title of the city of Council Bluffs to what is known as Fairmont Park, embracing Williams' 2d addition, and a part of Snow & Green's addition, to the city of Council Bluffs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, for the reason that a bill covering the same subject matter has previously been reported favorably to the Senate.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 274, a bill for an act to legalize the condemnation of Williams' 2d addition by the city of Council Bluffs, Iowa, for public park purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, a bill covering the same subject-matter having been previously reported favorably to the Senate.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 245, a bill for an act to protect electors and polling places in incorporated towns and cities, beg leave to re-

port that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in line 2 of section 1, after the word "city," the words, "of the second class having less than twenty-five hundred inhabitants by the last State or national census;" also by striking out the word "election," in line 4 of the same section and inserting the word "elector" in lieu thereof; also, in line 16 of the same section by inserting after the word "city," the words, "or town," and after the word "council" in the same line, the words, "as the case may be;" also, by inserting after the word "city" in line 18, the words, "and from citizens of the incorporated town;" also, by striking out the words, "hereof shall," in line 25 of the same section and inserting the word "thereof" in lieu thereof; also, by inserting before the word "peace" in line 26, the word "no;" and by striking out the word "unexpended" in line 27 and inserting the word "unexpected" in lieu thereof, and that the amendments be adopted and that when so amended the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Clark moved a call of the Senate, which was ordered.

The Secretary proceeded to call the roll.

All Senators present or excused.

By leave, Senator Brower filed the following:

MR. PRESIDENT—I hereby file a motion to reconsider the vote, by which Senate File No. 251, passed the Senate, also, to reconsider the vote, by which the bill was ordered to a third reading, also, to reconsider the vote by which section 43 was stricken from the bill.

N. V. BROWER.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

House Files Nos. 468, 478, 496 and 535.

D. C. KOLP, *Chief Clerk*.

The Senate resumed consideration of the special order.

The question being upon the amendment offered by Senator Reiniger to the amendment by Senator Harsh.

It was adopted.

Senator Caldwell moved to amend the amendment as follows:

Strike out of line 2, section 9, the words "at or before the time of filing," and insert in lieu thereof the words "file with the county superintendent such bond as he may require for the faithful performance of the contract with." Also, insert after the word "hereunder," in the same line, the word "and."

Adopted.

Senator Mills moved to amend the amendment as follows: Amend section "2" by striking out all of said section beginning with 1st line, and ending with the word proposition in seventh line, and insert

the following: "the board of directors of every school district, district township, or independent district in the State shall submit to the electors of such district or district township, ten days notice having been given by posting notice in four different places in said district, and by giving said notice at least one publication in some newspaper in said district at any regular annual meeting in March or at a meeting especially called therefor, and to be held prior to July 1, 1898, the following proportion.

On motion of Senator Finn the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 29, 1888. }

The Senate met in regular session at 9 o'clock A. M.

Lieutenant-Governor Hull in the chair.

Prayer by Rev. H. O. Breeden.

Senator Sweney excused.

On motion of Senator Seeds, Senate File No. 168, a bill for an act repealing section 981 of the Code, relating to working highways and providing a substitute therefor, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Seeds, Senate File No. 209, a bill for an act to amend sections eight (8) and nine (9) of chapter 104 of the laws of the Twenty-first General Assembly relating to the practice of medicine, with report of committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee was adopted.

On motion of Senator Seeds, Senate File No. 319, a bill for an act to authorize Jed Lake to demand from the Secretary of the Interior a patent for the $s \frac{1}{4}$ of $se \frac{1}{4}$ of section 6, township 88, range 9, in order to perfect the title to said land in the State for the use of the Iowa Hospital for the Insane at Independence, with report of committee recommending that it be indefinitely postponed was taken up, considered, and the report of the committee was adopted.

On motion of Senator Kent, Senate File No. 84, a bill for an act to provide for the formation of independent school districts, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

SPECIAL ORDER.

Senator Cassatt moved that the special order, it being Senate File No. 61, be postponed for one-half hour.

Adopted.

On motion of Senator Cassatt, House File No. 570, a bill for an act to legalize the city election of Knoxville, Iowa, of A. D., 1888, and to legalize the registry lists of voters made for and used at such elections, with report of committee recommending that it do pass was taken up and considered.

Senator Cassatt moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Converse, Dodge, Groneweg, Hanchett, Knight, Lawrence, Meservey, Mills, Schmidt, Sweney and Vale—13.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes and to make more efficient the laws for the suppression of intemperance, and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section 2, chapter 83, acts of the Twenty-first General Assembly after the words "medicines and poisons" in the fifth line thereof.

Read first and second times and referred to the Committee on Suppression of Intemperance.

House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act, was taken up, with the amendments of the Senate not concurred in by the House.

The question being shall the Senate recede from the amendments not concurred in by the House?

Senator Bayless moved that the special order, it being Senate File No. 61, be postponed until House File No. 373 be disposed of.

Carried.

On the question shall the Senate recede from the amendments rejected by the House?

The yeas were:

Senators Barnett, Cassatt, Davidson, Finn, Kegler, Kelly and Mattoon—7.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—35.

Absent or not voting:

Senators Barrett, Bills, Deal, Dodge, Knight, Lawrence, Sweeney and Vale—8.

So the Senate refused to recede from the amendments rejected by the House.

Senator McCoy moved that the President appoint a conference committee of five, and that the House be requested to appoint a like committee to confer regarding the amendments to House File No. 373.

Carried.

Senator Brower moved that the Secretary be instructed to request the House to return to the Senate Senate File No. 251.

Senator Taylor moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Cassatt, Chesebro, Davidson, Dooley, Dungan, Finn, Groneweg, Kegler, Kelly, Mattoon, Price, Schmidt, Taylor and Wolfe—17.

The nays were:

Senators Brower, Clark, Converse, Deal, Funk, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Seeds, Smith, Weber, Weidman, Woolson and Young—23.

Absent or not voting:

Senators Barrett, Bills, Caldwell, Dodge, Doud, Garlock, Kent, Knight, Reiniger, Sweeney and Vale—11.

So the motion to lay upon the table did not prevail.

The question recurring upon the original motion of Senator Brower, it was adopted.

Senator Weber offered the following resolution:

Resolved, That the Secretary is hereby directed to comply with the request of the House in having the amendments to House File No. 14 as passed by the Senate on March 26th messaged to that body.

Senator Seeds offered the following substitute for the resolution:

Resolved, That the Secretary of the Senate is hereby directed to return to the House the portion of the Senate message sent back to the Senate March 26th, it being a portion of the House records.

Senator Finn moved that the special order, Senate File No. 61, a bill for an act creating a board of school book commissioners and to provide for furnishing text books for the use of the common schools of the State, with report of Committee on Schools recommending amendments and that it do pass, be now taken up.

Carried.

The special order, Senate File No. 61, was taken up and considered.

The pending question being the amendment of Senator Mills to section 2, it was lost.

Senator Dungan offered the following amendment to the amendment of Senator Harsh:

Amend section 2, line 5, by striking out the words, "the next," and insert the word "any."

Adopted.

Senator Harsh offered the following amendment:

Amend section 1 by striking out the word "said" in fifth line and inserting in lieu thereof the words, "lowest wholesale or."

Adopted.

Senator Parrott offered the following amendment to the amendment of Senator Harsh:

Strike out section 6 of the amendment.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Finn, Funk, McVay, Mills, Parrott, Price, Taylor, Weber and Weidman—10.

The nays were:

Senators Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Dooley, Doud, Dungan, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Keglér, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Poyneer, Reiniger, Schmidt, Smith, Wolfe, Woolson and Young—30.

Absent or not voting:

Senators Barrett, Cassatt, Clark, Deal, Dodge, Knight, Seeds, Sweney, Vale and Garlock—10.

So the section was not stricken out.

Senator Taylor offered a substitute for the amendment of Senator Harsh which was held pending the consideration of amendments.

Senator Reiniger offered the following amendment:

Amend bill by adding the following as section 10 and by renumbering sections 10 and 11 as they now stand, to 11 and 12:

Section 10. No school officer or teacher in the public schools of this State shall directly or indirectly act as the agent or representative of any person, firm or corporation for the introduction or sale of any school books to any school district in this State.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker has appointed Messrs. Roach, Lewis and Buell as a conference committee on Senate File No. 290, and ask that a similar committee be appointed on the part of the Senate.

D. C. KOLP, *Chief Clerk.*

Senator Poyneer moved that a like committee be appointed to confer with the House Committee on Senate File No. 290.

Carried.

The Chair appointed as conference committee on part of the Senate on Senate File No. 290, Senators Gatch, Hutchison and Bayless.

The Chair appointed as conference committee on the part of the Senate on House File No. 378, Senators Sweney, McCoy, Young, Schmidt and Dooley.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, March 23, 1888. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State:

Senate File No. 299, an act to legalize the incorporation of the town of Panama, Shelby county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Senate File No. 395, an act to legalize the acts of the council of the city of Red Oak Junction, in the county of Montgomery, State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

Senate File No. 83, an act to amend section 6, chapter 60, laws of the Fifteenth General Assembly, relating to banks.

Senate File No. 114, an act to amend section 11, and to repeal section 17, and enact a substitute therefor of chapter 52 of the acts of the Twenty-first General Assembly, providing for the appointment of a State Dairy Commissioner, continuing said act as amended herein, and providing an appropriation therefor.

Senate File No. 279, an act to amend sections 2, 3 and 9, chapter 129, acts of the Sixteenth General Assembly, making the superintendent of public instruction a member of the board of directors of the State normal school.

Senate File No. 257, an act to amend chapter 83, acts of the Twenty-first General Assembly, relating to the sale of poisons.

FRED'K W. HOSSFELD, *Private Secretary.*

The Governor's private secretary also presented a message from the Governor in writing which was placed upon the President's table.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 184, a bill for an act amending the ordinances of the town of Grand Junction, State of Iowa.

House File No. 610, a bill for an act to legalize certain acts and ordinances of the council of the incorporated town of Dow City, Crawford County, Iowa.

The House has also passed the following Senate bills:

Senate File No. 384, a bill for an act to amend section 1432 of the Code in regard to admission of patients to Insane Hospitals.

Senate File No. 406, a bill for an act appointing trustees for the cemetery for which John M. Kendall conveyed land to the city of Indianola and vicinity, located in Warren county, Iowa.

Senate File No. 366, a bill for an act to legalize the incorporation of the Boone Valley Pure Bred Horse Association at Eagle Grove,

Iowa, the election of its officers, and all acts done by it, with amendments to the enacting clause by inserting the words "the State of" between the word "of" and "Iowa".

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

Relative to the election of State Printer and State Binder.

I also return herewith to the Senate, by request, Senate File No. 251.

D. C. KOLP, *Chief Clerk.*

SPECIAL ORDER RESUMED.

Senator Weber offered the following amendment to the amendment of Senator Harsh:

Add after the word "district" in the third and fourth line of section 3 the following words:

"The contract for the purchase of school text books and supplies shall be for five years, and the person or company contracting with the school district shall give a bond of twenty-five hundred dollars to faithfully carry out the contract on their part."

Senator Caldwell moved that the further consideration of the special order be postponed until 2 o'clock P. M., and that the Senate do now go into executive session.

Carried.

The Senate went into executive session.

The Senate reconvened at 12 o'clock M.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received:

Senator Hutchinson, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 389, a bill for an act to amend chapter 92, laws of the Seventeenth General Assembly, and fix the per diem and expenses of trustees of State institutions, members of visiting committees to the Hospitals for the Insane, and regents of the State University, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining to whom was referred House File No. 55, a bill for an act to amend chapter 21 of the Twentieth General Assembly, providing for the weighing of coal at the mines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

WARREN S. DUNGAN, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom

was referred House File No. 395, a bill for an act to repeal section 9 of chapter 116, of the laws of the Twenty-first General Assembly, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

On motion of Senator Bayless the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M.

Lieut.-Gov. J. A. T. Hull in the chair.

Senators Barrett and Bills excused indefinitely on account of sickness.

The consideration of special order, Senate File No. 61, was resumed, the pending question being the amendment of Senator Weber.

REPORT OF COMMITTEE.

By consent Senator Dungan, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 244, a bill for an act to amend section 803 of the Code of 1873, empowering the county boards of supervisors to offer a reward or bounty for the discovery of coal in their respective counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended to read as follows:

Section 1. That section 803 of the Code of 1873 be and the same is hereby amended by adding thereto as subdivision 25 the following: "25. To offer a bounty not exceeding one thousand dollars (\$1000) for the discovery of coal, petroleum or natural gas in paying quantities in their respective counties."

And when so amended that it do pass.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS.

By consent, by Senator Poyneer, Senate File No. 408, a bill for an act to amend section 1, of chapter 79, of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine.

Read first and second times.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Brower, Chesebro, Clark, Davidson, Deal, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanohett, Harsh,

Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meserve, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Converse, Dodge, Garlock, Kegler, Knight, Price, Schmidt, Sweney and Vale—15.

So the bill passed and the title was agreed to.

By consent Senator Woolson, from Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 122, a bill for an act to amend section 4256 of the Code of Iowa, as enacted by section 3, chapter 42, of the laws of the Twenty-first General Assembly, relating to grand jurors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all after the enacting clause and inserting the following in lieu thereof:

Sec. 1. That section 4275 of the Code be and the same is hereby amended by adding to said section at the end thereof the following: Provided, that in counties having a population as shown by the last preceding census, of twenty thousand or over, the court in the exercise of a sound discretion may appoint a competent person not a member of the grand jury clerk thereof, who shall receive a compensation of \$8 per day. He shall take no part in the proceedings aside from his clerical duties, and he shall strictly abstain from expressing an opinion upon any question before the grand jury, either to the jury or to any member thereof, and shall not be present when any vote is being taken upon the finding of an indictment. And, provided, further, that the following oath must be administered to such clerk: "You, as clerk of the grand jury, shall faithfully and impartially perform the duties of clerk, and you will not reveal to any one the proceedings of the grand jury, you will strictly abstain from expressing any opinion upon any question before the jury, either to the jury or any member thereof so help you God."

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

And that the bill be amended by striking out of the title the figures and words "4256 of the Code of Iowa as enacted by section 3 of chapter 42 of the laws of the Twenty-first General Assembly," and insert the figures and words "4275 of the Code," and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

On motion of Senator Woolson, the special order was postponed until the bill could be considered, and House File No. 122, a bill for an act to amend section 4256 of the Code of Iowa, as enacted by section 3, chapter 42, of the laws of the Twenty first General Assembly, relating to grand jurors, with report of committee recommending

amendments and that the bill do pass, was taken up, considered, and the amendments of the committee were adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Bayless, Caldwell, Clark, Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Weidman, Wolfe, Woolson and Young—28.

The nays were:

Senators Barnett, Bolter, Chesebro, Finn, Kegler, Kent, McVay, Taylor and Weber—10.]

Absent or not voting:

Senators Barrett, Bills, Brower, Cassatt, Converse, Dodge, Dooley, Knight, Price, Seeds, Sweney and Vale—12.

The amendment to the title recommended by the committee was adopted.

So the bill passed and the title as amended was agreed to.

INTRODUCTION OF BILLS.

By consent, by Senator Parrott, Senate File No. 409, a bill for an act to amend chapter 175 of the acts of the Twentieth General Assembly relative to the refunding of outstanding bonded indebtedness of counties.

Read first and second times and referred to the Committee on Cities and Towns.

Pending the consideration of the special order Senator Brower called up the motion to reconsider the votes by which Senate File No. 251 passed the Senate, was ordered to a third reading, and by which section 43 was stricken from the bill.

The question being the reconsideration of the vote by which the bill passed, the yeas and nays were demanded.

The yeas were:

Senators Brower, Caldwell, Clark, Deal, Doud, Funk, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Mills, Parrott, Poyneer, Reiniger, Smith, Weber, Woolson and Young—21.

The nays were:

Senators Barnett, Bayless, Bolter, Chesebro, Davidson, Dooley, Dungan, Finn, Groneweg, Kegler, Kelly, Mattoon, Price, Schmidt, Seeds, Taylor, Weidman and Wolfe—18.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Converse, Dodge, Garlock, Kent, Knight, Meservey, Sweney, and Vale—11.

So the vote by which the bill passed was reconsidered.

The question being the reconsideration of the vote by which the bill was ordered to a third reading, it was reconsidered.

The question being to reconsider the vote by which section 43 was stricken from the bill.

Senator Bayless moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Chesebro, Davidson, Dooley, Dungan, Finn, Groneweg, Kegler, Kelly, Kent, Mattoon, Schmidt, Seeds, Taylor, Weidman and Wolfe—18.

The nays were:

Senators Brower, Caldwell, Clarke, Converse, Deal, Doud, Funk, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Smith, Weber, Woolson and Young—23.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Dodge, Garlock, Knight, Price, Sweney and Vale—9.

So the motion to lay upon the table did not prevail.

The question recurring on the motion by which section 43 was stricken from the bill it was reconsidered.

Senator McCoy moved the previous question, which was seconded and the main question was ordered.

The question recurring on the motion to strike section 43 from the bill the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Caldwell, Chesebro, Davidson, Dooley, Dungan, Finn, Groneweg, Kegler, Kelly, Kent, Mattoon, Price, Schmidt, Seeds, Taylor, Weidman and Wolfe—20.

The nays were:

Senators Brower, Clark, Converse, Deal, Doud, Funk, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Smith, Weber, Woolson and Young—22.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Dodge, Garlock, Knight, Sweney and Vale—8.

So section 43 was not stricken from the bill.

The question being shall the bill be engrossed and read a third time to-morrow?

Carried.

Senator Woolson moved to reconsider the vote by which the bill was ordered to a third reading to-morrow.

Carried.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—35.

The nays were:

Senators Bolter, Chesebro, Dooley, Groneweg and Kegler—5.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Dodge, Garlock, Knight, Parrott, Schmidt, Sweeney and Vale—10.

So the bill passed and the title was agreed to.

By consent, Senator Clark, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred substitute for House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors and make more efficient the laws for suppression of intemperance, etc., beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out the word "prima facie evidence" from the 58th line of section 12 of the bill, being in the 27th line of same section in printed bill. Also, strike out all after the words, "intoxicating liquors" from section 20 of bill, and that when amended the bill do pass.

F. E. CLARK, *Chairman.*

Ordered passed on file.

Pending the special order Senator Clark moved that substitute for House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes, and to make more efficient the laws for the suppression of intemperance and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section two (2) chapter eighty-three (83), acts of the Twenty-first General Assembly after the words "medicines and poisons" in the fifth line thereof, be made a special order for to-morrow, March 30th, at 2:30 o'clock P. M., and that Senate File No. 317, a bill for an act supplemental to chapter 143 of the acts of the Twentieth General Assembly, and chapter 66 of the acts of the Twenty-first General Assembly, relating to the sale of intoxicating liquors and abatement of nuisances, with report of Committee on Suppression of Intemperance recommending amendments and that it do pass, and Senate File No. 107, a bill for an act to repeal chapter six (6), title eleven (11), of the Code of Iowa of 1873, and all amendments thereto, and to enact in lieu thereof a provision for the levying of a tax upon the occupation of dealing in intoxicating liquors, including ale, wine and beer, with report of Committee on Suppression of Intemperance recommending that it be indefinitely postponed, be made special orders to follow in the order named, and that they be continued as special orders until disposed of.

Senator Dungan moved to amend by making it a special order to follow House File No. 286.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Cassatt, Chesebro, Davidson, Dooley, Dungan, Garlock, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Schmidt, Taylor, Weber and Wolfe—18.

The nays were:

Senators Brower, Caldwell, Clark, Converse, Deal, Doud, Funk, Gatch, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Weidman, Woolson and Young—23.

Absent or not voting:

Senators Barrett, Bills, Bolter, Dodge, Finn, Knight, Parrott, Sweney and Vale—9.

So the amendment was not adopted.

The question recurring upon the original motion the yeas and nays were demanded.

The yeas were:

Senators Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Weber, Weidman, Woolson and Young—27.

The nays were:

Senators Barnett, Cassatt, Chesebro, Dooley, Groneweg, Hanchett, Kiegler, Kelly, Kent, Mattoon, Schmidt, Taylor and Wolfe—13.

Absent or not voting:

Senators Barrett, Bayless, Bills, Bolter, Dodge, Finn, Parrott, Sweney and Vale—10.

So the motion was carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill with amendment:

Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seed and other cereals.

D. C. KOLP, *Chief Clerk.*

By consent Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 207, a bill for an act to provide that administrators, executors and referees may pay certain money to the clerk of the district court and making the clerk liable therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out all after the enacting clause and inserting the following:

Sec. 1. Whenever any administrator, guardian, trustee or referee shall desire to make his final report as such, and who shall then have in his possession or under his control in his fiduciary capacity, any funds, moneys or securities due, or to become due to any heir, legatee, devisee or other person, the payment of which might then be made to such heir, legatee, devisee or other person, if living, or present within the county where such appointment as administrator, guardian, trustee or referee was made, such funds, moneys or securities may be deposited with the clerk of the district court of the county wherein such

appointment was made, and if he shall otherwise discharge all of the duties imposed upon him by such appointment, he may take the receipt of the clerk of the district court for such funds, moneys or securities so deposited, which receipt shall specifically set forth from whom said funds, moneys or securities were derived, the amount thereof, and the name of the person to whom due or to become due, if known. Thereupon said administrator, guardian, trustee or referee may file such receipt, with his final report, and if it shall be made to appear to the satisfaction of the court that he has in all other respects complied with the law governing his appointment and duties, the court may approve such final report and enter his discharge. Provided, that notice of such contemplated deposit, and if final report shall be given for the same time and in the same manner as now required in case of final report by administrators.

Sec. 2. The clerk of the district court with whom any deposit of funds, moneys or securities shall be made as provided in the preceding section, shall enter in a book to be provided and kept for the purposes hereof, the amount of such deposit, the character thereof, the date of its deposit, from whom received, from what source derived, to whom due or to become due, if known. He shall be liable upon his bond for all funds, moneys or securities which may be deposited with him under the provisions hereof. If the funds, moneys or securities so deposited with the clerk shall not be paid to the person to whom the same is due, or to become due, within one year from the date of its deposit, the clerk shall then deposit such funds, moneys or securities with the county treasurer for the use of the county wherein such appointment was made, taking the treasurer's receipt therefor, countersigned by the county auditor, who shall thereupon charge upon the books of his office and against the treasurer the amount named in such receipt. The clerk shall then file such receipt in his office, and report the deposit of such funds, moneys or securities to the court for its approval.

Sec. 3. Whenever any funds, moneys or securities shall be deposited with the county treasurer as provided and kept for that purpose, the date of such deposit, the amount thereof, from whom received, the source from which derived and the name of the person to whom the same is due or to become due, if known. Whenever the claimant therefor upon proper application made to the district court, shall satisfactorily show to such court that he is the rightful owner of said funds, moneys or securities and entitled thereto, the court by order entered of record shall direct the county auditor to issue a warrant on the county treasurer for said money, funds or securities, and upon such order the said treasurer shall pay or deliver to the person named in such order the funds, moneys or securities to which the claimant shall have shown himself entitled.

And that the title be amended by striking out all of said title after the words "a bill for an act" and inserting the following: "To facilitate settlement of estates and to enable administrators, guardians, trustees and referees to deposit funds and securities subject to approval of court, and making the clerk and treasurer liable therefor in certain cases," and as amended that the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Pending the special order, on motion of Senator Woolson, Senate File No. 207, a bill for an act to provide that administrators, executors and referees, may pay certain money to the clerk of the district court and making the clerk liable therefor, with report of committee, recommending amendments and that it do pass, was taken up, considered, and the amendments of the committee were adopted.

Pending the special order, Senator McCoy moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Caldwell, Cassatt, Clark, Converse, Davidson, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Taylor, Weber, Weidman, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cheebro, Deal, Dodge, Knight, Mills, Price, Smith, Sweney and Vale,
—15

Amendment of the committee to the title was adopted.

So the bill passed and the title as amended was agreed to.

REPORTS OF STANDING COMMITTEES.

By consent the following reports of committees were submitted: Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 184, a bill for an act to legalize, make valid and give effect to the charter and organization of the Iowa Title Insurance, Trust and Safe Deposit Company of Sioux City, Woodbury county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith submitted be adopted, and as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 812, a bill for an act to prevent collection of greater interest on stay bond than on judgment beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 205, a bill for an act to repeal section 3370 of the Code of 1878, relating to fines and forfeitures, and to enact a sub-

stitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all after the word "therefor", in the fourth line of section 1, and inserting the following in lieu thereof:

"Sec. 3370. The clear proceeds of all fines not otherwise disposed of shall go into the treasury of the county where the same are collected for the benefit of the school fund. Actions on bonds for appearance in criminal proceedings shall be commenced in the county where the crime was committed, or the criminal action in which the bond was taken, was begun; and the clear proceeds of all forfeitures collected on such bonds shall go into the treasury of the county where such actions were begun, for the benefit of the school fund", and your committee recommend that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 520, a bill for an act to legalize certain acts of the incorporated town of Ackworth, Warren county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 602, a bill for an act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, the elections of its officers and all acts and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 187, a bill for an act amending section 159 of the Code of 1873, in regard to the disposition of the reports of the Supreme Court of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 371, a bill for an act to amend section 2, chapter 185 of the Code, relating to attorney's fees, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 240, a bill for an act to amend section 3878 of the Code, in reference to abusive and obscene language, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 577, a bill for an act to legalize the incorporation of the town of Manilla, Crawford county, Iowa, the election of its officers, and all acts and ordinances passed by said town officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 540, a bill for an act to amend section 1 of chapter 158 of the acts of the Nineteenth General Assembly, providing for the taxation of certain property for road purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

The question recurred on the special order, it being Senate File No. 61, the pending question being the amendment of Senator Weber to the amendment of Senator Harsh.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Cassatt, Finn, Funk, Garlook, Kelly, McVay, Mills, Parrott, Price, Taylor, Weber and Weidman—13.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dooley, Doud, Dungan, Gatch, Groneweg, Hanohett, Harsh, Hutchison, Kegler, Kent, Lawrence, Mattoon, McCoy, Meservey, Poyneer, Reiniger, Schmidt, Seeds, Smith, Wolfe, Woolson and Young—30.

Absent or not voting:

Senators Barrett, Bills, Deal, Dodge, Knight, Sweney and Vale—7.

So the amendment was not adopted.

Senator Finn offered the following amendment to section 10:

Amend the section by adding "and it shall be unlawful for any director of any district township or independent school district, or for

any teacher in any of the public schools of Iowa, to receive as a gratuity, or at a less price than the same is usually sold for, any book or other article of value from any book publishing firm or person which may be furnishing or offering to furnish books under the provisions of this act; and the offering or giving of any book or article as aforesaid, by any agent or person acting for such publishing firm or person, shall be a misdemeanor, and such agent or person aforesaid shall be punished accordingly, and such firm or person shall be liable to indictment therefor, subject to a fine of not more than five hundred dollars."

Senator Wolfe moved the previous question, which was not seconded.

The question recurred on the amendment of Senator Finn, and the yeas and nays were demanded.

The yeas were:

Senators Barnett, Cassatt, Finn, Garlook, Kegler, Kelly, McVay, Mills, Parrott, Reiniger, Taylor, Weber and Weidman—18.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dooley, Doud, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kent, Lawrence, McCoy, Meservey, Poyneer, Schmidt, Seeds, Smith, Wolfe, Woolson and Young—28.

Absent or not voting:

Senators Barrett, Bills, Deal, Dodge, Mattoon, Price, Sweney, Vale and Knight—9.

So the amendment was lost.

Senator Harsh explained his vote as follows:

I vote "no" for the reason that I am unwilling by an affirmative vote to cast the imputation on the school teachers or school directors in Iowa that they are guilty as charged.

Senator Reiniger offered the following amendment to section 7 of the amendment of Senator Harsh:

"And if the board shall accept any bid and contract for any books, contract shall be in writing, and shall provide that the party contracting to furnish the books will furnish such additional books of the kind and quality contracted for, at not exceeding the contract price as the board may order for the district for five years then next ensuing; provided that the vote of the people does not change the text-books as provided for in section 8 of this act."

Adopted.

Senator Weber offered the following substitute for section 1, of the amendment of Senator Harsh:

"The board of directors of any district, township or independent school district upon the petition of one-third of the electors of said district, four weeks notice having been given by posting notices in four different places in said district, shall submit to the electors of such district at the next regular meeting following such notice the following proposition: "Shall the district supply school text books to the pupils at actual cost?"

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Finn, Funk, Kegler, Kelly, McVay, Mills, Parrott, Taylor, Weber and Weidman—11.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dooley, Dungan, Gatch, Hanchett, Harsh, Hutchison, Kent, Lawrence, McCoy, Poyneer, Price, Schmidt, Seeds, Smith, Wolfe, Woolson and Young—25.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Deal, Dodge, Doud, Garlock, Groneweg, Knight, Mattoon, Meservey, Reiniger, Sweney and Vale—14.

So the amendment was lost.

Senator Seeds moved the previous question, which was seconded, and the main question was ordered.

The question being the adoption of the following substitute of Senator Taylor, which had been held pending the consideration of amendments.

Section 1. That the members of the Executive Council, the Superintendent of Public Instruction, President of the Iowa State University and the Principal of the State Normal School, are hereby constituted the Board of School Book Commissioners for the purposes of this act.

Sec. 2. It shall be the duty of such school book commissioners, as soon as practicable after the passage of this act, to advertise weekly in six different newspapers, in different localities in this State for the term of five weeks, and by furnishing a copy of said notice to all leading school book publishing houses in the United States that sealed proposals will be received at the office of Secretary of State for furnishing and selling to the State as many school text-books of the particular kinds required by said school book commissioners as may be ordered under this act for the use of the schools of this State for the term of five years, beginning with September 1st, 1888.

Sec. 3. Such proposals or bids shall be accompanied by samples of all books offered, together with a statement of the prices asked for each of said books; and the person, firm or corporation making such proposal shall file a bond in the sum of five thousand dollars (\$5,000), running to the State of Iowa, and conditioned upon entering into said contract, in the event of the acceptance of said proposal or bid; said bond to be approved by said board. Such person shall furnish to the board [six] copies of each book proposed to be furnished, the same to be inspected by the board, and thereafter to be deposited in the office of the Superintendent of Public Instruction. Upon the acceptance of any proposal for the whole or any part of the series of school text books by said board, the contracting parties shall furnish a bond, running to the State of Iowa, in the sum of one hundred thousand dollars (\$100,000) (or in such sum as the Board of School Book Commissioners may require) for the faithful performance of said contract, and of all the details thereof, such bond to be approved by said board.

Sec. 4. Such contract shall provide that the person, firm or corporation whose bid shall be accepted, shall keep an office or place of business in the city of Des Moines, and for the said term of [five]

years shall fill all the valid and authorized orders for school text-books received under this act from any and all district townships and independent districts in the State at the prices named in the bid; said books to be delivered at the county seats of the counties wherein such school districts are located, or at such other railroad offices in proximity thereto as may be designated in such orders; such books to be paid for by said districts in cash upon the delivery of the same. Such contract shall further provide that said person, firm or corporation shall furnish any and all new and improved editions of such text-books contracted for as may be made or published during said term of [five] years, and at prices stated in such proposal or bid; all such books contracted to be furnished shall be delivered promptly and without unnecessary delay, and shall be equal in quality and kind to the samples furnished as prescribed herein.

Sec. 5. It is further provided that the school book commissioners aforesaid shall have the right to reject any and all bids, and may accept bids for particular kinds of books offered and reject others, and shall have the right to again advertise for bids for all or a part of the books required.

Sec. 6. The board of directors of any district township or independent school district, upon the petition of one-third of the electors of said district, four weeks' notice having been given by posting notices in four different places in said district, shall submit to the electors of such district at the next regular meeting following such notice the following proposition: Shall the district supply school text books to the pupils at actual cost.

Sec. 7. In the event that the proposition be adopted by a majority of the electors of said district, it shall be the duty of the board of directors to purchase said school text-books of the person contracting with the State as herein provided, and to sell the same to the pupils of the district at the net cost of them, for cash.

Sec. 8. In order to purchase said books as provided in section 9 herein, the board of directors may draw upon the contingent fund of the district for the necessary funds therefor, and shall replace the same with the proceeds received from selling such books to such pupils; provided, however, that said board may require the price of said books to be paid to them in advance before ordering the same. (Provided, however, the said board may require the prices of said books to be paid them in advance before ordering the same.)

Sec. 9. Any district township or independent district having procured its school text-books under the provisions of this act is prohibited from using any other series of school text-books during the said contract term of [five] years, unless such change be authorized by a vote of three fourths of the electors of such district, present and voting at any regular meeting, due notice of such proposition to change having been given as provided in this act, for the adoption of the same.

Sec. 10. All acts and parts of acts in conflict herewith are hereby repealed.

Sec. 11. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Cassatt, Finn, Funk, Garlock, Hutchison, Kelly, Mattoon, McVay, Mills, Parrott, Poyneer, Price, Taylor, Weber and Weidman—16.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dooley, Doud, Dungan, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kent, Lawrence, McCoy, Reiniger, Schmidt, Seeds, Smith, Wolfe, Woolson and Young—27.

Absent or not voting:

Senators Barrett, Bills, Dodge, Knight, Meservey, Sweney and Vale—7.

So the substitute was lost.

The question recurring on the amendment of Senator Harsh, as amended, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dooley, Doud, Dungan, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Lawrence, McCoy, Meservey, Mills, Reiniger, Schmidt, Seeds, Sweney, Wolfe, Woolson and Young—30.

The nays were:

Senators Barnett, Cassatt, Finn, Funk, Garlock, Kelly, Mattoon, McVay, Parrott, Poyneer, Price, Taylor, Weber and Weidman—14.

Absent or not voting:

Senators Barrett, Bills, Dodge, Knight, Smith and Vale—6.

So the amendment was adopted.

The question being shall the bill be engrossed and read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Wolfe, Woolson and Young—38.

The nays were:

Senator McVay—1.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Dodge, Finn, Knight, Mattoon, Parrott, Sweney, Vale and Weidman—11.

So the bill was ordered engrossed and read a third time tomorrow.

Senator Harsh moved that the vote be reconsidered by which the bill was ordered to a to a third reading to-morrow.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Clark Con-

verse, Davidson, Deal, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Wolfe, Woolson and Young—88.

The nays were:

Senators Cassatt, Finn, McVay and Weidman—4.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Dodge, Knight, Mattoon, Sweney and Vale—8.

Senator Harsh offered the following substitute for the title:

"A bill for an act empowering the directors of school district townships and independent school districts to buy school books and school supplies at lowest wholesale or contract price; furnish said books to pupils at cost, empowering electors of school districts to decide by vote as to free text books, making rules for the preservation of books and empowering directors to make additional rules for the care of books and providing ways and means for purchase of school books and supplies."

Adopted.

So the bill passed and the title as amended was agreed to.

Senator Finn explained his vote as follows:

I desire to place the following explanation of my vote on file:

1st. The bill in its present form does not in any way tend to break the power of those who control the price of school books, but leaves them, as now, to continue to fix absolutely the price of such books.

2d. It gives the board of directors the power, without a vote of the people, to adopt any series of text-books and contract to pay for them such price as they see fit, and bind the district to take them for five years.

3d. It contemplates an adoption of free text books and the taxation of the people therefor, without any method of first determining what set of books shall be adopted, or what price shall be paid therefor.

4th. It gives, by section 6th, the book dealers the power to change the entire series of books, involving the cost of an entire new set, as frequently as they desire, by simply declining to continue the contract, and then compels the board to adopt and purchase another series.

5th. It involves useless expense of making, at the outset, between 2,000 and 3,000 publications in county newspapers, of three weeks' time each, at a cost of from \$15,000 to \$30,000; there being no pretense that said papers are more than local in their character or that any of them will reach the book houses, which are well known to be beyond the borders of the State, nor is it expected that such publications will call the agents of competing houses to the locality to bid for district contracts.

6th. The system of the district purchase plan presented by this bill is the favorite one with the book-publishing syndicate and their lobby. It has been tried in its most perfected form in Ohio, and is

now being repealed by the legislature of that State as worthless and damaging.

7th. I believe that the only way to break down the pool or combination on books and restore competition, is to put a strong and honest competitor in opposition, and that competitor, in this case, should be the State of Iowa, unless these book firms take warning and yield to the demands of justice.

G. L. FINN.

Senator Weidman offered the following explanation of his vote:

MR. PRESIDENT—Senate File No. 61, as amended by Senator Harsh, provides for cutting off all profits of the retailer and in no manner proposes to reduce the extortionate profits of the millionaire publishers.

Second. It drives the common school text-books from the shelves of the retailer without providing any depository therefor anywhere in the State, thereby forcing a patron to send to Boston or Philadelphia for his supplies, or compel the districts to enter into an immediate contract binding them to pay "ring prices for the next five years and if any district has not the cash on hand to purchase it must do without, for it will contract no debt."

Third. It provides only for district uniformity, and thus perpetuates the loss so long borne by those moving across district lines.

Fourth. The friends of the bill have refused to put those contracting to supply books under bonds, and further refuse to allow an amendment prohibiting county superintendents and teachers from acting as agents for or receiving bribes to use their influence for the adoption of books.

For these and numerous other reasons I vote "No."

T. WEIDMAN.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled:

House File No. 352, an act appropriating money to defray the expenses of the inauguration ceremonies.

Also, House File No. 537, an act to legalize certain ordinances of the town of Sac City, Sac county, Iowa, and acts done thereunder.

Also, House File No. 238, an act to legalize the ordinances of the town of Corning, Adams county, Iowa.

Also, House File No. 133, an act to legalize certain ordinances of the town of Rock Rapids, Lyon county, and acts done thereunder.

Also, House File No. 168, an act to amend sections 1495 and 1508 of chapter 4, title 11 of the Code of 1873, in relation to line fences.

Also, House File No. 582, substitute for an act to prevent fraud in the sale of flour and other mill products.

Also, House File No. 126, an act to legalize certain ordinances of the town of Kingsley, in Plymouth county, Iowa, and the acts of its officers thereunder.

Also, substitute for House File No. 45, an act to repeal subdivision 2, of section 796 of the Code of 1873, chapter 28, of the acts of the

Fifteenth General Assembly, chapter 13 of the acts of the Eighteenth General Assembly, and chapter 182 of the acts of the Twentieth General Assembly, and to enact a substitute therefor.

Senate File No. 384, an act to amend section 1492 of the Code of Iowa, in regard to the admission of patients into the Insane Hospital.

Also, Senate File No. 406, an act appointing trustees for the cemetery, for which John W. Kendall conveyed land at Indianola, Iowa, and declaring their duties.

JNO. K. DEAL, *Chairman*.

Senator Wolfe moved that the special orders be postponed until tomorrow morning at 10 o'clock.

Carried.

By consent, by Senator Clark, Senate File No. 410, a bill for an act to authorize the trustees of the Hospital for the Insane at Clarinda, to employ a superintendent and subordinate force to carry on said hospital and farm connected therewith, and to appropriate \$6,000 to pay for the same.

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

By consent, by Senator Converse, Senate File No. 411, a bill for an act to appropriate money to reimburse the commissioners of pharmacy for moneys paid by them and expenses incurred in the enforcement of the law.

Read first and second times and referred to the Committee on Claims.

By consent, Senator McVay presented petition of Rev. W. G. Rice and 129 others, of Greene county, favoring woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Also, presented resolution of Local Assembly No. 2409, of Kalo, Iowa, favoring the passage of certain labor bills.

Referred to Committee on Mines and Mining.

Also, presented resolution of Local Assembly No. 854, of Lehigh, Iowa; same subject.

Same reference.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 384, a bill for an act to fix the compensation to be paid to the members of the city council in cities of the first class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 388, a bill for an act to amend section one (1) of chapter 51, acts of Fifteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

On motion of Senator Wolfe, Senate File No. 80, a bill for an act to legalize the annexation of certain territory to the incorporated town of North Des Moines, was taken up and considered, the pending question being the amendment by Senator McVay to section 1, as follows: "Provided, that this act shall not affect pending litigation."

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Davidson and McVay—3.

The nays were:

Senators Bayless, Cassatt, Clark, Converse, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Lawrence, Meservey, Mills, Poyneer, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—28.

Absent or not voting:

Senators Barnett, Barrett, Bills, Brower, Caldwell, Chesebro, Deal, Dodge, Doud, Finn, Kelly, Knight, Mattoon, McCoy, Parrott, Price, Schmidt, Sweney and Vale—19.

So the amendment was lost.

Journal of yesterday corrected and approved.

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

On the question shall the bill pass.

The yeas were:

Senators Cassatt, Chesebro, Clark, Converse, Deal, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Lawrence, McCoy, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—31.

The nays were:

Senators Bolter and McVay—2.

Absent or not voting:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Davidson, Dodge, Doud, Finn, Kelly, Knight, Mattoon, Parrott, Schmidt, Sweney and Vale—17.

So the bill passed and the title was agreed to.

On motion of Senator Deal the Senate adjourned.

EVENING SESSION.

The Senate met in regular session at 7:30 o'clock P. M.
Lieutenant-Governor Hull in the chair.

INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 412, a bill for an act to provide industrial schools and homes for the care, support and education of poor and friendless children in all cities in this State.

Read first and second times and referred to the Committee on Cities and Towns.

Senators Davidson and Doud excused.

On motion of Senator Weber a call of the Senate was ordered.

The roll was called and the following Senators were found to be absent without excuse: Bayless, Bolter, Cassatt, Chesebro, Clark, Converse, Dooley, Garlock, Harsh, Schmidt, Young, Taylor.

Senator Wolfe moved that further proceedings under the call be dispensed with.

Carried.

On motion of Senator Wolfe, Senate File No. 220, a bill for an act granting additional authority to certain cities of the first class relating to the improvement of public places, street highway, avenue and alley intersections, and to provide a system of payment therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was not concurred in.

Senator Wolfe moved to amend section 1 as follows: to insert after the word maturity in the 11th line the words "as the."

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Clark, Deal, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Schmidt, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—34.

The nays were:

Senator Price—1.

Absent or not voting:

Senators Barrett, Bills, Bolter, Cassatt, Converse, Davidson, Dodge, Dooley, Doud, Garlock, Knight, Vale, Chesebro, Reiniger and Sweeney—15.

So the bill passed and the title was agreed to.

Senator Caldwell moved that the Senate begin at the first of the calendar and consider bills recommended for indefinite postponement.

Lost.

Senate File No. 147, a bill for an act to provide for the payment of the per diem and mileage allowed to the visiting committee to the Hospital for the Insane, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 95, a bill for an act to repeal sections 857, 865 and 866, as amended by chapter 194, Twentieth General Assembly, in regard to the semi annual collection of taxes, and to enact the following in lieu thereof, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

House File No. 213, a bill for an act to prescribe the terms and form of promissory notes given for certain property, and to prescribe a penalty for the violation of this act, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Joint Resolution No. 5, proposing to amend section five (5) of article two (2) of the constitution of Iowa, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Joint Resolution No. 7, proposing to amend article 2, section 1 of the constitution of the State of Iowa, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

Senate File No. 154, a bill for an act to amend chapter 6, title 10, of the Code of Iowa, of 1873, providing for a maximum charge for transmitting telegraph messages, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 264, a bill for an act changing the terms of office of justices of the peace and constables, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

House File No. 193, a bill for an act to amend section 3173 of chapter 2, title 19 of the Code of 1873, and limiting appeals to the Supreme Court with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 160, a bill for an act to amend section 1508 of the Code in relation to line fences with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

House File No. 105, a bill for an act to repeal chapter 123, acts of

the Sixteenth General Assembly; also, chapter 173, acts of the Seventeenth General Assembly, relating to voting aid to railroads, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 158, a bill for an act declaring express companies operating and doing business in this State common carriers, and providing for their regulation and control by the Railroad Commissioners, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 106, a bill for an act to empower the Board of Railroad Commissioners to fix freight and passenger rates upon railways within this State, and to prescribe penalties for a violation of the judgment of said board, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 155, a bill for an act to provide for and require the trimming of hedge fences along public highways and upon partition lines, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

House File No. 161, a bill for an act to repeal sections 1, 2, 3 and 4, of chapter 12 of the acts of the Eighteenth General Assembly, relating to the management of permanent school fund, and enact a substitute therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

House File No. 115, a bill for an act authorizing the boards of directors to change the boundaries of independent school districts within the same civil township, with report of committee, recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 283, a bill for an act to provide for medical and surgical attendance upon paupers and prisoners in county jails and poor houses, with report of committee, recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 250, a bill for an act in relation to the duties of county surveyors, with report of committee, recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 216, a bill for an act requiring all goods put up in packages for sale by the package to have the exact weight of the contents put on each package, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 296, a bill for an act in relation to the duties of county surveyors, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 334, a bill for an act to amend chapter two hundred and ten (210) of the acts of the Eighteenth General Assembly, relat-

ing to fire insurance, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 267, a bill for an act to amend section eight (8), of chapter one hundred and four (104), of the acts of the Twenty-first General Assembly, entitled an act to regulate the practice of medicine and surgery, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 38, a bill for an act to amend section 2077, Code of Iowa, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 231, a bill for an act to amend sections 1 and 3 of sections 1863 and 1864 of chapter 12, title 12, of the Eighteenth General Assembly, with report of committee recommending indefinite postponement was taken up, considered and the report of the committee was adopted.

Senate File No. 122, a bill for an act to regulate the mining and screening of coal and to fix a basis for wages of coal miners, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senator Gatch moved to reconsider the report of the committee was adopted.

Carried.

Senate File No. 14, a bill for an act to regulate payment to minors for mining coal by mine operators, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

Senate File No. 353, a bill for an act to amend section 5 of chapter 75, of the acts of the Eighteenth General Assembly, relating to registered pharmacists, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

House File No. 337, a bill for an act relating to charge of jurors additional to section 2772 of the Code of 1873, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

Senate File No. 219, a bill for an act authorizing certain cities of the first class to appoint assessors of property within their limits for taxation for all revenue purposes, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

Senate File No. 137, a bill for an act providing for the salary of mayors of cities, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 338, a bill for an act authorizing cities and incorporated towns to construct electric light plants, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

Senate File No. 67, a bill for an act to regulate railroad corporations, and declaring all railways within the State of Iowa public highways, and increasing the powers of the Railroad Commissioners and defining their duties, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 255, a bill for an act to regulate the runs made by trainmen on passenger and freight trains, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 280, a bill for an act to encourage meteorological and other scientific researches, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 217, a bill for an act to amend chapter 15, of title 17 of the Code, and to require residents of the State to give bond to secure payment of costs in suits brought by them in any county of which they are not residents, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 309, a bill for an act to repeal section 3812 of the Code, and enact a substitute therefor relating to costs in trials by jury, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 281, a bill for an act to empower a less number than twelve to render a verdict in trials by jury, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 140, a bill for an act providing for holding terms of the district court at Correctionville, in the county of Woodbury, in the Fourth Judicial District of the State of Iowa, and defining the territorial jurisdiction of said court, and restricting that of the corresponding court to be held at Sioux City, in said Woodbury county, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 355, a bill for an act to amend section 3844 of the Code of 1873, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 183, a bill for an act prohibiting the leasing of convict labor within the State of Iowa, and providing for the employment of such labor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 332, a bill for an act to better provide for publishing the proceedings of the county board of supervisors, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

House File No. 449, a bill for an act to legalize the ordinances of the city of Shenandoah, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass.

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meserve, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Bolter, Cassatt, Chesebro, Dodge, Dooley, Doud, Garlock, Harsh, Knight, Sweeney and Vale—13.

So the bill passed and the title was agreed to.

Senate File No. 365, a bill for an act to amend section 3639, chapter 1, title 22, Code of Iowa, relative to evidence, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

House File No. 216, a bill for an act to amend section 4546 of the Code, in relation to impeachment, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 205, a bill for an act relating to selection of jurors (additional to section 2772 of the Code of 1873), with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Concurrent resolution, relating to using the Federal surplus for pensions to veterans of the late war, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 381, a bill for an act for appropriating money in aid of the pharmaceutical department of the State University of Iowa, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 286, a bill for an act to secure recognition of certain private normal schools in the State, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Gatch, Senate File No. 306, a bill for an act to amend section 1179, of the Code as amended by chapter 169 of the laws of the Twenty-first General Assembly, relating to life insurance companies with report of committee recommending that it do pass was taken up, considered, and on motion of Senator Gatch it was indefinitely postponed.

Senate File No. 343, a bill for an act to cure any defects that may exist in the title of the city of Council Bluffs to what is known as Fairmount Park embracing Williams' second addition and a part of Snow and Green's addition to the city of Council Bluffs by reason of any defect in the city proceedings of condemnation for park purposes of said additions or parts thereof to said city for said purposes, with

report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 274, a bill for an act to legalize the condemnation of Williams' second addition by the city of Council Bluffs, Pottawattamie county, Iowa, for public park purposes with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senator Poyneer moved that House messages be taken up.

Carried.

HOUSE MESSAGES.

House File No. 610, a bill for an act to legalize certain acts and ordinances of the council of the incorporated town of Dow City, Crawford county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

Senate File No. 184, a bill for an act to legalize the ordinances of the town of Grand Junction, State of Iowa.

Read first and second times and on motion of Senator Seeds referred to the Committee on Judiciary.

Senator Poyneer moved that further proceedings under the order of the House messages be dispensed with and that House File No. 602, "a bill for an act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town," be taken up and considered.

Carried.

House File No. 602, a bill for an act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, with report of committee recommending that it do pass was taken up and considered.

Senator Poyneer moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Converse, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman, Woolson and Young—33.

The nays were none:

Absent or not voting:

Senators Barrett, Bills, Bolter, Cassatt, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Finn, Garlook, Knight, Sweney, Vale and Wolfe—17.

So the bill passed and the title was agreed to.

On motion of Senator Meservey, House File No. 280, a bill for an act for the relief of John Haidiene, of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa, with report of committee recommending amendments and that it do pass was taken up and considered.

Senator Wolfe moved that the word "occupancy" be stricken from the amendment of the committee.

Carried.

Senator Meservey moved to strike from the committee's amendment the word "sale" and the word "or" before the word "refund."

Carried.

The question being on the committee amendments as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Converse, Deal, Doud, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Poyneer, Seeds, Smith, Taylor, Weber, Weidman, Wolfe, Woolson and Young—28.

The nays were:

Senator Kegler—1.

Absent or not voting:

Senators Barrett, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Davidson, Dodge, Dooley, Finn, Garlock, Knight, McCoy, Parrott, Price, Reiniger, Schmidt, Sweney and Vale—21.

So the amendment was adopted.

Senator Kegler explained his vote as follows:

MR. PRESIDENT—I am in favor of the original committee amendment, but not as amended. Therefore vote "no."

A. G. KEGLER.

Senator Price moved to strike from the third "whereas" of the preamble the following words: "but said title was at said time in the Des Moines River Navigation and Railroad Company".

Carried.

The question being shall the bill be ordered to a third reading tomorrow it was carried.

On motion of Senator Kent, House File No. 187, a bill for an act to amend section 159 of the Code of 1878, in regard to the disposition of the reports of the Supreme Court of the State, with report of committee recommending the bill do pass, was taken up and considered.

Senator Poyneer moved to amend by adding at the end of section 1 the words "and one copy to the Supreme Court Reporter."

On this the yeas and nays were demanded.

The yeas were:

Senators Clark, Converse, Deal, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Smith, Taylor, Weber and Weidman—25.

The nays were:

Senators Barnett, Bayless, Brower, Caldwell, Groneweg, Wolfe, Woolson and Young—8.

Absent or not voting:

Senators Barrett, Bills, Bolter, Cassatt, Chesebro, Davidson, Dodge, Dooley, Finn, Garlock, Knight, Mattoon, Parrott, Schmidt, Seeds, Sweney and Vale—17.

So the amendment was adopted.

On motion of Senator Bayless, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 30, 1888. }

The Senate met in regular session at 9 o'clock, A. M.

Lieut.-Gov. Hull in the chair.

Senator Davidson excused.

The Senate Conference Committee on House File No. 373, Senators Sweney, McCoy, Young, Schmidt and Doley were excused on account of duty on the conference committee.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 413, a bill for an act empowering the Governor to acknowledge the receipt of certain articles on behalf of the State.

Read first and second times and passed on file without printing.

On motion of Senator Finn, Senate File No. 235, a bill for an act to amend chapter 1, title 9, of the Code, to repeal section 1058 thereof, and to enact section 2 of this act in lieu thereof, with report of committee recommending that it do pass, was taken up and considered.

Senator Woolson moved to amend section 1, as follows:

Strike out "chapter 1, title 9"; strike out all after "Code" in line 1, section 1, and insert "be" and the same is hereby amended to read as follows:

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bolter, Brower, Cassatt, Clark, Davidson, Doud, Dungan, Finn, Funk, Gatch Groneweg, Hutchison, Kegler, Kelly, Kent, Mattoon, McVay, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe and Woolson—29.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Caldwell, Chesebro, Converse, Deal, Dodge, Dooley, Garlock, Hanchett, Harsh, Knight, Lawrence, McCoy, Meservey, Mills, Schmidt, Sweney, Vale and Young—21.

Senator Woolson moved to amend the title to read as follows:

A bill for an act to amend section 1058 of the Code, relating to corporations for pecuniary profit.

Adopted.

So the bill passed and the title as amended was agreed to.

On motion of Senator Seeds, Senate File No. 288, a bill for an act to amend section 471 of the Code of 1873, relating to the power of establishing water works by cities and towns and making the powers granted in sections 472, 473, 474 and 475 of the Code of 1873, applicable to establishment of gas works or electric light plants, and providing for the payment for the same by the issuing of bonds, with report of committee recommending that it do pass, was taken up and considered.

Senator Seeds offered the following amendment:

Strike out the figure "4" after "section" and insert "5" in lieu thereof, and insert the following as section 4.

"Section 4. That no such gas works or electric light plant shall be established by any city or town until a majority of the legal voters thereof, at a general or special election decide in favor of the same. The council may order the question, whether such gas works or electric light plant shall be established by the city or town, submitted to a vote as herein contemplated at any general election, or at any election specially called for that purpose; or the mayor shall submit said question upon the petition of twenty-five property owners of each ward in the city or town. Notice of said election shall be given in two newspapers, published in said city or town, if there are two, if not then in one, for at least two consecutive weeks. The ballots shall either be printed or written and in the following form: "For electric light plant" (or "for gas works" as the case may be) (or "against electric light plant") (or "against gas works.")

Adopted.

Senator Meservey moved to amend by inserting the words "and towns" in first line, section 3, after the word "cities."

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Cassatt, Clark, Converse, Davidson, Deal, Dodge, Doud, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman and Wolfe—35.

The nays were none.

Absent or not voting:

Senators Bills, Caldwell, Chesebro, Dooley, Finn, Garlock, Knight, Lawrence, McCoy, Poyneer, Schmidt, Sweney, Vale, Woolson and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Taylor, House concurrent resolution relative to ownership of lands by non-resident aliens, with report of committee recommending that it be concurred in, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Woolson, Senate File No. 413, a bill for an act empowering the Governor to acknowledge the receipt of certain articles on behalf of the State, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Davidson, Dodge, Doud, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, Meservey, MoVay, Price, Reiniger, Smith, Taylor, Weber, Weidman, Wolfe and Woolson—20.

The nays were none:

Absent or not voting:

Senators Barrett, Bills, Caldwell, Cassatt, Chesebro, Clark, Converse, Deal, Dooley, Gatch, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Schmidt, Seeds, Sweney, Vale and Young—21.

So the bill passed and the title was agreed to.

On motion of Senator Cassatt, House File No. 288, a bill for the relief of the Sixth Iowa Infantry, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments of the committee were adopted.

Senator Dungan moved to insert in the first line of section 1, after the words "there be" the words "and hereby is".

Adopted.

The question being shall the bill be read a third time to-morrow, it prevailed.

On motion of Senator Price, Senate File No. 245, a bill for an act to protect electors and polling places in incorporated towns and cities, with report of committee recommending amendments and that it do pass, was taken up and considered, and the amendments of the committee were adopted.

The hour having arrived for the special order, it being Senate File No. 85.

Senator Clark moved that the special order be postponed until the bill under consideration be disposed of.

Carried.

Senator Wolfe offered the following amendment:

Add at the end of section 1: "provided that neither the judges or clerks of election, nor the persons appointed as challengers shall give any ticket, or in any way influence the voter, or request him to vote for or against any candidate on any ticket".

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Caldwell, Cassatt, Clark, Converse, Dodge, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, MoVay, Parrott, Price, Seeds, Smith, Taylor, Weber, Wolfe and Woolson—28.

The nays were:

Senators Deal, Dungan, Hutchison, Meservey, Mills, Reiniger and Weidman—7.

Absent or not voting:

Senators Barrett, Bills, Brower, Chesebro, Davidson, Dooley, Doud, Knight, Lawrence, McCoy, Poyneer, Schmidt, Sweney, Vale and Young—15.

So the amendment was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bolter, Caldwell, Chesebro, Clark, Converse, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Lawrence, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, and Woolson—28.

The nays were:

Senators Bayless, Deal, Dodge, Kegler and Kent—5.

Absent or not voting:

Senators Barrett, Bills, Brower, Cassatt, Davidson, Dooley, Doud, Finn, Knight, Mattoon, McCoy, Poyneer, Schmidt, Sweney, Vale, Wolfe and Young—17.

So the bill passed and the title was agreed to.

Senator Clark moved that all the special orders now in force be postponed until Monday at 2:15 o'clock, and that they maintain the same order and all the rights that they now have.

Carried.

On motion of Senator Reiniger Senate File No. 307, a bill for an act to facilitate the trial of actions brought to abate nuisances by injunction or other restraining order, with report of committee recommending that it do pass, was made a special order to follow House File No. 286.

Senator Gatch moved that concurrent resolution requesting Committee on Ways and Means to inquire into the expediency of exempting homes, with report of Committee on Ways and Means recommending indefinite postponement, and Senate File No. 159, a bill for an act to amend section 797 of the Code and to repeal chapter 97 of the acts of the Twenty-first General Assembly, and to enact a substitute therefor, and to exempt from taxation homesteads of soldiers not exceeding in value the sum of \$1,000, with report of Committee on Ways and Means recommending indefinite postponement, and Senate File No. 57, a bill for an act providing for the exemption after the year 1889 of homesteads from ordinary taxation to the value of \$1,000, with report of Committee on Ways and Means recommending indefinite postponement, be made special orders to follow in the order named after Senate File No. 307.

Senator Bayless moved to amend by making the measures named a special order for 9 o'clock Monday evening, April 2d.

Senator Seeds moved to amend the amendment by making the measures named a special order for half-past seven o'clock Monday evening, April 2d.

Senator Finn moved to lay the motion and amendments on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Caldwell, Chesebro, Finn, Groneweg, Kegler, Parrott, Poyneer, Price, Weidman and Wolfe—13.

The nays were:

Senators Cassatt, Clark, Converse, Dodge, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kent, Lawrence, McVay, Meservey, Mills, Reiniger, Seeds, Smith, Taylor, Weber and Woolson—22.

Absent or not voting:

Senators Barrett, Bills, Brower, Davidson, Deal, Dooley, Hanchett, Kelly, Knight, Mattoon, McCoy, Schmidt, Sweney, Vale and Young—15.

So the motion to lay on the table did not prevail.

The question recurring upon the amendment of Senator Seeds, it was lost.

The question recurring on the amendment of Senator Bayless.

Senator Price moved as a substitute that the measures be taken up for consideration now.

Lost.

The question recurring upon the amendment of Senator Bayless.

Senator Meservey moved to amend by making it a special order for 8 o'clock, Monday evening, April 2.

Lost.

The question recurring upon the amendment of Senator Bayless.

Senator Parrott offered a substitute making the measures named a special order for 7:30 o'clock on Tuesday evening, April 3.

Adopted.

Senator Finn moved to amend the motion as amended by the substitute, by providing that Senators who do not wish to attend may be excused from the session of Tuesday evening, April 3.

Senator Mills demanded the previous question which was seconded and the main question was ordered.

The question being the motion of Senator Finn.

The yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Cassatt, Chesebro, Dodge, Finn, Groneweg and McVay—9.

The nays were:

Senators Caldwell, Clark, Converse, Dungan, Funk, Garlock, Hanchett, Hutchison, Kegler, Kent, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe and Woolson—23.

Absent or not voting:

Senators Barrett, Bills, Brower, Davidson, Deal, Dooley, Doud, Gatch, Harsh, Kelley, Knight, Lawrence, Mattoon, McCoy, Schmidt, Sweney, Vale and Young—18.

So the amendment was lost.

The question recurring on the substitute of Senator Parrott for the amendment of Senator Bayless as an amendment to the original motion, the yeas and nays were demanded.

The yeas were:

Senators Bolter, Clark, Dungan, Funk, Garlock, Hanchett, Hutchison, Kent, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Taylor, Weber and Woolson—20.

The nays were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Converse,

Dodge, Doud, Finn, Groneweg, Kegler, Price, Weidman and Wolfe—14.

Absent or not voting:

Senators Barrett, Bills, Brower, Davidson, Deal, Dooley, Gatch, Harsh, Kelly, Knight, Mattoon, McCoy, Schmidt, Sweney, Vale and Young—10.

So the amendment of Senator Parrott was lost.

The question recurring on the original motion of Senator Gatch, the yeas and nays were demanded.

The yeas were:

Senators Caldwell, Clark, Deal, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Lawrence, McVay, Meservey, Mills, Poyneer, Reiniger, Smith, Weidman and Woolson—21.

The nays were:

Senators Barnett, Bayless, Bolter, Cassatt, Chesebro, Converse, Finn, Kegler, Price and Wolfe—10.

Absent or not voting:

Senators Barrett, Bills, Brower, Davidson, Dodge, Dooley, Kelly, Kent, Knight, Mattoon, McCoy, Parrott, Schmidt, Seeds, Sweney, Taylor, Vale, Weber and Young—19.

So the bills were made special order to follow Senate File No. 307.

Senator Hutchison moved to reconsider the vote by which House File No. 115, a bill for an act authorizing boards of directors to change the boundaries of independent school districts within the same civil townships was indefinitely postponed.

Carried.

On motion of Senator Hutchison, House File No. 115, a bill for an act authorizing boards of directors to change the boundaries of independent school districts within the same civil township, with report of committee recommending indefinite postponement was taken up and referred back to the committee.

REPORT OF COMMITTEE.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 115, a bill for an act authorizing boards of directors to change the boundaries of independent school districts within the same civil township, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with a majority recommendation that the same do pass.

G. L. FINN, *Chairman.*

Ordered passed on file.

On motion of Senator Kent, House File No. 187, a bill for an act amending section one hundred and fifty-nine (159) of the Code of 1873, in regard to the disposition of the reports of the supreme court of the State, was taken up; by unanimous consent the words "of the Code" were inserted after the figures "159" in line one, section one.

Senator Kent moved that the rule be suspended, and the bill

be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Deal, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weidman, Wolfe and Woolson—34.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Davidson, Dodge, Dooley, Finn, Knight, Lawrence, McCoy, Parrott, Schmidt, Sweney, Vale, Weber and Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Barnett, House File No. 520, a bill for an act to legalize the incorporation of the town of Ackworth in Warren county, Iowa, to legalize the ordinances of the town council of said town, and to legalize the acts of the officers of said incorporated town, under the ordinances of said town with report of committee recommending that the bill do pass was taken up and considered.

Senator Barnett moved the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weidman and Woolson—34.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Davidson, Deal, Dodge, Dooley, Kent, Knight, McCoy, Parrott, Schmidt, Sweney, Vale, Weber, Wolfe and Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Bolter Senate adjourned.

AFTERNOON SESSION.

The Senate met in regular session at 2:00 o'clock P. M.
Lieutenant-Governor Hull in the chair.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 384 and 406.

House Files Nos. 126, 133, 168, 238, 352, 537, 582, and substitutes for Nos. 45 and 582.

D. C. KOLF, *Chief Clerk.*

On motion of Senator Weber, House File No. 540, a bill for an act to amend section 1 of chapter 158, acts of the Nineteenth General Assembly, with report of committee recommending that it do pass, was taken up and considered.

Senator Weber moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bolter, Brower, Caldwell, Clark, Converse, Doad, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber and Weidman—28.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Cassatt, Chesebro, Davidson, Deal, Dodge, Dooley, Garlock, Gatch, Hutchison, Knight, Lawrence, Mattoon, McCoy, Poyneer, Sweney, Vale, Wolfe, Woolson and Young—22.

So the bill passed and the title was agreed to.

On motion of Senator Converse House File No. 178, a bill for an act to amend section 24, chapter 151 of the laws of the Eighteenth General Assembly, changing times of the meetings of local boards of health, with report of committee recommending amendments and do pass, was taken up and considered.

The committee amendments were adopted.

Senator Converse moved that the rule be suspended, the bill be

read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Cassatt, Clark, Converse, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman and Wolfe—32.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Bolter, Chesebro, Davidson, Deal, Doud, Garlock, Hutchison, Kent, Knight, Lawrence, Mattoon, McCoy, Sweney, Vale, Woolson and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Smith House File No. 88, a bill for an act to amend chapter 93 of the laws of Twenty-first General Assembly, with report of committee recommending that it do pass was taken up, and considered.

Senator Smith moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Cassatt, Clark, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Weber, Weidman and Wolfe—34.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Bolter, Chesebro, Converse, Davidson, Deal, Hutchison, Kent, Knight, Mattoon, McCoy, Sweney, Vale, Woolson and Young—16.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Harsh, from the Committee on Educational Institutions submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions to whom was referred Senate File No. 330, a bill for an act to amend section 1588 of chapter 2, of the Code, relating to the election of the board of regents of the State University in case of vacancy for any cause, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. B. HARSH, *Chairman.*

Ordered passed on file.

Senator McVay, from the Committee on Charitable Institutions submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to

whom was referred Senate File No. 260, a bill for an act to amend section 3861 of the Code, as amended by chapter 114, section 1 of the laws of the Twenty first General Assembly, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. McVAY, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred substitute for House File No. 396, a bill for an act to authorize cities of the first class to make regulations against danger or accidents by fire; to establish fire limits, and to prohibit the erection of certain buildings within such limits, and to provide for the removal of buildings erected contrary to such regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

On motion of Senator Parrott substitute for House File No. 396, a bill for an act to authorize cities of the first class to make regulations against danger or accidents by fire, to establish fire limits, and to prohibit the erection of certain buildings within such limits, and to provide for the removal of buildings erected contrary to such regulations, with report of committee recommending that it do pass, was taken up and considered.

By unanimous consent the publication clause was inserted as follows:

"Section 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa."

Senator Parrott moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Clark, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harshett, Harsh, Kessler, Kelly, Kent, Lawrence, Mattoon, McVay, Meserve, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weidman and Wolfe—34.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Converse, Davidson, Deal, Doolley, Hutchison, Knight, McCoy, Schmidt, Sweney, Vale, Weber, Woolson and Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Groneweg Senate File No. 218, a bill for an act granting additional powers to certain cities of the first class is

the construction of sewers and to provide for the payment of the costs of the same, and to repeal a part of section 10 of chapter 25 of the acts of the Twentieth General Assembly, with report of committee recommending amendments and that it do pass, was taken up and considered, and the amendments of the committee were adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Clark, Converse, Dodge, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, Moway, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman and Wolfe—35.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Davidson, Deal, Dooley, Doud, Hutchison, Knight, McCoy, Schmidt, Sweney, Vale, Woolson and Young—15.

So the bill passed and the title was agreed to.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 352, an act appropriating money to defray the expenses of the inauguration ceremonies.

Also, House File No. 537, an act to legalize certain ordinances of the town of Sac City, Sac county, Iowa, and acts done thereunder.

Also, House File No. 238, an act to legalize the ordinances of the town of Corning, Adams county, Iowa.

Also, House File No. 133, an act to legalize certain ordinances of the town of Rock Rapids, Lyon county, and acts done thereunder.

Also, House File No. 108, an act to amend sections 1495 and 1508 of chapter 4, title 11, of the Code of 1873, in relation to line fences.

Also, substitute for House File No. 582, an act to prevent fraud in the sale of flour and other mill products.

Also, House File No. 126, an act to legalize certain ordinances of the town of Kingsley in Plymouth county, Iowa, and the acts of its officers thereunder.

Substitute for House File No. 45, a bill for an act to repeal subdivision 2 of section 796 of the Code of 1873, chapter 28 of the acts of the Fifteenth General Assembly; chapter 13 of the acts of the Eighteenth General Assembly, and chapter 182 of the acts of the Twentieth General Assembly, and enact a substitute therefor.

Senate File No. 884, an act to amend section 1432 of the Code of Iowa in regard to the admission of patients to the Insane Hospital.

Senate File No. 406, an act appointing trustees for the cemetery for which John M. Kendall conveyed land at Indianola, Iowa, and declaring their duties.

JNO. K. DEAL, *Chairman.*

On motion of Senator Reiniger, House File No. 215, a bill for an act to amend section 976 of the Code, relating to payment of taxes to the township clerk, with report of committee recommending that it do pass, was taken up and considered.

Senator Reiniger moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Clark, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe and Woolson—81.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Finn, Groneweg, Hanchett, Knight, McCoy, Price, Schmidt, Sweney, Vale and Young—19.

So the bill passed and the title was agreed to.

Journal of yesterday corrected and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 30, a bill for an act to amend chapter 154, laws of the Eighteenth General Assembly, regulating the good time of prisoners in our penitentiaries.

House File No. 35, a bill for an act to tax mineral estates when the surface and such mineral estates are owned by different parties.

House File No. 36, a bill for an act to enable discharged railway employees to obtain a certificate setting forth the reason for such discharge.

House File No. 37, a bill for an act to protect discharged employees and to prevent black listing.

House File No. 207, a bill for an act to amend chapter 6, title 10 of the Code of Iowa of 1873, providing for a maximum charge for transmitting telegraph messages.

House File No. 299, a bill for an act to amend chapter 140, section 2, acts of the Twenty-first General Assembly.

By request, House File No. 299, a bill for an act to exterminate English sparrows.

House File No. 360, a bill for an act to authorize cities and towns to submit to qualified electors the question of levying special tax for purpose of prospecting for natural gas, etc.

House File No. 394, a bill for an act to provide for the re-assessment and re-levy of special taxes and assessments.

House File No. 534, a bill for an act to legalize the acknowledg-

ments by power of attorney made by Hazen Wilson, attorney in fact for Joseph Webster.

Substitute for House File No. 580, a bill for an act to amend chapter 2, title 9 of Code, relating to corporations other than those for pecuniary profit, and to legalize certain corporations.

Substitute for House File No. 590, a bill for an act to legalize school election of the independent district of New Hampton, Chickasaw county, Iowa.

House File No. 591, a bill for an act to authorize incorporated towns to refund outstanding bonded debt.

House File No. 611, a bill for an act to legalize the incorporation of the town of Columbus Junction, Louisa county, Iowa, to legalize the election of the officers of said town, of final acts of said officers; the ordinances of said town, the assessments and levies of taxes, the loan made under and by the authority of the council of said town.

House File No. 614, a bill for an act to provide for the election of clerks of committees of the Senate and House of Representatives.

Also, that the House has passed the following Senate bills with amendments:

Senate File No. 65, a bill for an act to provide that owners and keepers of pure bred, thoroughbred or standard bred stallions or bulls shall post notice of their registration.

Also have passed Senate File No. 207, a bill for an act to facilitate settlement of estates, and to enable administrators, guardians, trustees and referees to deposit funds and securities subject to approval of court, and making the clerk and treasurer liable therefor in certain cases.

Senate File No. 220, a bill for an act granting additional authority to certain cities of the first class, relating to the improvement of public places, streets, highways, avenue and alley intersections, and to provide a system of payment therefor.

Senate File No. 327, a bill for an act providing for funding certain bonds and outstanding indebtedness of certain cities.

Senate File No. 23, a bill for an act to amend section 471 of the Code.

Also, the House has appointed Messrs. Berryhill, Cummins, Hamilton, Luke and Wilson of Cass committee on conference and amendments to House File No. 373.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Taylor, Senate File No. 314, a bill for an act to amend section 2, chapter 107, laws of Twentieth General Assembly, with report of committee recommending that it do pass, was taken up and considered.

Senator Parrott moved that the bill be indefinitely postponed.

On this the yeas and nays were demanded.

The yeas were:

Senators Brower, Caldwell, Clark, Converse, Deal, Dungan, Garlock, Gatch, Hutchison, McVay, Meservey, Parrott, Poyneer, Reiniger, Seeds, Smith, Weidman and Woolson—18.

The nays were:

Senators Barnett, Bayless, Bolter, Cassatt, Dodge, Doud, Funk,

Groneweg, Hanchett, Harsh, Kegler, Kent, Lawrence, Mattoon, Mills, Price, Taylor, Weber and Wolfe—12.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Davidson, Dooley, Finn, Kelly, Knight, McCoy, Schmidt, Sweney, Vale and Young—13.

So the motion to indefinitely postpone was lost.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Cassatt, Dodge, Groneweg, Hanchett, Mattoon, Mills, Taylor, Weber and Wolfe—12.

The nays were:

Senators Brower, Caldwell, Clark, Converse, Deal, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, Kent, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Weidman and Woolson—24.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Davidson, Dooley, Finn, Knight, Kelly, Lawrence, McCoy, Schmidt, Sweney, Vale and Young—14.

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

On motion of Senator Funk, Senate File No. 303, a bill for an act to better provide for publishing the proceedings of the county board of supervisors, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Clark, Converse, Deal, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kegler, Meservey, Parrott, Poyneer, Price, Reiniger, Smith, Weber and Weidman—20.

The nays were:

Senators Bolter, Brower, Caldwell, Dodge, Harsh, Mills, Seeds and Taylor—8.

Absent or not voting:

Senators Barrett, Bayless, Bills, Cassatt, Chesebro, Davidson, Dooley, Doud, Finn, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Schmidt, Sweney, Vale, Wolfe, Woolson and Young—22.

So the bill, having failed to receive the constitutional majority, is declared to be lost.

On motion of Senator Harsh, House File No. 286, a bill for an act amending section 1757, chapter 9, title 12 of the Code, in relation to the filing of teachers' contracts, with report of committee recommending that it do pass, was taken up and considered.

Senator Harsh moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Caldwell, Clark, Converse, Dodge, Finn, Garlock, Groneweg, Hanchett, Harsh, Kegler, Lawrence, McVay, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Taylor, Weber and Wolfe—24.

The nays were:

Senators Deal, Doud, Dungan, Gatch, Hutchison, Kelly, Kent, Meservey, Price and Weidman—10.

Absent or not voting:

Senators Barrett, Bills, Brower, Cassatt, Chesebro, Davidson, Dooley, Funk, Knight, Mattoon, McCoy, Schmidt, Sweney, Vale, Woolson and Young—18.

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

BILLS ON THIRD READING.

Senator Meservey moved to take up bills on third reading.

Carried.

House File No. 280, a bill for an act for the relief of John Haidiene, of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Clark, Converse, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman and Woolson—37.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Davidson, Dooley, Kegler, Knight, McCoy, Schmidt, Sweney, Vale, Wolfe and Young—18.

So the bill passed and the title was agreed to.

Senate File No. 368, a bill for an act to legalize the incorporation of the Boone Valley Pure Bred Horse Association of Eagle Grove, Iowa, the election of its officers, and all acts done by it, with amendments by the House, was taken up.

The question being upon the concurring in the House amendments.

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Clark, Converse, Dodge, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Weber and Weidman—30.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Chesebro, Davidson, Deal, Dooley, Doud, Gatch, Hanchett, Hutchison, Knight, McCoy, Schmidt, Smith, Sweney, Vale, Wolfe, Woolson and Young—20.

So the House amendments were concurred in.

Senate File No. 47, a bill for an act to punish and prevent fraud in

the sale of grain, seeds and other cereals, with House amendments, was taken up.

The question being shall the Senate concur in the House amendments.

The yeas were:

Senators Barnett, Bayless, Caldwell, Converse, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, Kelley, Lawrence, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Weber and Weidman—22.

The nays were:

Senators Bolter, Clark, Doud, Gatch, Groneweg, Hanchett, Kegler, Kent, Smith and Wolfe—10.

Absent or not voting:

Senators Barrett, Bills, Brower, Cassatt, Chesebro, Davidson, Deal, Dodge, Dooley, Knight, Mattoon, McCoy, Meservey, Schmidt, Sweeney, Vale, Woolson and Young—18.

So the amendments not receiving a constitutional majority were not concurred in.

House File No. 288 was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Converse, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Taylor, Weber, Weidman, Wolfe and Woolson—36.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Chesebro, Clark, Davidson, Dooley, Knight, McCoy, Price, Schmidt, Sweeney, Vale and Young—14.

Senator Price moved that the following be the title:

"A bill for an act to reimburse the Sixth Iowa Infantry."

Senator Reiniger moved moved to amend by adding "for money paid to the Iowa Soldiers' Orphans' Home."

Lost.

The question recurring on the first motion, it was adopted.

So the bill passed and the title was agreed to.

Senate File No. 65, a bill for an act to provide that owners and keepers of pure-bred, thoroughbred or standard bred stallions or bulls shall post notice of their registration, with House amendments, was taken up.

The question being shall the Senate concur in the House amendments?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Clark, Converse, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McVay, Meservey, Parrott, Price, Reiniger, Seeds, Smith, Taylor, Weber, Weidman and Woolson—32.

The nays were:

Senator Bolter—1.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Chesebro, Davidson, Deal, Dooley,

Knight, Mattoon, McCoy, Mills, Poyneer, Schmidt, Sweney, Vale, Wolfe and Young—17.

So the House amendments were concurred in.

On motion of Senator Lawrence, House File No. 285, a bill for an act to amend section one (1) of chapter 51, acts Fifteenth General Assembly, with report of committee recommending that it do pass, was taken up and considered.

Senator Lawrence moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bolter, Brower, Caldwell, Clark, Converse, Dodge, Doud, Dungan, Finn, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds and Weber—28.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Cassatt, Chesebro, Davidson, Deal, Dooley, Funk, Knight, Mattoon, McCoy, Mills, Schmidt, Smith, Sweney, Taylor, Vale, Weidman, Wolfe, Woolson and Young—22.

So the bill passed and the title was agreed to.

Senator Deal moved to reconsider the vote by which House File No. 266 was lost on its final passage.

Carried.

On the question being shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Clark, Converse, Deal, Doud, Dungan, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Weber, Weidman and Woolson—31.

The nays were:

Senators Bolter, Chesebro and Kent—3.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Davidson, Dodge, Dooley, Finn, Funk, Knight, McCoy, Schmidt, Smith, Sweney, Vale, Wolfe and Young—16.

So the bill passed and the title was agreed to.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Joint resolution No. 17, contemplating the permanent retention at the capital of the State of Iowa of the records of the Government Land Office in Des Moines.

House File No. 603, an act to amend section 1811 of the Code, relative to the consolidation of independent school districts and to allow contiguous territory in adjoining counties to be formed into independent school districts in certain cases, and to legalize the consolidation of independent school districts heretofore effected in certain cases.

House File No. 41, an act to provide for the relief of Union sol-

diers, sailors and marines, and the indigent wives, widows and minor children of deceased Union soldiers, sailors and marines.

House File No. 570, an act to legalize the city election of Knoxville, Iowa, of A. D. 1888, and to legalize the registry lists of voters made for and used at such elections.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 81, a bill for an act legalizing the incorporation of the town of Audubon.

House File No. 191, a bill for an act to regulate the sale of railroad mortgage bonds or obligations, and to create a personal liability for a violation of the provisions hereof.

House File No. 229, a bill for an act to amend section 5, chapter 70, of the acts of the Twentieth General Assembly of Iowa, relating to compensation where domestic animals are killed by dogs.

House File No. 353, a bill for an act to amend section 4368 of the Code of 1873, so as to give the State the right to change venue in criminal cases.

Also:

That the House has concurred in Senate amendments to House File No. 122.

Also:

I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House Files Nos. 41, 570, 603.

□ Also, joint resolution No. 17.

D. C. KOLP, *Chief Clerk*.

On motion of Senator Dungan, Senate File No. 174, a bill for an act to repeal chapter 115 of the acts of the Nineteenth General Assembly and enact a substitute therefor, relating to the time of holding the general election, with report of committee recommending that it do pass, was taken up and considered.

Senator Dungan offered the following:

Strike all after the enacting clause and insert the following: "That chapter 115 of the acts of the Nineteenth General Assembly be and the same is hereby repealed, and there is enacted in lieu thereof the following:

"Section 1. The general election for State, district, county and township offices, shall be held on the Tuesday next after the first Monday in November of each year."

Adopted.

Senator Dungan moved that the rule be suspended and the bill be

considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Dodge, Doud, Dungan, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weber and Weidman—34.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Davidson, Deal, Dooley, Finn, Funk, Hanchett, Knight, McCoy, Schmidt, Sweney, Vale, Wolfe, Woolson and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Kegler, Senate File No. 130, a bill for an act to repeal section 5 of chapter 70 of the laws of the Twentieth General Assembly, in relation to domestic animals killed or injured by dogs, and enact the following in lieu thereof, with report of committee recommending substitute and when adopted it do pass, was taken up and considered, and the substitute recommended by the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Converse, Dodge, Doud, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor and Weidman—31.

The nays were:

Senators Dungan and Wolfe—2.

Absent or not voting:

Senators Barrett, Bills, Bolter, Brower, Clark, Deal, Davidson, Dooley, Knight, McCoy, Schmidt, Smith, Sweney, Vale, Weber, Woolson and Young—17.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

Senator Woolson moved to take up House messages.

Carried.

House File No. 591, a bill for an act to authorize incorporated towns to refund outstanding bonded debt.

Read first and second times and referred to the Committee on Cities and Towns.

Substitute for House File No. 590, a bill for an act to legalize elections held in certain independent school districts on the second Monday of March, 1888, and the acts and proceedings done and taken by the officers then elected.

Read first and second times and referred to the Committee on Elections.

Substitute for House File No. 560, a bill for an act to amend section 1091 of the Code of 1873, relating to corporations other than those for pecuniary profit.

Read first and second times and passed on file.

House File No. 534, a bill for an act to legalize the acknowledgments of conveyances of power of attorney made by Hazen Wilson, attorney in fact for Joseph Webster.

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

House File No. 394, a bill for an act to provide for the re-assessment and re-levy of special taxes and assessments.

Read first and second times and referred to the Committee on Ways and Means.

House File No. 366, a bill for an act authorizing cities and towns to submit to the qualified electors the question of levying a special tax for the purpose of prospecting for natural gas and artesian water, and provide for utilizing the same.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 299, a bill for an act to exterminate the English sparrow.

Read first and second times and referred to the Committee on Fish and Game.

House File No. 292, a bill for an act to amend chapter 140, section 2, of the Twenty-first General Assembly, relating to the duties of State Mine Inspectors.

Read first and second times and referred to the Committee on Mines and Mining.

House File No. 207, a bill for an act to amend chapter 6, title 10, of the Code of Iowa, of 1873, providing for a maximum charge for transmitting telegraph messages.

Read first and second times and referred to the Committee on Railways.

House File No. 37, a bill for an act for the protection of discharged railway employes and to prevent blacklisting.

Read first and second times and referred to the Committee on Railways.

House File No. 229, a bill for an act to amend section five (5) of chapter seventy (70) of the acts of the Twentieth General Assembly of Iowa, relating to compensation where domestic animals are killed by dogs.

Read first and second times and referred to the Committee on Agriculture.

Substitute for House File No. 353, a bill for an act to amend chapter 24, of the Code of 1873, relating to changes of venue in criminal cases.

Read first and second times and referred to the Committee on Judiciary.

House File No. 614, a bill for an act to provide for the election of clerks of committees of the Senate and House of Representatives.

Read first and second times and referred to the Committee on Rules.

House File No. 36, a bill for an act to enable discharged railway employes to obtain a certificate from the person or company making such discharge, setting forth the reasons for such discharge.

Read first and second times and referred to the Committee on Railways.

House File No. 35, a bill for an act to tax mineral estates when the surface and such mineral estates are owned by different parties.

Read first and second times and referred to the Committee on Ways and Means.

House File No. 30, a bill for an act to amend chapter 154, laws of the Eighteenth General Assembly, regulating the good time of prisoners in our penitentiaries.

Read first and second times and referred to the Committee on Penitentiaries and Pardons.

House File No. 121, a bill for an act to regulate the sale of railroad mortgage bonds or obligations, and to create a personal liability for a violation of the provisions hereof.

Read first and second times and referred to the Committee on Railways.

House File No. 611, a bill for an act to legalize the incorporation of the town of Columbus Junction in Louisa county, Iowa, to legalize the election of the officers of said town; to legalize the official acts of said officers; to legalize the ordinances of the council of said town; to legalize the assessments and levies of taxes, and to legalize the loan made under and by the authority of the council of said town.

Read first and second times and referred to the Committee on Judiciary.

Substitute for Senate File No. 81, a bill for an act to legalize the incorporation of the town of Audubon in Audubon county, Iowa; to legalize the election of officers of said town; to legalize the official acts of the officers of said town, to legalize the ordinances of said town, and to legalize assessment and taxes levied.

Read first and second times and referred to the Committee on Judiciary.

Concurrent resolution of the House, relative to meeting the House in the hall of the House in joint convention at 7:30 o'clock P. M. on Wednesday, April 4, 1888, to elect a State Printer and Binder.

Senator Woolson moved that the resolution be taken up.

Carried.

The question recurring upon the resolution, it was adopted.

REPORTS OF COMMITTEES.

Senator Deal from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Joint Resolution No. 17, contemplating the permanent retention, at the capitol of the State of Iowa, of the records of the Government Land Office, in Des Moines.

House File No. 603, an act to amend section 1811 of the Code, relative to the consolidation of independent school districts and to allow contiguous territory in adjoining counties, to be formed into independent school districts, in certain cases and to legalize the consolidation of independent school districts heretofore effected in certain cases.

House File No. 41, an act to provide for the relief of union soldiers, sailors and marines and the indigent wives, widows and minor children of indigent or deceased union soldiers and marines.

House File No. 570, an act to legalize the city election of Knoxville, Iowa, of A. D. 1888, and to legalize the registry lists of voters, made for and used at such elections.

JNO. K. DEAL, *Chairman*.

Senator Woolson from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 184, a bill for an act to legalize the ordinances of the town of Grand Junction, State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 349, a bill for an act to enable administrators and others to deposit funds with the clerk of the court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, another bill upon the same subject having passed the Senate.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 455, a bill for an act to amend section 3179 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 610, a bill for an act to legalize certain acts and ordinances of the council of the incorporated town of Dow City, Crawford county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

On motion of Senator Wolfe, substitute for House File No. 560, 2

bill for an act to amend section 1091 of the Code of 1873, relating to corporations other than those for pecuniary profit, was taken up and considered.

Senator Wolfe moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bolter, Brower, Caldwell, Chesebro, Converse, Doud, Dungan, Finn, Funk, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Seeds, Smith, Taylor, Weber, Weidman, Wolfe and Woolson—31.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Cassatt, Clark, Davidson, Deal, Dodge, Dooley, Garlock, Gatch, Knight, McCoy, Price, Reiniger, Schmidt, Sweney, Vale and Young—19.

So the bill passed and the title was agreed to.

On motion of Senator Lawrence House File No. 384, a bill for an act to fix the compensation to be paid to members of the city council in cities of the first class, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Lawrence moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Chesebro, Converse, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McVay, Meservey, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Taylor, Weber, Weidman and Woolson—33.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Clark, Davidson, Deal, Dooley, Kegler, Kent, Knight, McCoy, Mills, Reiniger, Sweney, Vale, Wolfe and Young—17.

So the bill passed and the title was agreed to.

Senator Kegler filed the following:

MR. PRESIDENT—I hereby give notice for a reconsideration of the vote by which the Senate refused to concur in House amendments to Senate File No. 47.

A. G. KEGLER.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 31, 1888. }

Senate met in regular session at 9 o'clock A. M.

President *pro tem.*, Senator Poyneer, in the chair.

Prayer by Rev. George C. Henry.

Senator Gatch requested privilege of withdrawing petition.

Granted.

Senator Funk presented resolution of Fenton Grange, asking that the bill introduced in the Senate to repeal the law establishing the Iowa weather service be not passed, as we believe the service to be of great value to the whole people, especially to the farmer.

Referred to the Committee on Retrenchment and Reform.

INTRODUCTION OF BILLS.

By Senator Parrott, Senate File No. 414, a bill for an act to amend section 406 of the Code, relating to the amount of taxes which may be certified, assessed and collected in cities and incorporated towns.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Clark, Senate File No. 415, a bill for an act to repeal section 4026 of the Code, relating to keeping gambling houses and to the prosecution thereof, and to the enactment of additional provisions relative to gamblers, gambling and gambling houses.

Read first and second times and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 188, a bill for an act providing for the issue of water-works bonds by cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

MATT PARROTT, *Chairman*.

Report of committee was adopted.

PETITIONS AND MEMORIALS.

Senator Chesebro presented petition of C. F. Garlock and others, voters and taxpayers of Muscatine, Iowa, who were not contributors

to the New Orleans fund, believe that the State should refund the amounts so contributed, and respectfully petition you to endeavor to secure such an appropriation.

Referred to Committee on Ways and Means.

On motion of Senator Bolter the Senate took a recess of ten minutes.

The Senate reconvened after recess.

Senators Woolson, Weber, Kent, Kegler, Lawrence, Hanchett, Davidson and Wolfe excused until Monday afternoon.

On motion of Senator Doud the Senate took a recess until 10 o'clock.

The Senate reconvened at 10 o'clock.

Senator Bayless moved a call of the Senate.

Lost.

Senator Converse moved that the roll of the Senate be called to see how many Senators are present.

Carried.

The roll was called and the following were present.

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Taylor and Weidman—28.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 571, a bill for an act to amend chapter 103, laws of the Twentieth General Assembly, in relation to the management and investment of the endowment fund of the Iowa Agricultural College.

House File No. 580, a bill for an act to amend section 5, chapter 134, of the acts of the Twenty-first General Assembly, and to define the jurisdiction of the district court held at places other than county seats.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Converse, House File No. 170, a bill for an act fixing maximum rate of toll for grinding, or grinding and bolting grain, with report of committee recommending that it be indefinite postponed, was taken up, considered, and the report of the committee was not adopted.

Senator Finn moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bayless, Converse, Finn, Garlock, Mattoon, McVay, Mills, Price and Weidman—9.

The nays were:

Senators Barnett, Bolter, Brower, Caldwell, Chesebro, Clark, Deal, Dodge, Doud, Dungan, Funk, Gatch, Groneweg, Harsh, Hutchison, Kelly, Meservey, Poyneer, Reiniger, Schmidt and Taylor—21.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Davidson, Dooley, Hanchett, Keger, Kent, Knight, Lawrence, McCoy, Parrott, Seeds, Smith, Sweney, Vale, Weber, Wolfe, Woolson and Young—20.

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

Senator Barnett filed the following explanation of his vote:

I vote no on this question fearing that it will injure an industry that is not a paying business in my district.

J. H. BARNETT.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, March 31, 1888. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State:

Senate File No. 384, an act to amend section 1439 of the Code of Iowa, in regard to the admission of patients into the Insane Hospital.

Also, Senate File No. 400, an act appointing trustees for the cemetery, for which John M. Kendall conveyed land at Indianola, Iowa, and declaring their duties.

FRED'K W. HOSSFELD, *Private Secretary.*

Also, the Secretary delivered a message in writing from the Governor.

On motion of Senator Mills, House File No. 1, a bill for an act to provide for the formation of independent school districts, with report of committee recommending that it do pass, was taken up and considered.

Senator Mills moved that the rule be suspended and the bill be read a third time now.

Lost.

Senator Reiniger moved that Senate File No. 167, a bill for an act conferring on women the right to vote at municipal and school elections, be taken up.

Lost.

On motion of Senator Doud, House File No. 455, a bill for an act to amend section 3179 of the Code, with report of committee recommending that it do pass, was taken up and considered.

Senator Doud moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor and Weidman—20.

The nays were none:

Absent or not voting:

Senators Barrett, Bills, Cassatt, Davidson, Dodge, Dooley, Hanchett, Hutchison, Kegler, Kent, Knight, Lawrence, McCoy, Schmidt, Smith, Sweney, Vale, Weber, Wolfe, Woolson and Young—21.

So the bill passed and the title was agreed to.

On motion of Senator Bayless, concurrent resolution in relation to swamp land indemnity, with report of committee recommending that it do pass, was taken up and considered, and the resolution was adopted.

On motion of Senator Finn, Senate File No. 130, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to capital punishment, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee was not adopted.

Senator Finn moved to amend as follows: Add to section 9, "or by hanging the defendant by the neck until he is dead, as the sentence of the court may determine."

Adopted.

Ordered engrossed and read a third time to-morrow.

REPORTS OF COMMITTEES.

Senator Meservey, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 31, a bill for an act to amend sections 401 and 411, title 4, chapter 9 of the Code, in relation to township elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 334, a bill for an act to amend sections 269 and 3756 of the Code of Iowa, relating to appointment of notaries public and the fee thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom

was referred House File No. 292, a bill for an act to amend chapter 140, section 2 of the Twenty-first General Assembly, relating to the duties of State Mine Inspectors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 367, a bill for an act to amend sections 8, 9, 10 and 14, chapter 21, acts of the Twentieth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

First. In section 1, line 1, strike out the words "amendment to" and insert the word "amend".

Second. Insert after the figure "8" in line 1, the words "by adding thereto the following".

Third. Insert after the word "is" in line 1, the word "hereafter".

Fourth. Amend section 9 in first line by striking out the words "amendment to" and insert after the figure "9" in same line the words "by adding thereto the following".

Fifth. Amend section 10 in first line by striking out the words "amendment to" and insert after the figures "10" in same line the words "by inserting", and after the word "mines" the last word in line 1 the words "the following".

Sixth. Amend section 14 as follows: strike out in first line the words "amendment to", and after the figures "14" insert the word "by", and when so amended that the bill do pass.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Senator Meservey moved that substitute for House File No. 590 be re-referred to the Committee on Judiciary.

Carried.

Senator Seeds moved that the Senate go into executive session.

Carried.

The Senate reconvened at 12 o'clock M.

Senator Hutchison moved that when the Senate adjourn it be until 2 o'clock P. M., Monday, April 2.

Senator Gatch moved to amend by striking out "2 o'clock P. M." and inserting "10 o'clock A. M."

Adopted.

The question recurring upon the motion as amended, it was adopted.

LEAVE OF ABSENCE GRANTED.

Senators Price, Barnett, Groneweg and Smith were excused until Monday afternoon.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, April 2, 1888. }

The Senate met in regular session at 10 o'clock A. M.

Senator Doud moved that the Senate adjourn until 11 o'clock A. M.
Carried.

Senate adjourned until 11 o'clock A. M.

Senate reconvened at 11 o'clock pursuant to adjournment and on
motion of Senator Meservey adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M.
Lieutenant-Governor Hull in the chair.
Senator Groneweg moved to take up House Messages.
Carried.

HOUSE MESSAGES.

House File No. 580, a bill for an act to amend section 5, of chapter 184, of the acts of the Twenty-first General Assembly, and to define the jurisdiction of the district court, held at places other than county seats.

Read first and second times and referred to the Committee on Judiciary.

House File No. 571, a bill for an act to amend chapter 193 of laws of the Twentieth General Assembly, in relation to the management and investment of the endowment fund of the Iowa Agricultural College.

Read first and second times and referred to the Committee on Educational Institutions.

REPORTS OF STANDING COMMITTEE.

Senator Garlock, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate File No. 223, a bill for an act to provide a reformatory for prisoners and for the further regulation of prisons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. O. GARLOCK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred House File No. 469, a bill for an act to amend section 4780 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. O. GARLOCK, *Chairman*.

Ordered passed on file.

On motion of Senator Gitch, House File No. 295, a bill for an act to authorize cities of the first class to require the erection and con-

struction of viaducts over or under railroads on public streets, and to provide compensation to owners of property abutting on such streets, with report of committee recommending amendments and that the bill do pass, was taken up, considered, and the amendments of the committee were adopted.

Senator Woolson offered the following amendment:

Add to section one, "nor shall any viaduct be required until the board of railroad commissioners shall, after due examination, determine said viaduct to be necessary in order to promote the public safety and convenience, and the plans of said viaduct prepared as provided in section 3 hereof, shall have been approved by said board."

Adopted.

The hour having arrived for the consideration of the special order, Senator Clark moved that the special orders be postponed without changing their order until the bill under consideration be disposed of.

Carried.

Consideration of House File No. 295 was resumed.

Senator Harsh offered the following amendment:

Amend by striking out the word "public" in the third line of section 1, printed bill.

Lost.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Weidman and Woolson—34.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Bolter, Cassatt, Dooley, Kegler, Kent, Knight, McCoy, Parrott, Schmidt, Sweney, Vale, Weber, Wolfe and Young—16.

So the bill passed and the title was agreed to.

Minority report on substitute for House File No. 501, as engrossed:

MR. PRESIDENT—The undersigned, a minority of your committee to whom was referred substitute for House File No. 501, as engrossed "a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes, etc.," are unable to concur in the views of the majority thereon, and beg leave to report that intemperance, in our opinion, would be better suppressed and the citizens of the State generally would be greatly benefited by the passage of Senate File No. 107, a copy of which we annex hereto, and beg leave to of-

for the same as a substitute for House File No. 501, as engrossed, and we recommend when the same is so substituted that it do pass.

WM. O. SCHMIDT,

S. T. CHESEBRO,

Minority of the Committee on Suppression of Intemperance.

The following was the annexed bill:

For an act to repeal chapter six (6), title eleven (11) of the Code of Iowa of 1873, and all amendments thereto, and to enact in lieu thereof a provision for the levying of a tax upon the occupation of dealing in intoxicating liquors, including ale, wine and beer.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That chapter six (6), title eleven (11) of the Code of Iowa of 1873, and all amendments thereto relating to the sale of intoxicating liquors, be and the same are hereby repealed and the following is enacted in lieu thereof:

Sec. 2. That no person shall hereafter be permitted to sell or to give to any person in this State any intoxicating liquors whatever, including ale, wine and beer, until he shall first have fully complied with the terms of this act.

Sec. 3. The board of supervisors of any county in this State may at any time after the passage of this act, upon a petition being presented to them, signed by more than one-third of the legal voters of said county, petitioning for the same, submit to the electors of said county the following proposition: Shall permits for the sale of intoxicating liquors, including ale, wine and beer, be granted? Said proposition shall be submitted by said board of supervisors at either a general or special election; notice of said election to be given by said board of supervisors by the publication of a notice thereof for three consecutive weeks in a weekly newspaper published in said county; the last publication to be at least ten (10) days before the day fixed for said general or special election. No submission of said proposition shall be made by said board of supervisors oftener than once in four years.

Sec. 4. In case a majority of all the votes cast at such general or special election shall be in favor of said proposition, the board of supervisors of such county shall grant a permit for the sale of intoxicating liquors, including ale, wine and beer, if deemed expedient, upon the application by petition of thirty (30) of the resident freeholders of the township where the sale of such intoxicating liquors, including ale, wine and beer is to take place, setting forth that the applicant is a man of respectable character and good standing, and a resident of the State, and praying that a permit for the sale of intoxicating liquors, including ale, wine and beer, may be issued to him. Such application to be filed in the office of the county auditor, and upon payment into the county treasury of such sum as the board of supervisors may require, not less than five hundred (\$500) dollars for each permit, and upon compliance with the provisions of this act. *Provided*, that such board of supervisors shall not have the power to issue any permit for the sale of intoxicating liquors, including ale,

wine and beer, in any city or incorporated town within this State, or any city organized under special charter within this State.

Sec. 5. No action shall be taken upon said application until at least two weeks' notice of the filing of the same has been given by publication in a newspaper published in said county, having the largest circulation therein, when, if there be no objection in writing made and filed to the issuance of said permit, and the board of supervisors is in session, and all other provisions of this act have been fully complied with, it shall be granted.

Sec. 6. If there be any objection, protest or remonstrance, filed in the office where the application is made against the issuance of said permit, the board of supervisors shall appoint a day for the hearing of said case, and if it shall be satisfactorily proven that the applicant for such permit has been guilty of the violation of any of the provisions of this act within the space of one year, or if any former permit shall have been revoked for any misdemeanor against the laws of this State, then the board of supervisors shall refuse to issue such permit.

Sec. 7. On the hearing of any case arising under the provisions of the last two sections, any party interested shall have process to compel the attendance of witnesses who shall have the same compensation as now provided by law in the district court, to be paid by the party calling said witnesses. The testimony on said hearing shall be reduced to writing and filed in the office of the county auditor, and if any party feels himself aggrieved by the decision in said case, he may appeal therefrom to the district court, and said testimony shall be transmitted to said district court, and such appeal shall be decided by the judge of said court upon said evidence alone.

Sec. 8. The permit shall state the time for which it is granted, which shall not exceed one year, the place where the intoxicating liquors, including ale, wine and beer are to be sold, and shall not be transferable, and any permit granted under this act may be revoked by the authority issuing the same, whenever the person holding such permit shall upon due proof being made, be convicted of a violation of the provisions of this act. The permit shall as near as practicable be in the following terms and form:

STATE OF IOWA,

} ss.

..... County }

To all who shall see these Presents:

Know ye, that.....having on the....day of.....A. D. 18...., filed his petition and bond according to law, and paid into the treasury the sum imposed on him as a vendor of intoxicating liquors, including ale, wine and beer, therefore the said.....is hereby authorized to sell intoxicating liquors, including ale, wine and beer, at.....for.....months ending the.....day of....., A. D. 18....

In testimony whereof, I....., county auditor of..... county, Iowa, have affixed my hand and official seal this.... day of.... A. D. 18..

[SEAL.]

.....
County Auditor.

Sec. 9. No person shall receive a permit to sell intoxicating liquors, including ale, wine and beer, from any board of supervisors, or from the authorities of any incorporated city or town, including cities under special charter in this State, unless he shall first give bond in the penal sum of three thousand (\$3,000) dollars, payable to the State of Iowa, with at least two good and sufficient sureties, freeholders of the county in which the permit is to be granted, to be approved by the board of supervisors, or the city or town authorities issuing the permit, who may be thereunto duly authorized, conditioned that he will not violate any of the provisions of this act, and that he will pay all damages, fines, penalties and forfeitures which may be adjudged against him under this act. Any bond taken pursuant to this section may be sued upon for the use of any person, or his legal representatives, who may be injured by reason of the selling or giving away of any intoxicating liquors, including ale, wine and beer, by any person holding a permit under and by virtue of this act, or by his agent or servant.

Sec. 10. No person who holds a permit under the terms of this act shall be permitted to become a surety upon a bond required under this act.

Sec. 11. Every person holding a permit as herein required, who shall give or sell any intoxicating liquors, including ale, wine or beer, to any minor, shall forfeit the sum of twenty-five dollars; *provided, however*, that such forfeiture shall not apply where said intoxicating liquors, including ale wine and beer are sold or given to said minor upon the written order of the parent or guardian of said minor.

Sec. 12. Any minor, who shall, for the purpose of evading the provisions of the preceding section, falsely represent his age, shall be deemed guilty of a misdemeanor, and fined for each and every offense not exceeding twenty dollars, or imprisoned in the county jail not exceeding thirty days, or both, at the discretion of the court.

Sec. 13. Every person holding a permit under the terms of this act, who shall sell any intoxicating liquors, including ale, wine and beer, to any insane person, idiot or habitual drunkard, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment in the discretion of the court.

Sec. 14. Every person so holding a permit, or any person who shall intentionally or otherwise sell or give away, or direct or permit any person or persons in his employ, to sell or give away any intoxicating liquors, including ale, wine and beer, which shall be adulterated with strychnine, strontia, sugar of lead, or any other substance, shall forfeit and pay the sum of one hundred dollars for every such offense.

Sec. 15. All persons who shall sell or give away upon any pretext, any intoxicating liquors, including ale, wine or beer, without having first complied with the provisions of this act, and obtained a permit as herein set forth, shall for each offense be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars or imprisoned in the county jail not exceeding thirty days, and shall be liable in all respects to the public and individuals the same as he would have been had he given bonds and

obtained a permit as in this act provided; provided, that any person or persons shall be allowed to sell wine made from grapes grown or raised on land belonging to or occupied by said person or persons in the State of Iowa, without procuring the permit as provided in this act.

Sec. 16. In case a majority of all the votes cast at a general or special election, held as provided by section three (3) of this act, be in favor of said proposition in any county of this State, then, and in that event, the corporate authorities of all cities and towns in said county, including all cities organized under special charters in said county, shall have power to issue permits for the sale of intoxicating liquors, including ale, wine and beer, within the limits of said city or town, not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such permit, not less in amount, however, than the sum of five hundred (\$500) dollars. Provided, that in granting permits such corporate authorities shall comply with and be governed by all the provisions of this act in regard to granting of permits, and all the provisions and penalties contained in this act shall be applicable to such permits and the persons to whom they are granted; provided, also, that in granting any permits the petition therefor shall be sufficient if signed by thirty of the resident freeholders, or if there are less than sixty, a majority of the freeholders of the city or town where the sale of such intoxicating liquors, including ale, wine or beer is to take place.

Sec. 17. All moneys, fines and penalties received under permits granted under this act by the board of supervisors of any county, shall, when collected, be credited to the school fund of the township in which the place is located for which said permit is granted. And all moneys, fines and penalties received under permits granted under this act by the authorities of any incorporated city or town, or city organized under special charter in this State, shall be held by said incorporated city or town, or city organized under special charter for its general fund, to be expended as other general revenues received by it.

Sec. 18. This act being deemed of immediate importance, shall be in force and take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 244, a bill for an act fixing the compensation of the Auditor of State for the examination of State, private and savings banks.

House File No. 279, a bill for an act to limit the liabilities of a State bank.

House File No. 413, a bill for an act authorizing cities organized

under special charters to condemn the right of way through private property for sewers and drains.

House File No. 432, a bill for an act to repeal section 814 of the Code of 1873.

House File No. 454, a bill for an act to provide for the re-payment of insurance premiums in certain cases.

House File No. 548, a bill for an act to amend section 1, chapter 51, acts of the Fifteenth General Assembly.

House File No. 575, a bill for an act to amend section 463 of the Code.

House File No. 616, a bill for an act to amend section 78 of Code in relation to interest on warrants on State Treasurer.

House File No. 392, a bill for an act to regulate the erection of telephone lines upon public highways.

House File No. 461, a bill for an act to amend section 3639 of the Code, relating to evidence.

House File No. 584, a bill for an act to repeal section 2080 of the Code and enact a substitute, relating to usury.

Also, that the House has passed the following Senate bills:

Senate File No. 156, a bill for an act to amend sections 1401 and 1403 of the Code, relative to the confinement of persons found or alleged to be insane.

Senate File No. 193, a bill for an act authorizing the Governor of the State to arrange with Gen. W. W. Belknap for his services in prosecuting claims of the State against the general government.

Also, that the House has concurred in Senate amendments to House Files Nos. 178, 187, 280, 288 and 396.

Also, that the House refused to concur in Senate File No. 87, a bill for an act providing for the appointment of bank examiners, fixing their fees, etc.

Also, that Senate File No. 131, a bill for an act to repeal section 535, chapter 10, title 14 of the Code, has been indefinitely postponed.

D. C. KOLP, *Chief Clerk*.

By consent, Senator Chesebro presented remonstrance of H. J. Landers and others of Muscatine, asking that the Senate do not pass House File No. 138.

Referred to Committee on Judiciary.

By consent, Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 305, a bill for an act to make the time for which sub-directors of schools are elected three years, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

House File No. 602, an act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, the election of its officers and all acts done or ordinances passed by the council of said town.

House File No. 449, an act to legalize the ordinances of the city of Shenandoah.

House File No. 14, an act to amend section 1, chapter 79 of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine.

House Memorial and Joint Resolution No. 2.

House File No. 122, an act to amend section 4275 of the Code relating to grand juries.

Senate File No. 327, an act providing for funding certain bonds and outstanding indebtedness of certain cities and authorizing certain cities to fund certain outstanding indebtedness and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax.

Senate File No. 207, an act to facilitate settlement of estates and to enable administrators, guardians, trustees and referees to deposit funds and securities subject to approval of court, and making the clerk and treasurer liable therefor in certain cases.

Senate File No. 366, an act to legalize the incorporation of the Boone Valley Pure Bred Horse Association, the election of its officers and all acts done by it.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

On motion of Senator Clark, Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the amendments of the committee were adopted.

Senator Bayless offered the following amendment: Add the following as section 2:

Sec. 2. No agent, manager, owner, or employe of any fire insurance company doing business in the State of Iowa, shall have control of or be in any way connected with but one company for the purpose of rating or placing rates on property, or classify property of any description, or examine or approving policies, or to see that rates are enforced or maintained.

Provided, that this section shall not be so construed as to prevent local agents from acting as agents for more than one company, nor to prevent any local agent from using such rates as his respective companies may describe or direct for their own company, or as he may deem just, provided such rules are not uniform nor pooled.

Senator Finn moved to amend the amendment by striking therefrom the words "or classify property of any description."

Lost.

Senator Bayless moved that House File No. 25 be made a special order to follow the consideration of the bill now pending, and that the other special order follow.

Senator Finn raised the point of order that unless the bill under

consideration was laid aside that no motion would be in order to make a special order of another bill.

The chair held that the point of order was well taken, and ruled the motion out of order.

Senator Reiniger offered to strike out of line four of the amendment the words "or examine or approving policies."

Adopted.

Senator Reiniger offered the following amendment: Strike out the words "uniform nor" in last line of amendment.

Adopted.

Senator Reiniger offered the following amendment: Last line of the amendment, strike out the word "rules" and insert the word "rates."

Adopted.

Senator Bayless moved to strike out the word "describe" from the last sentence of the amendment, and to insert the word "prescribe" in lieu thereof.

Adopted.

The question recurring on the amendment of Senator Bayless as amended.

The yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Brower, Cassatt, Chesebro, Clark, Converse, Davidson, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Seeds, Taylor, Vale, Weidman and Young—30.

The nays were:

Senators Doud, Lawrence, Reiniger, Schmidt and Smith—5.

Absent or not voting:

Senators Barrett, Bills, Bolter, Caldwell, Deal, Dodge, Kegler, Kent, Knight, McCoy, Parrott, Sweney, Weber, Wolfe and Woolson—15.

So the amendment was adopted.

Senator Price offered the following amendment:

Insert in section 1, after the word "article," in line 12, the following: "or to fix the price or a schedule of prices for any professional work."

On this the yeas and nays were called.

The yeas were:

Senators Barnett, Bayless, Caldwell, Chesebro, Clark, Converse, Davidson, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weidman and Young—33.

The nays were none:

Absent or not voting:

Senators Barrett, Bills, Bolter, Brower, Cassatt, Deal, Dodge, Kegler, Kent, Knight, McCoy, Parrott, Schmidt, Sweney, Weber, Wolfe and Woolson—17.

So the amendment was adopted.

Senator Doud offered the following amendment:

Amend section 1 by adding thereto: This act shall be construed

to apply to any corporations, individuals or firms that provides in any manner for a fund in which the members thereof shall participate, or that provides for a penalty or forfeiture of any kind whatever for the failure of any member to perform the terms of such pool, trust, combination or confederation.

On this the yeas and nays were demanded:

The yeas were:

Senators Converse, Doud, Hutchison, Lawrence, Poyneer, Price, Smith and Woolson—8.

The nays were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Clark, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Groneweg, Hanchett, Harsh, Kelly, Mattoon, McVay, Meservey, Mills, Reiniger, Seeds, Taylor, Vale, Weidman and Young—26.

Absent or not voting:

Senators Barrett, Bills, Bolter, Brower, Deal, Finn, Gatch, Kegler, Kent, Knight, McCoy, Parrott, Schmidt, Sweney, Weber and Wolfe—16.

So the amendment was lost.

Senator Price offered the following amendment to section 1:

Amend by inserting after the word "provisions", in line 13, the word "labor".

On this the yeas and nays were demanded.

The yeas were:

Senators Brower, Doud, Groneweg, Lawrence, Price, Schmidt, Smith and Weidman—8.

The nays were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Clark, Converse, Dodge, Dooley, Dungan, Funk, Gatch, Hanchett, Hutchison, Kelly, Mattoon, McVay, Meservey, Mills, Reiniger, Seeds, Taylor, Vale, Woolson and Young—25.

Absent or not voting:

Senators Barrett, Bills, Bolter, Davidson, Deal, Finn, Garlock, Harsh, Kegler, Kent, Knight, McCoy, Parrott, Poyneer, Sweney, Weber and Wolfe—17.

So the amendment was lost.

Senator Reiniger offered the following amendment:

Amend bill by adding as section 5 the following: This act shall not be construed to repeal or amend any law that is now in force or may hereafter be in force regulating or prescribing the duties or liabilities of common carriers.

Adopted.

Senator Price offered the following amendment:

Amend by striking out of section 1 all after the word "State" in line nine, to and including the word "whatever" in line thirteen.

On this the yeas and nays were demanded.

The yeas were:

Senators Brower, Doud, Groneweg, Price and Schmidt—5.

The nays were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Han-

chett, Hutchison, Kelly, Mattoon, Meservey, Mills, Reiniger, Seeds, Taylor, Vale, Weidman and Young—26.

Absent or not voting:

Senators Barrett, Bills, Bolter, Deal, Finn, Harsh, Kegler, Kent, Knight, Lawrence, McCoy, McVay, Parrott, Poyneer, Smith, Sweney, Weber, Wolfe and Woolson—19.

So the amendment was lost.

Senator Smith offered the following amendment:

Amend section 1 by adding in line ten after the word "partnership" the word "association."

On this the yeas and nays were demanded.

The yeas were:

Senators Doud, Garlock, Groneweg, Harsh, Mills, Price, Reiniger, Smith and Woolson—9.

The nays were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dooley, Dungan, Funk, Kelly, Mattoon, McVay, Meservey, Seeds, Taylor, Vale and Weidman—19.

Absent or not voting:

Senators Barrett, Bills, Bolter, Brower, Deal, Dodge, Finn, Gatch, Hanchett, Hutchison, Kegler, Kent, Knight, Lawrence, McCoy, Parrott, Poyneer, Schmidt, Sweney, Weber, Wolfe and Young—22.

So the amendment was lost.

Senator Smith offered the following amendment:

Amend section 1 by adding after the word "flour," in 13th line, the words "meats or other."

Lost.

Senator Smith offered the following:

Amend section 1 by adding after the word "provisions," in 13th line, the words "lumber, farming-implements, live-stock, etc."

Lost.

Senator Smith offered the following amendment:

Amend section 1 by striking out all of section 1 to line 4 and add "that if any individual, firm or association of this State, or any corporation chartered or organized under the laws of this State or any other State or country, and doing any kind of business in this State."

Lost.

Senator Price offered the following amendment:

Amend by inserting in line 13 of section 1, after the word "provisions," the words "skilled labor."

On this the yeas and nays were demanded.

The yeas were:

Senators Garlock, Groneweg and Schmidt—3.

The nays were:

Senators Barnett, Bayless, Caldwell, Cassatt, Chesebro, Clark, Converse, Dodge, Dooley, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Reiniger, Seeds, Taylor, Vale, Weidman and Young—27.

Absent or not voting:

Senators Barrett, Bills, Bolter, Brower, Davidson, Doud, Deal, Finn, Kegler, Kent, Knight, McCoy, Parrott, Poyneer, Price, Smith, Sweney, Weber, Wolfe and Woolson—20.

So the amendment was lost.

Senator Clark moved that the sections be re-numbered, to correspond with the sections that had been added.

Carried.

Senator Dooley moved the previous question, which was seconded.

On the question shall the main question be now put, it was lost.

The chair held that this vote removed the bill from the further consideration of the Senate for the day.

In accordance with this ruling Senator Seeds moved that Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases be taken up for consideration.

Carried.

Senator Clark offered the following amendment:

Strike out the words "provided in the next section" in line 17, section 1, printed bill, and insert in lieu thereof the words "hereinafter provided."

Adopted.

Senator Reiniger offered the following amendment:

Amend bill by adding as section, this act shall not apply to ordinary retail dealers in carrying on their ordinary business.

Lost.

Senator Bayless offered the following amendment:

Strike the words "of the first section" from the second line of section 3, printed bill.

Adopted.

The bill was ordered engrossed and read a third time to-morrow.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined:

House File No. 384, an act to fix the compensation to be paid to members of the city council in cities of the first class.

House File No. 187, an act to amend section 159 of the Code of 1873, in regard to the disposition of the reports of the Supreme Court of the State.

House File No. 178, an act to amend section 24 of chapter 151 of the laws of the Eighteenth General Assembly, changing times of the meetings of the local boards of health.

House File No. 228, an act to reimburse the Sixth Iowa Infantry.

House File No. 396, an act to authorize cities of the first class to make regulations against danger or accidents by fire, to establish fire limits, and to prohibit the erection of certain buildings within such limits, and to provide for the removal of buildings erected contrary to such regulations.

House File No. 38, an act to amend chapter 93 of the laws of the Twenty-first General Assembly.

House File No. 540, an act to amend section 1, chapter 158, acts of the Nineteenth General Assembly.

House File No. 388, an act to amend section 1 of chapter 51, acts of the Fifteenth General Assembly.

House File No. 560, an act to amend section 1091 of the Code of 1878, relating to corporations other than those for pecuniary profit.

House File No. 266, an act amending section 1757, chapter 2, title 12 of the Code, in relation to the filing of teachers' contracts.

House File No. 215, an act to amend section 976 of the Code, relating to the payment of taxes to the township clerk.

House File No. 280, an act for the relief of John Haidiene of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa.

House File No. 520, an act to legalize the incorporation of the town of Ackworth, Warren county, Iowa, to legalize the ordinances of the town council of said town, and to legalize the acts of the officers of said incorporated town under the ordinances of said town.

Senate File No. 65, an act to provide that keepers and owners of pure bred or thoroughbred bulls, standard bred or thoroughbred stallions, shall post notices of their registration.

And find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

Journal of Saturday corrected and approved.

Senator Clark moved that the special orders be postponed until tomorrow at fifteen minutes past ten o'clock A. M., and that they be continued in order as follows, until disposed of:

Substitute for House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes, and to make more efficient the laws for the suppression of intemperance, and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section two (2), chapter eighty-three (83), acts of the Twenty-first General Assembly after the words "medicines and poisons" in the fifth line thereof, with report of committee recommending amendments and that it do pass.

Senate File No. 317, a bill for an act supplemental to chapter 143 of the acts of the Twentieth General Assembly, and chapter 66 of the acts of the Twenty-first General Assembly, relating to the sale of intoxicating liquors and abatement of nuisances, with report of committee recommending amendments and that it do pass.

Senate File No. 107, a bill for an act to repeal chapter six (6), title eleven (11) of the Code of Iowa of 1873, and all amendments thereto, and to enact in lieu thereof a provision for the levying of a tax upon the occupation of dealing in intoxicating liquors, including ale, wine and beer; committee recommending that it be indefinitely postponed.

Carried.

On motion of Senator Dungan House File No. 10, a bill for an act to amend section 4, chapter 140 of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the Twentieth General Assembly, relative to State Mine Inspector, their duties and manner of appointment, with report of committee recommending amendments, and when adopted the bill do pass, was taken up and considered.

The amendments by committee to section 1 were adopted.

The amendment by committee to section 21 was adopted.

Senator Dungan moved to renumber the section in section 2 by striking out the words "section 21" and inserting "section 22" and by striking out the words "section 22" and inserting "section 23;" strike out "section 23" and inserting "section 24;" strike out "section 24" and inserting "section 25."

Carried.

The amendments recommended by the committee to section 28 were adopted.

The amendments to section 24 by the committee were adopted.

Senator Dungan offered the following amendment:

Amend section 25 as follows: Strike out the last sentence, being all the words in lines 33, 34, 35 and 36, after the word "examination" in line 33, and insert the following: "The Board of Examiners shall give to all persons examined who, in their judgment, possess the requisite qualifications, certificates of such qualification, and from the persons holding such certificates, the Governor shall appoint the State Mine Inspectors."

Adopted.

Senator Dungan moved the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Brower, Cassatt, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Grone-weg, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weidman and Woolson—35.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Bolter, Caldwell, Clark, Garlock, Gatch, Kegler, Kent, Knight, Parrott, Vale, Weber, Wolfe and Young—15.

So the bill passed and the title was agreed to.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 189, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly relating to capital punishment, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

INTRODUCTION OF BILLS.

By Senator Sweney, by consent, Senate File No. 416, a bill for an act to provide for the payment of the necessary costs and expenses other than attorneys' fees in the contest for the office of Senator of the forty-fourth district in the Twenty first General Assembly.

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

By Senator Sweney, Senate File No. 417, a bill for an act to legal-

ize the voting of aid by taxation in the township of Osage, Mitchell county, Iowa, to the Winona & Southwestern Railway company.

Read first and second times.

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

On the question shall the bill pass.

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Grone-weg, Hanchett, Harsh, Hutchison, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weidman and Woolson—35.

The nays were none:

Absent or not voting:

Senators Barrett, Bills, Bolter, Cassatt, Chesebro, Clark, Finn, Kegler, Kent, Knight, Lawrence, Parrott, Weber, Wolfe and Young—15.

So the bill passed and the title was agreed to.

Senator Harsh moved that the Secretary be instructed to request the return to the Senate from the House of House File No. 85, a bill for an act amendatory of chapter 77 of the acts of the Seventeenth General Assembly, to repeal section 2 thereof and enact a substitute therefor, relative to the election of Railroad Commissioners.

Carried.

REPORTS OF COMMITTEE.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 200, a bill for an act to relieve disabled firemen belonging to the Iowa Firemen's Association and to provide for funeral expenses, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee, on Ways and Means, to whom was referred Senate File No. 68, a bill for an act to provide for the establishment of a State board of supervision of State institutions and officers, beg leave to report that inasmuch as they have had the same under consideration, and have thought best to prepare a new measure they have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Gatch, by consent, Senate File No. 418, a bill for an act to amend section 3155 of the Code of Iowa in regard to granting new trials.

Read first and second times and referred to the Committee on Judiciary.

Senator Converse moved that the Senate do now adjourn until half past seven o'clock this evening.

Senator Bayless moved to amend by striking out "half past seven o'clock this evening" and inserting in lieu thereof 9 o'clock to-morrow morning.

Lost.

The question recurring on the motion of Senator Converse it prevailed.

Senate adjourned.

EVENING SESSION.

The Senate met in regular session at 7:30 o'clock P. M.
President *pro tem* Poyneer in the chair.
Senators Chesebro, Garlock and Clark were excused.

REPORT OF CONFERENCE COMMITTEE.

Senator Sweney, from the Conference Committee on the Senate amendments to House File No. 373, submitted the following report:

MR. PRESIDENT AND MR. SPEAKER—Your conference committee appointed for the purpose of conferring with each other respecting the Senate amendments to House File No. 373, in which the House refused to concur, have had the matters of disagreement under consideration and beg leave to submit the following report:

1st. They recommend that the Senate recede from its amendment in line 7, section 3, printed bill as engrossed, to-wit: striking out the word "unjust". This recommendation is made because although there is a difference of opinion between the members of the committee with respect to the wisdom of retaining the word "unjust", yet the necessity of agreement being so imperative they are united in recommending the retention of the qualifying word.

2d. For like reasons they recommend that the Senate recede from the amendment in line 10, section 17, to-wit: striking out the word "unjust"; also, from the amendment in line 9, section 23, to-wit: striking out the word "unjust"; also from the amendment in line 35, section 24, to-wit: striking out the word "unjust"; also from the amendment in line 43, section 24, to-wit: striking out the word "unjust"; also from the amendment in line 13, section 25, to-wit: striking out the word "unjust"; also, from the amendment in line 3, section 28, to-wit: striking out the word "unjust"; also from the amendment of the title, to-wit: striking therefrom the word "unjust".

3d. They recommend that the Senate and House adopt as a substitute for the Senate amendment in line 9, section 4, to-wit: Striking out the words, "those connecting therewith," and inserting in lieu thereof the words "to and from other lines connected therewith," and in line 10, section 4, to-wit: Inserting after the word "lines" the words "and places" the following: Strike out all of section 4 after the word "whatsoever" in line 5, and all amendments thereto, and substitute therefor the following: Provided, however, that nothing herein shall be construed to prevent any common carrier from giving preference as to time of shipment of live stock, uncured meats, or other perish-

able property." All common carriers subject to the provisions of this act, shall according to their respective powers, afford all reasonable, proper and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding and switching of cars, and the receiving, forwarding and delivering of passengers and property to and from their several lines, and to and from other lines and places connected therewith, and shall not discriminate in their accommodations rates and charges between such connecting lines, and any common carrier may be required to switch and transfer cars for another for the purpose of being loaded or unloaded, upon such terms and conditions as may be prescribed by the Board of Railroad Commissions." Their reason for this recommendation is that by mistake one of the Senate amendments to section 4 was misplaced and it seemed necessary to rewrite the latter part of the section. The substitute offered by the committee is the original text with the Senate amendments, so that in substance, though not in form, the recommendation is that the House concur in the amendments of the Senate.

4th. They recommend that the Senate recede from the amendments in line 3, section 7, to wit: striking out the words "any such common carrier;" also, the word "has," and inserting the words "have been;" also, to insert in same line after the word "established" the words "either by the railroad commissioners or by said common carrier." For the reason that this section is only intended to prescribe the publicity to be given to the schedules established by the railroad companies. The schedules prepared by the commissioners are fully provided for in this respect in section 17.

5th. They recommend that the House concur in the Senate amendments in lines 11, 12 and 13, section 7, to wit: striking out lines 11 and 12 and that part of line 13 to and including the word "inspected" and inserting "and a copy for the use of the public shall be kept in every freight office and passenger station on such railroad where it can be conveniently inspected, and such common carrier shall keep a printed notice posted in every such freight office and passenger station indicating where therein such schedule can be found." For the reason that the provision offered by the Senate seems better adapted to secure easy and certain access to these schedules than that of the House bill.

6th. They recommend that the House concur in the Senate amendment in line 38, section 7, to wit: striking out the word "establishing" and inserting the words "have established."

7th. They recommend that the Senate amendment in lines 59 to 65 inclusive, section 7, to wit: striking out all after the word "contempt" in line 59 and up to including the words "application for" in line 65, and inserting "and shall make said corporation liable to a penalty of five (\$5.00) dollars for each day's failure to comply," be amended so as to read as follows: "and shall make said corporation liable to a penalty of five hundred dollars (\$500) for each day's failure to comply." And when so amended that it be agreed to.

The amendment to the amendment here proposed is to make the amendment conform to the obvious intention of the Senate. We recommend the adoption of the Senate amendment because the

penalty of \$500 per day is severe enough to secure compliance with the law; and to arrest the operation of a railroad might be attended with the most serious consequences to the people depending upon it for transportation.

8th. They recommend that the House concur in Senate amendments to lines 65 and 66, section 7, to-wit: inserting in line 65 before the word "any" the words "and when," and in line 66, striking out the words "or injunction" and inserting the words "shall be so applied for."

The previous amendment makes this change necessary.

9th. They recommend that the Senate recede from its amendments in line 20, section 16, to-wit: inserting the word "lawful" between the words "the" and "order." For the reason that to so qualify the word "order" might be construed as authorizing a complete re-examination of the action of the commissioners upon a motion for a preliminary injunction.

10th. They recommend that the Senate and House adopt a substitute for the Senate amendment in line 34, section 16, to-wit: striking out the word "thousand" and the figures "5,000" and inserting the word "hundred" and figures "\$500".

The substitute recommended by the committee is as follows:

Strike out all that portion of line 34 after the word "of," all of line 35, all of line 36, all of line 37, and the word "direct," in line 38, and substitute therefor the following: One thousand (\$1,000.00) dollars for every day after a day to be named in the order that such carrier or other person shall fail to obey such injunction or other proper process, mandatory or otherwise; and such moneys shall, upon the order of the court, be paid into the treasury of the county in which the action was commenced, and one half thereof shall be transferred by the county treasurer to the State Treasury.

11th. They recommend that the House and Senate adopt a substitute for the following Senate amendments to section 17, to-wit: Striking out the word "publication," in line 18, and inserting the word "notice." Also, in same line, striking out the word "made" and inserting the word "published." Also, in line 20, inserting after the word "State" the words, "which notice shall state the date of the taking effect of said schedule." Also, in same line, after the word "be" and before the word "conspicuously" inserting the words "published by." Also, in same line, striking out the word "posted" and inserting the word "posting." Also, in line 22, striking out all after the word "made" up to and including the word "aforesaid." Also, in line 23 strike out the word "such". Also, in line 27, by inserting between the words "that" and "the" the words "notice of making."

Also, adding to said section 17 the following: "Provided, that before finally fixing and deciding what the original maximum freights and classifications shall be, it shall be the duty of the Railroad Commissioners to publish ten days' notice in two daily newspapers published in Des Moines, setting forth in such notice that at a certain time and place they will proceed to fix and determine such maximum freights and classifications, and they shall, at such time and place, and as soon as practicable, afford to any person, firm, corporation or common carrier who may desire it, an opportunity to make an expla-

nation or showing and to furnish information to such Commissioners on the subject of determining and fixing such maximum rates and classifications; and in any event the original schedule of rates and classifications of freights on all lines of railroads in Iowa shall be fixed within ninety days from the taking effect of this act."

The substitute which the committee recommend in lieu of the foregoing is as follows:

Strike out all the section including and after the word "when," in the 17th line, together with the Senate amendments above named, and substitute therefor the following: "When any schedule shall have been made or revised as aforesaid, it shall be the duty of said Commissioners to cause notice thereof to be published for two successive weeks in some public newspaper published in the city of Des Moines, in this State, which notice shall state the date of the taking effect of said schedule, and said schedule shall take effect at the time so stated in such notice; and a printed copy of said revised schedule shall be conspicuously posted by such common carrier in each freight office and passenger depot upon its line or lines. All such schedules so made shall be received and held in all such suits as *prima facie* the schedule of said Commissioners without further proof than the production of the schedule desired to be used as evidence, with a certificate of said Railroad Commissioners that the same is a true copy of the schedule prepared by them for the railroad company or corporation therein named, and that notice of making the same has been published as required by law; provided, that before finally fixing and deciding what the original maximum rates and classification shall be, it shall be the duty of the Railroad Commissioners to publish ten days' notice in two daily papers published in Des Moines, setting forth in such notice that at a certain time and place they will proceed to fix and determine such maximum rates and classification; and they shall, at such time and place, and as soon as practicable, afford to any person, firm, corporation or common carrier who may desire it, an opportunity to make an explanation or showing or to furnish information to said Commissioners on the subject of determining and fixing such maximum rates and classification; and in any event the original schedule of rates and classification of freights on all lines of railroads in Iowa shall be fixed and shall go into effect within sixty days from the taking effect of this act."

The substitute is recommended because by inadvertence the amendments made by the Senate are in some particulars not sufficiently definite and certain, and it is thought better to re-write a portion of the section than to attempt to make verbal amendments.

There are but two substantial differences between the engrossed bill as amended by the Senate and the substitute: First, the substitute provides explicitly that the schedule of rates shall take effect at the time named in the notice. Second, the substitute requires the schedule and classification to be completed and in effect within sixty days from the taking effect of the act, instead of ninety for the completion alone, as provided in the Senate amendment. With respect to the first it is apparent that without it the section as amended would have been defective. With respect to the second, it is the opinion of the members of the committees that inasmuch as the act will not take ef-

fect for thirty days after its publication, the time fixed in the substitute will be ample for the work required to be done; and the public interest demands that the relief which the law is expected to furnish be given as speedily as possible.

12th. They recommend that the House concur in the Senate amendment in line 17 of section 20, to-wit: striking out the words "or of the United States." They are of the opinion that the rules of evidence prescribed by the act will prevail in the courts of the United States without the use of the words stricken out.

13th. They recommend that the Senate and House adopt a substitute for all the Senate amendments to sections 26 and 27. The substitute they recommend is as follows:

Strike out sections 26 and 27 as amended by the Senate and insert the following:

Section 26. Any such railroad corporation guilty of extortion or of making any unjust discrimination as to passenger or freight rates or the rates for the use and transportation of railroad cars, or in receiving, handling or delivering freights, shall upon conviction thereof be fined in any sum not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) for the first offense; and for every subsequent offense not less than five thousand dollars nor more than ten thousand dollars (\$10,000); such fine to be imposed in a criminal prosecution by indictment, or shall be subject to the liability prescribed in the next succeeding section to be recovered as therein provided.

Section 27. Any such railroad corporation guilty of extortion or of making any unjust discrimination as to passenger or freight rates or the rates for the use and transportation of railroad cars, or in receiving, handling or delivering freights, shall forfeit and pay to the State of Iowa not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) for the first offense, and not less than five thousand dollars (\$5,000) nor more than ten thousand dollars (\$10,000) for every subsequent offense, to be recovered in a civil action by ordinary proceedings instituted in the name of the State of Iowa, and the release from liability or penalty provided for in section 15 of this act shall not apply to either a criminal prosecution under the last preceding section or a civil action brought under this section.

This substitute embodies substantially the amendments of the Senate in diminishing the fines and penalties, the members of the committees being of the opinion that they are still severe enough to secure obedience to the law. The change in phraseology is made for the purpose of clearly defining the distinction between the criminal and civil remedies.

14th. They recommend that the Senate and House adopt a substitute for the Senate amendment in lines 11 and 12, section 28, to-wit: striking out of line 11 all after the word "thereto" and all of line 12, and inserting "and the court in which any such suit is pending shall if necessary for the speedy trial thereof call a special term of said court for said trial."

The substitute they recommend is as follows: strike out all that part of line 11, section 28, after the word "thereto," and all of line 12,

and strike out the words inserted by the Senate, being as follows: "And the court in which any such suit is pending shall, if necessary for the speedy trial thereof, call a special term of said court for said trial," and insert in lieu thereof the following: "And the court may in its discretion give preference to such suits over all other business except criminal cases."

15th. They recommend that the House concur in the Senate amendment, adding as section 33 the following:

"Sec. 33. This act being deemed of immediate importance, shall take effect and be in force from and after thirty days after publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa."

They believe that the time named is necessary to allow the railroad companies affected by the act to adjust their business and traffic in accordance with its provisions.

16th. They recommend that the Senate and the House adopt a substitute for the Senate amendments to section 5 not agreed to by the House. The substitute they recommend is as follows:

Strike out section 5 as amended by the Senate and substitute therefor the following:

"Sec. 5. That it shall be unlawful for any common carrier, subject to the provisions of this act, to charge or receive any greater compensation in the aggregate for the transportation of passengers or of a like kind of property for a shorter than for a longer distance over its railroad, all or any portion of the shorter haul being included within the longer. And said common carrier shall charge no more for transporting freight to or from any point on its railroad than a fair and just rate as compared with the price it charges for the same kind of freight transportation to or from any other point."

17th. They recommend that section 24 be amended as follows: Strike out the words "rate of toll or" in line 29 and insert after the word "compensation" in the same line the words "in the aggregate," and when so amended that the House concur in the Senate amendments to said section 24.

The only reason that need be given for the two last recommendations is that it seems to be necessary for each committee to make some concessions in order to reach an agreement.

J. H. SWENEY,
BEN MCCOY,
LAFAYETTE YOUNG,
WM. O. SCHMIDT,
JAMES DOOLEY,
For the Senate.

SILAS WILSON,
J. W. LUKE,
JAMES G. BERRYHILL,
A. B. CUMMINS,
J. T. HAMILTON,
For the House.

On the question of adopting the report of the conference committee on House File No. 373.

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weidman, Weber, Woolson and Young—41.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Clark, Garlock, Kent, Knight and Wolfe—8.

So the report of conference committee on House File No. 373, was adopted.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 580, a bill for an act to amend section 5, of chapter 134, of the acts of the Twenty-first General Assembly, and to define the jurisdiction of the district court held at places other than county seats, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

On motion of Senator Groneweg, House File No. 580, a bill for an act to amend section 5 of chapter 134, of the acts of the Twenty-first General Assembly and to define the jurisdiction of the district court held at places other than county seats, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Groneweg moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weidman, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Clark, Kent, Knight, Lawrence, Smith, Weber and Wolfe—10.

So the bill passed and the title was agreed to.

On motion of Senator Dodge, Senate File No. 12, a bill for an act for the relief of Wm. H. Birkhead, of Des Moines county, son of John S. Birkhead, late private in Co. H, First Iowa Cavalry, with report of majority of committee recommending indefinite postponement, was taken up and considered.

The minority of the committee recommended that the bill do pass.

Senator Dodge moved that the minority report be substituted for the majority report.

Carried.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Caldwell, Cassatt, Converse, Deal, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Smith, Taylor, Vale, Weidman and Young—30.

The nays were:

Senators Brower, Lawrence, Mills, Reiniger, Seeds and Woolson—6.

Absent or not voting:

Senators Barrett, Bills, Chesebro, Clark, Davidson, Doud, Garlock, Kent, Knight, Price, Schmidt, Sweney, Weber and Wolfe—14.

So the bill passed and the title was agreed to.

On motion of Senator Woolson, House File No. 334, a bill for an act to amend section 260 of the Code of 1873, relating to notaries public, with report of committee recommending that it do pass, was taken up and considered.

Senator Woolson moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Converse, Deal, Dodge, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Weidman and Woolson—32.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Chesebro, Clark, Davidson, Dooley, Doud, Finn, Garlock, Kent, Knight, Mattoon, Schmidt, Vale, Weber, Wolfe and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Deal, Senate File No. 269, a bill for an act to encourage the manufacture of sugar and to provide a bounty for its manufacture, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments of the committee were adopted.

By consent, Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 387, a bill for an act to regulate the appropriations of moneys in cities of the first class, beg leave to report that they have had the same under consideration and have in-

structed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Meservey moved that the Senate adjourn until 9:30 A. M. to-morrow.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, April 8, 1893. }

Senate met in regular session at 9:30 o'clock A. M.
President *pro tem.*, Senator Poyneer, in the chair.
Prayer by Rev. Daniel McPherson.

REPORTS OF COMMITTEES.

Senator Converse, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File 411, a bill for an act to appropriate money to reimburse the Commissioners of Pharmacy for money paid by them and expenses incurred in the enforcement of the law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the claim be allowed, and a further recommendation that it be referred to the Committee on Appropriations to be considered with the deficiency appropriation bill.

S. A. CONVERSE, *Chairman.*

So referred.

On motion of Senator Funk, Senate File 393, a bill for an act to amend section 1, chapter 63, acts of the Twenty-first General Assembly, relative to the maintenance of fish dams across the outlets of meandered lakes, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Taylor, Vale, Weber, Weidman, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Dungan, Finn, Groneweg, Knight, McVay, Smith, Sweney and Wolfe—10.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, House File No. 387, a bill for an act to regulate the appropriation of money in cities of the first class and cities organized under special charter, with report of committee recommending that it do pass, was taken up and considered.

Senator Groneweg moved to strike out "1885" in last line of section 1 and insert "1881."

Adopted.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Cherebro, Clark, Davidson, Deal, Dooley, Doud, Dungan, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Vale, Weber and Weidman—36.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Converse, Dodge, Finn, Funk, Harsh, Keger, Knight, Sweney, Taylor, Wolfe, Woolson and Young—14.

Senator Gatch moved to amend the title by inserting the word "certain" after the word "in" and before the word "cities."

Adopted.

So the bill passed and the title as amended was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills with amendments:

Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding and the publication and distribution of the public documents and the journals of the two Houses.

Also, Senate File No. 417, a bill for an act to legalize the voting of aid by taxation in the township of Osage, Mitchell county, Iowa, to the Winona & Southwestern Railroad Company.

Also, has concurred in Senate Concurrent Resolution relative to swamp land indemnity, and Senate amendments to House Files Nos. 10 and 295.

Also, has passed House File No. 412, a bill for an act to amend subdivision 2, section 3793 of Code, relating to compensation of county treasurers, in which the concurrence of the Senate is asked.

I also herewith return by request of the Senate House File No. 85.

I also hereby inform the Senate that substitute for Senate File No. 119 was lost on passage.

Also, that the House has adopted the report of the conference committee on House File No. 373, a bill for an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the board of railroad commissioners, in relation to the same, and to prevent and punish extor-

tion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly, in relation to the board of railroad commissioners, and all laws in force in direct conflict with the provisions of this act.

D. C. KOLP, *Chief Clerk*.

On motion of Senator Deal, Senate File No. 269, a bill for an act to encourage the manufacture of sugar, and to provide a bounty for its manufacture, with report of committee recommending that it do pass, was taken up and considered.

Senator Bolter moved to strike out section 5.

Senator Deal offered the following as a substitute: Add the following to the end of the section: "unless sooner repealed."

Lost.

The hour having arrived for the consideration of the special order, it being substitute for House File No. 501, Senator Deal moved that it be postponed until the bill under consideration be disposed of.

Carried.

So consideration of Senate File No. 269 was resumed.

The question being upon the amendment by Senator Bolter to strike out section 5.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Dodge, Dooley, Groneweg, Kegler, Kelly, Mattoon, Schmidt, Sweney, Taylor and Wolfe—18.

The nays were:

Senators Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Vale, Weber, Weidman and Young—24.

Absent or not voting:

Senators Barrett, Bills, Converse, Finn, Kent, Knight, Parrott and Woolson—8.

So the amendment was lost.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Brower, Chesebro, Clark, Davidson, Deal, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—29.

The nays were:

Senators Bayless, Bolter, Caldwell, Cassatt, Dodge, Dooley, Doud, Groneweg, Hanchett, Kegler, Kelly, Mattoon, Schmidt and Taylor—14.

Absent or not voting:

Senators Barrett, Bills, Converse, Finn, Kent, Knight and Wolfe—

7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 23, 65, 207, 220, 327, and 366.

House Files Nos. 14, 38, 122, 178, 187, 215, 266, 280, 288, 384, 388, 449, 520, 540, 560 and 602.

Also substitute for House File No. 396.

Also Memorial and Joint Resolution No. 2.

D. C. KOLP, *Chief Clerk*.

Senator Harsh moved that the consideration of the special order, being substitute for House File No. 501, be postponed for fifteen minutes, or until House File No. 85 can be disposed of.

On motion of Senator Harsh, House File No. 85, a bill for an amendatory of chapter seventy-seven (77) of the acts of the Seventeenth (17th) General Assembly, to repeal section two (2) thereof and enact a substitute therefor relative to the election of railroad commissioners, was taken up and considered.

By unanimous consent of the Senate, Senator Harsh moved to reconsider the vote by which the bill passed the Senate.

Carried.

By unanimous consent of the Senate, Senator Harsh moved to reconsider the vote by which the bill was ordered to a third reading.

Carried.

Senator Harsh moved to amend as follows:

Amend section 8 by striking out the words, "under such act subject to all the provisions," and insert in lieu thereof the following: "And have all powers conferred upon them by chapter 77, acts of the Seventeenth General Assembly and acts amendatory thereto and such other powers and authority as are now or may hereafter be conferred upon them by law."

Senator Harsh moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Cheesbro, Clark, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—41.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Converse, Deal, Garlock, Hutchison, Knight, Parrott, and Seeds—9.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order, it being substitute for House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes; and to make more efficient the laws for the suppression of intemperance; and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section two (2) chapter eighty-three (83) acts of the Twenty-first General Assembly after the words "medicines and poisons" in the fifth line thereof.

Committee recommend amendments and that it do pass. Special order, Friday, March 30, 2:30 P. M., with report of committee recommending that it do pass.

It was taken up and considered.

By unanimous consent the second amendment offered by the committee was withdrawn.

The remaining amendments by the committee were adopted.

Senator Schmidt moved that the bill, Senate File No. 107 by the minority of Committee on Suppression of Intemperance, be substituted for House File No. 501.

Pending which Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 384, an act to fix the compensation to be paid to the members of city council in cities of the first class.

House File No. 187, an act to amend section 159 of the Code of 1873 in regard to the disposition of the reports of the supreme court of the State.

House File No. 178, an act to amend section 24 of chapter 151, of the laws of the Eighteenth General Assembly, changing times of the meetings of local Boards of Health.

House File No. 228, an act to reimburse the Sixth Iowa Infantry.

House File No. 396, an act to authorize cities of the first-class to make regulations against danger or accidents by fire, to establish fire limits, and to prohibit the erection of certain buildings within such limits, and to provide for the removal of buildings erected contrary to such regulations.

House File No. 38, an act to amend chapter 93 of the laws of the Twenty-first General Assembly.

House File No. 540, an act to amend section 1, chapter 158, acts of the Nineteenth General Assembly.

House File No. 383, an act to amend section 1 of chapter 51, acts of Fifteenth General Assembly.

House File No. 560, an act to amend section 1091 of the Code of 1873, relating to corporations other than those for pecuniary profit.

House File No. 266, an act amending section 1757, chapter 9, title 12 of the Code in relation to the filing of teachers' contracts.

House File No. 215, an act to amend section 976 of the Code, relating to the payment of taxes to the township clerk.

House File No. 280, an act for the relief of John Haidiene, of Webster county, Iowa, and authorizing the payment of his claim against the State.

House File No 520, an act to legalize the incorporation of the town of Ackworth, in Warren county, Iowa, to legalize the ordinances of the town council of said town, and to legalize the acts of the officers of said incorporated town under the ordinances of said town.

Senate File No. 65, an act to provide that owners and keepers of pure bred or thoroughbred bulls, standard bred or thoroughbred stallions shall post notices of their registration.

House File No. 602, an act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, all acts done and ordinances passed by the council of said town.

House File No. 449, an act to legalize the ordinances of the city of Shenandoah.

House File No. 14, an act to amend section 1, of chapter 79, of the acts of the Twenty-first General Assembly of Iowa, relating to diseased swine.

Memorial and Joint Resolution No. 2, (House.)

House File No. 122, an act to amend section 4275 of the Code, relating to grand juries.

Senate File No. 327, an act providing for funding certain bonds and outstanding indebtedness of certain cities and authorizing certain cities to fund certain outstanding indebtedness and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax.

Senate File No. 207, an act to facilitate settlement of estates and to enable administrators, guardians, trustees and referees to deposit funds and securities subject to approval of court, and making the clerk and treasurer liable therefor in certain cases.

Senate File 366, an act to legalize the incorporation of the Boone Valley Pure Bred Horse Association, election of its officers, and all acts done by it.

JNO. K. DEAL, *Chairman.*

REPORTS OF COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred petition of A. H. Denman and others in the matter of Chester Turney, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Penitentiaries and Pardons.

JNO. S. WOOLSON, *Chairman.*

So referred.

Senator Young, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was refer-

red Senate File No. 404, a bill for an act to amend section 8 of chapter 139 of the laws of the Twentieth General Assembly, relating to union depots beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Railways.

L. YOUNG, *Chairman.*

So referred.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Joint Resolution No. 11, a joint resolution of the General Assembly of Iowa, relating to the enforcement of the provisions of chapter 7, laws of the Twenty first General Assembly, entitled an act requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon such corporations transacting business in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

L. YOUNG, *Acting Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 296, a bill for an act for the protection of railroad employes and other persons at frogs, switches, guard rails and other places, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. YOUNG, *Acting Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 38, a bill for an act to enable discharged railway employes to obtain a certificate from the person or company making such discharge, setting forth the reason for such discharge, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. YOUNG, *Acting Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 37, a bill for an act for the protection of railway employes, and to prevent blacklisting, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. YOUNG, *Acting Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 378, a bill for an act fixing the liability of

sleeping car companies for the loss or damage to personal property carried by them, fixing the rate of charges and providing punishment for violations of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, and with the further recommendation that the same be immediately considered by the Senate.

L. YOUNG, *Acting Chairman.*

Ordered passed on file.

Senator Poyneer, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 295, a bill for an act to create drainage districts and to provide for improvement of low lands subject to overflow, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 339, a bill for an act to amend chapter 3, of title 9, of the Code, and to suppress and punish gambling on fair grounds of agricultural societies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 166, a bill for an act to prevent and to punish fraud in the sale of cattle, horses and other domestic animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed for the reason that your committee has already favorably reported a bill fully covering the same subject.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 229, a bill for an act to amend section 5 of chapter 70 of the acts of the Twentieth General Assembly of Iowa, relating to compensation where domestic animals are killed by dogs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that your Committee has already favorably reported a bill fully covering the same subject.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 262, a bill for an act to amend section 4042 of the Code relating to the sale of milk, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

The following report was received from conference committee:

MR. PRESIDENT AND MR. SPEAKER—Your second conference committee on Senate File No. 290 respectfully report that they have had the amendments made by the House under consideration, wherein it is proposed to confine the extra one half mill levy to the year 1888, instead of making it apply also to the year 1889, as proposed in the original bill, and after careful deliberation we hereby report that we have agreed upon submitting the following recommendation, together with some of the reasons leading to this agreement:

Your conference committee have been able to agree upon the consideration and understanding in good faith, that if the said bill as originally presented becomes a law the revenue derived therefrom may be left available to cancel all outstanding warrants, interest accounts and indebtedness, and that such is the only object for which said measure is proposed, and that the extraordinary appropriations of this General Assembly will be limited to such a figure that by the 1st of May, 1890, after the passage of this act, the State of Iowa will be out of debt.

Therefore, your committee respectfully recommend that the House recede from the aforesaid amendments, and that the bill do pass the House as it passed the Senate, without amendment.

C. H. GATCH,
F. D. BAYLESS,
J. G. HUTCHISON,
For Senate.
E. C. ROACH,
WM. W. BUELL,
S. W. LEWIS,
For House.

Journal of yesterday corrected and approved.

On motion of Senator McVay the Senate adjourned.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M.
Lieutenant-Governor Hull in the chair.

SPECIAL ORDER.

The special order, being House File No. 501 under consideration at the time of adjournment was resumed.,

The question being upon the motion of Senator Schmidt to substitute Senate File No. 107 of the minority report for the House File No. 501.

Senator Weber moved that the time be extended for Senator Bolter to conclude his argument.

Carried.

MESSAGE FROM THE HOUSE.

Pending which the following message was received from the House:
MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill with amendments, in which the concurrence of the Senate is asked:

Senate File No. 273, a bill for an act to amend section 1381, chapter 2, title 12 of the Code.

The House has also concurred in Senate amendments to House Files Nos. 85 and 387.

D. C. KOLP, *Chief Clerk.*

SPECIAL ORDER RESUMED.

Senator McCoy moved that the original bill be considered by sections.

Carried.

The substitute was laid aside pending the consideration of the original bill.

Senator Bayless moved to amend by striking out the words "pharmaceutical and" in the fifth line of section 1 printed bill.

Lost.

Senator Bayless moved to amend by inserting the word "weekly" after the word "a" in second line, section 2, printed bill.

Adopted.

Senator Bayless moved that the vote by which the amendment to line 2, section 2, was adopted be reconsidered.

Carried.

The question being upon the amendment offered by Senator Bayless it was lost.

Senator Smith moved to strike out the words "or ward" in line 9, section 3, printed bill.

Adopted.

Senator Smith moved to insert the word "or" after the word "township" in line 8, section 3, printed bill.

Adopted.

Senator Weber moved to insert the words "or given away" after the word "sold" in line 9, section 4, printed bill.

Adopted.

Senator Weber moved to strike out the word "or" between the words "purchased" and "sold" in line 9, section 4.

Adopted.

Senator Wolfe moved to strike out the figures "\$1,000" in line 3, section 4, printed bill.

Adopted.

Senator Wolfe moved to strike out the words "chapter six, title XI of" in line 17, section 4, printed bill.

Adopted.

Senator Wolfe moved to insert the words "incorporated towns" after the word "township" in line 8, section 5, printed bill.

Adopted.

Senator Dungan moved to strike out the words "a majority" and insert "one third" in line 2, section 5, printed bill.

Senator Smith moved to amend the amendment by striking out "one-third" and inserting "one-fourth."

Pending which, Senator McVay presented the following:

MR. PRESIDENT—The committees appointed by the President of the Senate and Speaker of the House, respectively, to act as a joint conference committee on Senate File No. 7, with amendments, beg leave to report as follows, to-wit: That the amendment to Senate file offered by Mr. Hall and adopted by the House and rejected by the Senate, be substituted by the following amendment, viz.: by adding to the end of section one of the bill as engrossed by the Senate, the following, viz.: "Provided, however, that this act shall not be so construed as to compel a railway company operating a third class railway to fence the road through the land of any farmer or other person who, by written agreement with said company has waived or may waive the fencing of the said road through such land; provided further, however, that at any points where third class roads are not released by written agreement from building fence as herein provided for and fences are built on both sides of railway track at such points, cattle-guards shall be so constructed at such points as to prevent stock from getting upon said track so fenced."

J. D. McVAY,

G. L. FINN,

WM. G. KENT,

On behalf of Senate.

JOHN C. HALL,

WM. THEOPHILUS,

J. O. LOCKIN,

On behalf of House.

On the question shall the report of the Conference Committee be adopted?

The yeas were:

Senators Barnett, Bayless, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Dodge, Dooley, Dungan, Finn, Garlock, Groneweg, Hanohett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—38.

The nays were:

Senators Doud and Wolfe—2.

Absent or not voting:

Senators Barrett, Bills, Bolter, Davidson, Deal, Funk, Gatch, Knight, Lawrence and Sweney—10.

So the report of the committee was adopted.

The special order was resumed.

The question being upon the amendment offered by Senator Smith.

INTRODUCTION OF BILLS.

Pending which the following bills were introduced:

By Senator Smith, Senate File No. 419, a bill for an act to apportion the State into representative districts and declaring the ratio of representation.

Read first and second times and referred to the Committee on Representative Districts.

By Senator Harsh, Senate File No. 420, a bill for an act to provide for arbitration of all matters of difference between railroad companies and their employees, by the Railroad Commissioners.

Read first and second times and referred to the Committee on Railways.

REPORT OF COMMITTEE.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 386, a bill for an act authorizing cities and towns to submit to the qualified electors the question of levying a special tax for the purpose of prospecting for natural gas and artesian water, and provide for utilizing the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

On motion of Senator Bayless the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER.
DES MOINES, IOWA, WEDNESDAY, April 4, 1888. }

The Senate met in regular session at 10 o'clock A. M.

Lieutenant Governor Hull in the chair.

Prayer by Rev. A. D. Kinzer.

REPORT OF COMMITTEE.

By leave, Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 409, a bill for an act to amend chapter 175 of the acts of the Twentieth General Assembly, relating to the refunding of outstanding bonded indebtedness of counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

On motion of Senator Parrott the report was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Mattoon, McCoy, MoVay, Mills, Parrott, Poyneer, Price, Schmidt, Smith, Vale, Weber and Weidman—33.

The nays were none.

Absent or not voting:

Senators Barrett, Bolter, Cassatt, Deal, Finn, Garlock, Kegler, Knight, Lawrence, Meservey, Reiniger, Seeds, Sweney, Taylor, Wolfe, Woolson and Young—17.

So the bill passed and the title was agreed to.

Senator Dungan moved that the special orders be postponed until the following bills could be taken up and considered:

House File No. 24, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith.

House File No. 55, a bill for an act to amend chapter 21 of the Twentieth General Assembly, providing for the weighing of coal at

mines, with report of Committee on Mines and Mining recommending that it do pass.

House File No. 113, a bill for an act to provide for the payment of wages of workmen employed in mines, mills, factories and workshops in the State of Iowa at regular intervals in lawful money of the United States, and to protect said workmen in the management and control of their own earnings, with report of Committee on Labor recommending that it do pass.

Senate File No. 367, a bill for an act to amend sections 8, 9, 10 and 14 of chapter 21, acts of the Twentieth General Assembly of Iowa, with report of Committee on Mines and Mining recommending amendments and that it do pass.

Senate File No. 32, a bill for an act to establish a uniform system of weighing coal at mines of this State, and to punish certain irregularities connected therewith, with report of Committee on Mines and Mining recommending amendments and that it do pass.

Senate File No. 122, a bill for an act to regulate the mining and screening of coal and to fix a basis for wages of coal miners, with report of Committee on Mines and Mining recommending indefinite postponement.

Senate File No. 163, a bill for an act to regulate the weighing of coal in mines and to establish a uniform system of weights and measures between the operators of coal mines and their employees, with report of Committee on Mines and Mining recommending indefinite postponement.

Carried.

On motion of Senator Dungan, House File No. 24, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith, was taken up and considered.

Senator Dungan, by instruction of the Committee on Mines and Mining, offered the following amendment:

Amend section 1 as follows: after the word "screened" in line 2, insert the words "unless otherwise agreed upon in writing".

2d. Strike out all of section 5.

3d. Amend section 6 by striking from lines 5 and 6 the words "nor by reason of his having consented thereto".

Adopted.

Senator Dungan moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman and Young—45.

The nays were:

Senator Wolfe—1.

Absent or not voting:

Senators Converse, Gatch, Lawrence and Woolson—4.

So the bill passed and the title was agreed to.

Senator Barnett explained his vote as follows:

In view that the representatives of the miners have agreed to this bill, I vote yea, thinking that a half loaf is better than no loaf at all.

BARNETT.

Senator Wolfe explained his vote as follows:

MR. PRESIDENT—Believing that the amendment added to section 1 destroys the life of the bill, and that as now formed it is a delusion, a fraud and a snare, I vote no.

WOLFE.

Senator Cassatt explained his vote as follows:

MR. PRESIDENT—In explanation of my vote on House File No. 24, I wish to say that in my opinion, this bill as amended, will not secure to the miner protection from the abuses of the screen system, but will prove a dismal failure. I regard the amendments as fatal to the enforcement of the law, but as the law recognizes the principle of weighing coal before the same is screened, and as many other bills in the interest of the miners are pending, and as I am assured and believe that unless concessions are made on this bill no legislation in the interest of the miners can be enacted this session; and for the further reason that the representative of the miners' association has personally requested and urged the enactment of this bill in its present form, and believing House File No. 24 a step in the right direction, I vote aye.

E. R. CASSATT,
Senator Fifteenth District.

Senators Taylor and Dodge offered the following explanation of their votes:

Believing it better to make a start in the direction of justice to the miners, and being informed by Committee on Mines and Mining that this bill must pass as amended by committee or fail; also, being told so by the miners' accredited representatives, we vote aye, but are of the opinion the amendment, viz.: "unless otherwise agreed upon in writing" very seriously affects the usefulness of this bill.

W. H. TAYLOR,
W. W. DODGE.

Explanation of vote on House File No. 24.

On motion of Senator Dungan, House File No. 55, a bill for an act to amend chapter 21 of the Twentieth General Assembly, providing for the weighing of coal at mines, with report of committee recommending that it do pass, was taken up and considered.

Senator Dungan offered the following amendment:

Amend section 2 as follows: Insert in line 4 after the words "account of" the words "the amount weighed of."

Adopted.

Senator Dungan moved that the rule be suspended, the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—44.

The nays were none.

Absent or not voting:

Senators Barrett, Clark, Converse, Finn, Lawrence and Woolson—6.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 381, a bill for an act creating in all cities of the first class having a population, according to any legalized census of more than 30,000 inhabitants, a board of public works, and defining the powers and duties of its members.

D. C. KOLP, *Chief Clerk*.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

MR. SPEAKER—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 33, an act to amend section 471 of the Code.

Senate File No. 65, an act to provide that owners and keepers of pure bred or thorough-bred bulls, standard bred or thorough-bred stallions, shall post notice of their registration.

Senate File No. 307, an act to facilitate settlement of estates and to enable administrators, guardians, trustees and referees to deposit funds and securities subject to approval of court and making the clerk and treasurer liable therefor in certain cases.

Senate File No. 220, an act granting additional authority to certain cities of the first class, relating to the improvement of public places, streets, highway, avenue and alley intersections, and to provide a system of payment therefor.

Senate File No. 327, an act providing for funding certain bonds and outstanding indebtedness of certain cities, and authorizing certain cities to fund certain outstanding indebtedness, and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax.

Senate File No. 366, an act to legalize the incorporation of the Boone Valley Pure Bred Horse Association, at Eagle Grove, Iowa, the election of its officers and all acts done by it.

FREDK. W. HOSSFELD, *Private Secretary*.

On motion of Senator Dungan House File No. 118, a bill for an act to provide for the payment of wages of workmen employed in mines, mills, factories and workshops, in the State of Iowa at regular intervals in lawful money of the United States, and to protect said workmen in the management and control of their own earnings, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Dungan offered the following amendment: Amend by striking out all of section 1, and that the sections be renumbered accordingly.

Carried.

Senator Taylor offered the following amendment: Add after the word "corporation," in line 1, section 1, as renumbered, "owning or operating coal mines in the State of Iowa."

Adopted.

By unanimous consent the word "such" was stricken from line 1 of section 1, as renumbered.

Senator Dungan moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Hanchett, Harsh, Hutchison, Kelly, Mattoon, McCoy, McVay, Meserve, Mills, Price, Reiniger, Smith, Taylor, Vale, Weber and Young—31.

The nays were:

Senators Bolter, Doud, Groneweg, Kegler, Kent, Knight, Poyneer and Seeds—8.

Absent or not voting:

Senators Barrett, Deal, Garlock, Gatch, Lawrence, Parrott, Schmidt, Sweney, Weidman, Wolfe and Woolson—11.

Senator Reiniger moved to strike from the title the words "at regular intervals."

Adopted.

So the bill passed and the title as amended was agreed to.

MR. PRESIDENT—I vote aye on these mining bills, House Files Nos. 24, 55 and 118, and at the same time I want it understood that I did not personally favor the amendments adopted by the Senate for the reason that I consider them in effect death to the purposes of the bills. But as they were agreed upon as a compromise by those having charge of this legislation. I think it will, at least, do no harm to support them as they are, unless the forbidding of script payment will work a hardship after refusing to adopt the two-weeks-pay system. On this point I have grave doubts of miners' obtaining any benefit.

D. B. DAVIDSON,

Senator Thirty-first District.

On motion of Senator Dungan, Senate File No. 367, a bill for an act to amend sections 8, 9, 10 and 14 of chapter 21, acts of the Twentieth General Assembly of Iowa, with report of committee recommending amendments and that it do pass, was taken up and considered.

Senator Dungan offered the following substitute for the committee amendments:

Amend as follows:

1st. After the enacting clause insert the words "that sections 8, 9, 10 and 14, acts of the Twentieth General Assembly, be and the same are amended as follows".

2d. Strike out of line 1 the words "amendment to section 8" and insert:

"Sec. 1. That section 8 be amended by adding thereto the following".

3d. Insert after the word "is" in first line the word "hereafter".

4th. Strike out of line 2 the words "after April 1st, 1888".

5th. Strike out the words "amendment to section 9" in first line of section 2, as they occur in the printed bill, and insert in lieu thereof the words:

"Sec. 2. That section 9 be amended by adding thereto the following".

6th. Strike out the word "amendment" to section 10, to be inserted and insert the following:

"Sec. 3. That section 10 be amended by inserting".

7th. And further amend line 1, section 3, by inserting after the word "mine" at the end of the line the words "the following".

8th. Strike out of the first line of section 4 the words "amendment to section 14. Strike", and insert the following:

"Sec. 4. That section 14 be amended by striking".

The question being on the adoption of the substitute for the committee amendments, it prevailed.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Wolfe and Young—42.

The nays were none.

Absent or not voting:

Senators Brower, Converse, Garlock, Groneweg, Lawrence, Price, Sweeney and Woolson—8.

So the bill passed and the title was agreed to.

On motion of Senator Dungan Senate File No. 32, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith, with report of committee recommending amendments and that it do pass, was taken up and considered and indefinitely postponed.

On motion of Senator Dungan Senate File No. 122, a bill for an act to regulate the mining and screening of coal and to fix a basis for wages of coal miners, with report of committee recommending in-

definite postponement was taken up, considered, and the report of the committee was adopted.

On motion of Senator Dungan Senate File No. 163, a bill for an act to regulate the weighing of coal in mines, and to establish a uniform system of weights and measures between the operators of coal mines and their employes, with report of committee recommending indefinite postponement, was taken up and considered.

On the question of adopting the report of the committee, the yeas and nays were demanded.

The yeas were:

Senators Brower, Clark, Converse, Doud, Finn, Garlock, Gatch, Hutchison, McCoy, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Weber, Weidman, Woolson and Young—21.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Cassatt, Chesebro, Davidson, Dodge, Dooley, Dungan, Funk, Groneweg, Harsh, Kegler, Kelly, Knight, Mattoon, McVay, Schmidt, Taylor, Vale and Wolfe—23.

Absent or not voting:

Senators Barrett, Deal, Hanchett, Kent, Lawrence and Mills—6.

So the bill was not indefinitely postponed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 621, a bill for an act to amend section 35, chapter 211 of the acts of the Sixth General Assembly relative to publishing ordinances of the city of Camanche.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Wolfe, House File No. 621, a bill for an act to amend section 35, chapter 211, of the acts of the Sixth General Assembly, relative to publishing ordinances of the city of Camanche, was taken up and considered.

Senator Wolfe moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—42.

The nays were none:

Absent or not voting:

Senators Barrett, Bolter, Deal, Doud, Hanchett, Hutchison, Lawrence and Mills—8.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

Senator Parrott moved to take up bills on third reading.
Carried.

Senate File No. 251, a bill for an act to amend, revise and consolidate the various acts relating to the public printing and binding, and the publication and distribution of the public documents and the journals of the two Houses, with House amendment was taken up.

On the question of concurring in the House amendment.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Cassatt, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Garlock, Groneweg, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—39.

The nays were none.

Absent or not voting:

Senators Bolter, Caldwell, Deal, Doud, Funk, Gatch, Hanchett, Hutchison, Knight, Lawrence and Smith—11.

So the House amendment was concurred in.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, and find the same correctly engrossed.

W. W. DODGE, *Chairman*.

On motion of Senator Clark, Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—45.

The nays were:

Senator Price—1.

Absent or not voting:

Senators Knight, Lawrence, Schmidt and Woolson—4.

So the bill passed and the title was agreed to.

Senator Price offered the following explanation:

MR. PRESIDENT—I wish to explain my vote as follows:

1st. By the provisions of this act, that which is defined to be a conspiracy punishable by heavy fine or fine and imprisonment if entered into by certain persons is not a conspiracy if entered into by certain other persons. The act itself is not the crime. Whether a crime is committed or not depends not upon the act itself but upon the persons who perform the act.

2d. It makes an agreement between two persons to sell or buy any

given article at a certain price a conspiracy whether the said agreed price is reasonable and fair or not. So that if two persons should agree to pay a certain price for an article notwithstanding that price be reasonable and just, all that could be fairly paid or even if it be more than could be afforded, it would make them conspirators, and subject them to from \$500 to \$5,000 fine and two years imprisonment in the county jail. It is my opinion that the crime should consist in combinations to make unreasonable prices and by such unnatural prices defraud the people. I cannot aid in the enactment of a law which may impose a fine of five thousand dollars and two years in the county jail for agreeing to buy or sell an article at a fair price.

8d. I am heartily in favor of some measure to prevent pools and trusts or any kind of combination of persons, firms or corporations, made for the purpose of curtailing the production of any article with view of advancing the price of the same; or for the purpose of fixing and maintaining unreasonable prices, and especially so where forfeits are put up or a division of trade agreed to upon any basis whatever. But this bill goes so much further than this, and is so sweeping in its provisions and provides such heavy penalties that I must vote nay.

RICHARD PRICE.

Senator Gatch moved that the report of the second Conference Committee on Senate File No. 290 be adopted.

On the question of adopting the report of the Conference Committee.

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Deal, Dungan, Finn, Funk, Garlock, Gatch, Grone-weg, Hanchett, Harsh, Hutchison, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—37.

The nays were:

Senators Barnett, Chesebro, Dodge, Dooley and Taylor—5.

Absent or not voting:

Senators Cassatt, Clark, Doud, Kegler, Knight, Lawrence, Schmidt and Wolfe—8.

So the report of the conference committee was concurred in.

REPORTS OF STANDING COMMITTEES.

By leave the following reports of committees were received:

Senator Meservey, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House File No. 148, a bill for an act to amend section 625 of the Code, in relation to canvass by judges of election, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass after being amended as follows: By striking out the following words heretofore inserted in the 6th line from

the end of said section, viz.: "or if any ballot be found containing any name "printed" in the place of a regular nominee of the party on the party ticket."

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 375, a bill for an act relating to evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding, in the second line of the printed bill after the name "Miller" the words "and McClain's annotated Statutes of Iowa, prepared by Emlyn McClain" and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 22, a bill for an act to prevent the issuance of capital stock of corporations without full payment thereof; and to create a personal liability for the violation hereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 93, a bill for an act providing for the existence of protective associations, with certain powers and requirements enumerated, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 386, a bill for an act to amend section five (5) of chapter one hundred and thirty-four (134) of the acts of the Twenty-first General Assembly, and to define the jurisdiction of the district court held at places other than county seats, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, for the reason that a bill covering the same subject has already been reported favorably to the Senate.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 611, a bill for an act to legalize the incorporation of the town of Columbus Junction, in Louisa county, Iowa; to legalize the election of the officers of said town; to legalize the official acts of said officers; to legalize the ordinances of the council of said town; to legalize the assessments and levies of taxes, and to legalize the loan made under and by the authority of the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 362, a bill for an act to amend section 1320 of the Code as amended by chapter 153, laws of the Sixteenth General Assembly, relating to the assessment and taxation of railway corporations, beg leave to report that they had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Sweeney from Committee on Railways submitted the following report:

MR. PRESIDENT—Your Committee on Railways to whom was referred Senate File No. 387, a bill for an act to amend section 2 of chapter 148 of the laws of the Sixteenth General Assembly, in relation to interference with railways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File 162, a bill for an act to repeal section 10 of chapter 77, acts of the Seventeenth General Assembly, and enact a substitute therefor, relating to the furnishing of cars and to the prompt transportation of property by railroad companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways to whom was referred House File No. 121, a bill for an act to regulate the sale of railroad mortgage bonds or obligations and to create a personal liability for a violation of the provisions hereof, beg leave to report that they have had the same under consideration and have instructed me

to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENNEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways to whom was referred, Senate File No. 404, a bill for an act to amend section 3 of chapter 139, of the laws of the Twentieth General Assembly, relating to union depot, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWENNEY, *Chairman*.

Ordered passed on file.

On motion of Senator Converse the Senate adjourned.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M.

Lieutenant-Governor Hull in the chair.

The journal of yesterday was corrected and approved.

Senator Deal moved that an additional member be added to the Committee on Enrolled Bills for the purpose of considering House File No. 373.

Carried.

The chair appointed Senator Young as additional member of Committee on Enrolled Bills for the purpose of examining House File No. 373.

By leave the following reports of committees were received.

Senator Smith, from the Committee on Senatorial and Representative Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Senatorial and Representative Districts, to whom was referred Senate File No. 348, a bill for an act to apportion the State into representative districts, and declaring the ratio of representation, beg leave to report that a majority of said committee have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Senatorial and Representative Districts, to whom was referred Senate File No. 419, a bill for an act to apportion the State into representative districts and declaring the ratio of representation, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 385, a bill for an act in relation to places for holding terms of the district court, and repealing a portion of section 5 of chapter 134 of the acts of the Twenty-first General Assembly, and amending the same and said chapter, beg leave to report that

they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, another bill having the same purpose having passed the Senate.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 534, a bill for an act to legalize the acknowledgments of conveyances by power of attorney, made by Hazen Wilson, attorney in fact for Joseph Webster, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 394, a bill for an act to amend section 2367 of the Code of Iowa, to remove the limitation of original administration, when decedent has money due from the United States, after lapse of five years from the death of the decedent, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the preamble, and also striking out of line 5, of section 1, "de bonis non" and inserting the words "for the purpose of" and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 407, a bill for an act to provide for the support of the families of insane persons out of their estates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith submitted be adopted, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Senate File No. 139, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to capital punishment, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Mattoon, McVay, Meservey, Mills, Parrott, Poyner, Price, Reiniger, Sweney, Taylor, Vale, Weidman, Woolson and Young—32.

The nays were:

Senators Barnett, Bolter, Chesebro, Kegler, McCoy, Schmidt, Seeds, Weber and Wolfe—9.

Absent or not voting:

Senators Cassatt, Clark, Converse, Davidson, Deal, Dodge, Dooley, Lawrence and Smith—9.

So the bill passed and the title was agreed to.

House File No. 1, a bill for an act to provide for the formation of independent school districts, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber and Weidman—38.

The nays were:

Senators Woolson and Young—2.

Absent or not voting:

Senators Cassatt, Converse, Deal, Dodge, Doud, Lawrence, Mattoon, Parrott, Schmidt and Wolfe—10.

So the bill passed and the title was agreed to.

Senator Clark moved that the following bills be taken up and considered and continued as special order from day to day until disposed of:

Substitute for House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes, and to make more efficient the laws for the suppression of intemperance, and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section two (2), chapter eighty-three (83), acts of the Twenty-first General Assembly after the words "medicines and poisons" in the fifth line thereof, with report of committee recommending amendments and that it do pass.

Senate File No. 317, a bill for an act supplemental to chapter 143 of the acts of the Twentieth General Assembly, and chapter 66 of the acts of the Twenty-first General Assembly, relating to the sale of intoxicating liquors and abatement of nuisances, with report of Committee on Suppression Intemperance recommending amendments and that it do pass.

Senate File No. 107, a bill for an act to repeal chapter six (6), title eleven (11) of the Code of Iowa of 1873, and all amendments thereto, and to enact in lieu thereof a provision for the levying of a tax upon the occupation of dealing in intoxicating liquors, including ale, wine and beer, with report of Committee on Suppression of Intemperance recommending that it be indefinitely postponed.

Which was agreed to.

The consideration of substitute for House File No. 501 was taken up, the pending question being the amendment of Senator Smith to the amendment of Senator Dungan to section 5, to amend the amendment by striking out "one third" and inserting "one fourth."

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Doud, Groneweg, Hanchett, Kelley, Kent, Knight, Mattoon, Smith, Taylor, Weber and Wolfe—17.

The nays were:

Senators Barnett, Brower, Caldwell, Clark, Davidson, Deal, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, Kegler, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Sweney, Vale, Weidman, Woolson and Young—27.

Absent or not voting:

Senators Barrett, Cassatt, Converse, Gatch, Lawrence and Poyneer—6.

So the amendment to the amendment was not adopted.

The question recurring upon the amendment of Senator Dungan to strike out "a majority" and insert "one third," in line 3, section 4, printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Woolson and Young—38.

The nays were:

Senators Harsh, Kegler, Price and Weidman—4.

Absent or not voting:

Senators Barrett, Cassatt, Converse, Kent, Lawrence, Poyneer, Sweney and Wolfe—8.

So the amendment was adopted.

By leave, Senator Gatch offered the following amendment to section 1: Amend by inserting at the end of section 1 the following:

Provided, That nothing in this act contained shall prevent any person from manufacturing alcohol in this State for the purposes for which it may lawfully be sold under the provisions of this act, or for export; but such manufacturers shall not sell the same within this State, except to persons holding permits under the provisions hereof.

Senator Price moved to amend the amendment by striking out the words "or for export."

On this question the yeas and nays were demanded.

The yeas were:

Senators Barrett, Clark, Converse, Davidson, Deal, Dungan, Finn, McVay, Meservey, Mills, Price, Reiniger, Seeds, Sweney, Taylor, Weidman, Woolson and Young—18.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Chesebro, Dodge, Dooley, Doud, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, Parrott, Poyneer, Schmidt, Smith, Vale, Weber and Wolfe—31.

Absent or not voting:

Senator Lawrence—1.

So the amendment to the amendment was lost.

Senator Wolfe moved to amend the amendment by striking out the word "alcohol" and insert the words "intoxicating liquors;" also to strike out the word "it" after the word "which" and insert the word "they."

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Cassatt, Chesebro, Dodge, Dooley, Groneweg, Hanohett, Kegler, Kelly, Kent, Knight, Mattoon, Schmidt and Wolfe—18.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, McCoy, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—29.

Absent or not voting:

Senators Barnett, Gatch, Lawrence, McVay and Parrott—5.

So the amendment to the amendment was lost.

The question recurring upon the amendment by Senator Gatch the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Brower, Chesebro, Dodge, Dooley, Doud, Gatch, Hanohett, Kelly and Kent—12.

The nays were:

Senators Barnett, Barrett, Caldwell, Clark, Converse, Davidson, Deal, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Hutchison, Kegler, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—35.

Absent or not voting:

Senators Cassatt, Lawrence and Mattoon—8.

So the amendment was lost.

Senator Finn moved to strike out of lines nineteen and twenty in section 6 printed bill the words "and the evidence offered."

Lost.

Senator Reiniger moved to strike out the words "he believes" in the twenty-third line of section 6, printed bill.

Adopted.

Senator Reiniger moved to insert the words "do solemnly swear (or affirm) that I" before the word "will" at the beginning of the fourth line, section 7, printed bill.

Adopted.

Senator Caldwell moved to strike out the word "any," line five, section 8, printed bill.

Adopted.

Senator Caldwell moved to insert the word "the" before the word "suppression" in line nineteen, section 8, printed bill.

Adopted.

Senator Harsh moved to amend as follows: Strike out all after the word "permit" in line 20, section 8, printed bill, and insert the following: The papers and order in such case shall be immediately returned to and filed by the clerk of the court, if heard by the judge and the order entered of record as if made in court; and if in this or

any other proceeding, civil or criminal it shall be adjudged by the court or judge, that any registered pharmacist, proprietor or clerk has been guilty of violating this act or the act for the suppression of intemperance and amendments thereto, by unlawfully manufacturing, selling, giving away, or unlawfully keeping with intent to sell intoxicating liquors, such adjudication may in the discretion of the Commissioners of Pharmacy work a forfeiture of his certificate of registration, and the Commissioners of Pharmacy shall, upon receipt of a transcript of a judgment or order authenticated by the clerk of the court showing a second and subsequent violation, cancel his registration. It shall be the duty of the clerk to forward to the Commissioners of Pharmacy such transcripts without charge therefor, as soon as practicable after final judgment or order.

Adopted.

Senator Dungan moved to strike out the words "one of the judges thereof" in line 4, section 8, printed bill, and insert the words "or a judge thereof."

Lost.

Senator Woolson moved to insert the word "district" before the word "court" in line 4, section 8, printed bill.

Adopted.

Senator Harsh moved to insert after the word "district" in line 4, section 8, printed bill, the words "or superior."

Lost.

Senator Reiniger moved to strike out the words "three citizens" in line 5, section 8, printed bill, and insert the words "one citizen."

Lost.

Senator McCoy moved that the secretary of the Senate be requested to ask the House to return to the Senate House File No. 10.

Carried.

The following report of committee was received by leave:

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 370, a bill for an act to authorize boards of supervisors to transfer to cities of the second class, one-half ($\frac{1}{2}$) the amount levied and collected therein for bridge purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 402, a bill for an act to empower cities of the first class, organized as such since January 1, 1885, to levy taxes additional to section 461, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting an enacting clause, and when so amended the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 591, a bill for an act to authorize incorporated towns to refund outstanding bonded debt beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered, passed on file.

MATT PARBOTT, Chairman.

PETITIONS AND MEMORIALS.

Senator Young presented petition of W. C. Huntington, a citizen of this State, resident of Dallas county, relative to payment of moneys due petitioner for services as superintendent of Iowa exhibit at New Orleans previous to October, 1885.

Referred to Committee on Claims.

Senator Schmidt moved that the Senate adjourn to 7:25 o'clock P. M.

Carried.

The Senate adjourned.

EVENING SESSION

The Senate met in regular session at 7:25 p. m.

Lieutenant-Governor Hull in the chair.

On motion of Senator Price Senator Sweney was excused from the evening session.

Senator Woolson presented petition of Benjamin Gardner and 19 other, business men from Wayland, in the Tenth senatorial district, against all legislation relative to telegraph rates.

Referred to Committee on Corporations.

On motion of Senator McVay House, File 184, a bill for an act to legalize the ordinances of the town of Grand Junction, with report of committee recommending that it do pass, was taken up and considered.

Senator McVay moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bolter, Brower, Caldwell, Clark, Davidson, Dooley, Dungan, Funk, Garlock, Hanchett, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Mills, Parrott, Price, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Woolson and Young—29.

The nays were none.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Chesebro, Converse, Deal, Dodge, Doud, Finn, Gatch, Groneweg, Harsh, Kent, Knight, Lawrence, Meservey, Poyneer, Schmidt, Smith, Sweney and Wolfe—21.

So the bill passed and the title was agreed to.

On motion of Senator Bolter, House File No. 610, a bill for an act to legalize certain acts and ordinances of the council of the incorporated town of Dow City, Crawford county, with report of committee recommending that it do pass, was taken up and considered.

Senator Bolter moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bolter, Brower, Clark, Converse, Davidson, Dooley, Dungan, Finn, Funk, Garlock, Hanchett, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Parrott,

Poyneer, Price, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Woolson and Young—32.

The nays were none.

Absent or not voting:

Senators Barnett, Bills, Caldwell, Cassatt, Chesebro, Deal, Dodge, Doud, Gatch, Groneweg, Harsh, Kent, Knight, Lawrence, Schmidt, Smith, Sweney and Wolfe—18.

So the bill passed and the title was agreed to.

On motion of Senator Bolter, House File No. 577, a bill for an act to legalize the incorporation of the town of Manilla, Crawford county, Iowa, the election of its town officers and all acts done and ordinances passed by the said town officers, with report of committee recommending that it do pass, was taken up and considered.

Senator Bolter moved that the rule be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bolter, Brower, Caldwell, Clark, Converse, Davidson, Dooley, Dungan, Finn, Funk, Garlook, Hanchett, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Vale, Weber, Weidman, Woolson and Young—32.

The nays were none:

Absent or not voting:

Senators Barnett, Bills, Cassatt, Chesebro, Deal, Dodge, Doud, Gatch, Groneweg, Harsh, Kent, Knight, Lawrence, Schmidt, Smith, Sweney, Taylor and Wolfe—18.

So the bill passed and the title was agreed to.

At 7:45 o'clock p. m. the committee from the House appeared and notified the Senate that the House was ready to receive the Senate in joint convention for the election of State Printer and Binder.

Senator Woolson moved that the Senate do now proceed to the Hall of the House, to meet in joint convention.

Carried.

The chair appointed Senator Price as teller on the part of the Senate, and the Senate proceeded with the President to the Hall of House of Representatives.

JOINT CONVENTION.

The Joint Convention was called to order by Lieutenant-Governor Hull, who announced that the convention was met for the purpose of electing a State Printer and a State Binder, and appointed Senator Price as teller on the part of the Senate.

The Speaker announced Mr. Riley as teller on the part of the House.

Senator Woolson moved that the Convention proceed to elect, first a State Printer and then a State Binder.

Carried.

For State Printer, Senator Meservey placed in nomination Geo. H. Ragsdale.

Mr. Beem placed in nomination W. R. Hollingsworth.
The roll was called with the following result:

Whole number of votes cast	110
Of which Geo. H. Ragsdale received	88
Of which W. R. Hollingsworth received	22

Those voting for Geo. H. Ragsdale were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Ball, Barrett, Berryhill, Blythe, Brower, Brown, Byers, Caldwell, Calvin, Cassatt, Chantry, Chapman, Clarke of Kossuth, Clark of Page, Converse, Crooks, Cummins, Curtis, Davidson, Deal, Dobson, Dungan, Evans, Field, Fillmore Finn, Funk, Gatch, Garlock, Hanchett, Harsh, Hauser, Head, Hobbs, Homrighaus, Hospers, Hutchison, Jones, Kennan, Larson, Lewis, Lookin, Luke, Mack, Mahoney, McCoy, McFarland, McVay, Meservey, Mills, Moore, Nelson, Nicoll, Oskanan, Parrott, Paschal, Poyneer, Price, Redman, Reiniger, Riley, Roach, Robeson, Schleicher, Seeds, Shipley, Slosson, Smith of Mitchell, Steele, Teale, Thornburg, Thorniley, Tipton, Townsend, Vale, Walker, Weber, Weidman, Wilbur, Wilson of Butler, Woolson, Wyckoff, Yergey and Young—87.

Those voting for W. R. Hollingsworth were:

Messrs. Bayless, Beem, Bolter, Dayton, Dodge, Dooley, Hamilton, Horton, Jolly, Kegler, Kelly, Kent, Kline, Mattoon, Mitchell, Owen, Piatt, Robb, Roe, Russell, Taylor and Wagner—22.

Absent or not voting:

Messrs. Barnett, Bills, Buell, Burgess, Chesebro, Craig, Custer, Darnall, Davie, Dietz, Doron, Doud, Draper, Duns, Eckles, Eilers, Estes, Foley, Groneweg, Hall, Hart, Hipwell, Hotchkiss, Hunter, Knight, Lawrence, Limback, Parkhurst, Rice, Roberts, Roundy, Rowan, Schmidt, Smith of Linn, Sweney, Theophilus, Thompson, Wilson of Cass, Wolfe, Woods and Wyman—41.

Geo. H. Ragsdale having received a majority of all the votes cast for the office of State Printer, was declared duly elected to said office for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

For State Binder, Mr. Berryhill on behalf of the Republicans, placed in nomination Otto Nelson.

Senator Bayless placed in nomination Col. Geo. H. Otis.

The roll was called with the following result:

Whole number of votes cast	107
Of which Otto Nelson received	85
Of which Geo. H. Otis received	22

Those voting for Otto Nelson were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Ball, Barrett, Berryhill, Blythe, Brower, Brown, Byers, Caldwell, Calvin, Chantry, Chapman, Clarke of Kossuth, Clark of Page, Converse, Crooks, Cummins, Curtis, Davidson, Deal, Dobson, Dungan, Evans, Field, Fillmore, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hauser, Head, Hobbs, Homrighaus, Hospers, Hutchison, Jones, Kelly, Kennan, Larson, Lewis, Lookin, Luke, Mack, Mahoney, McCoy, Mc-

Farland, McVay, Meservey, Moore, Nelson, Nicoll, Oakman, Parkhurst, Parrott, Paschal, Poyneer, Price, Redman, Reiniger, Riley, Roach, Roberts, Robeson, Schleicher, Shipley, Slosson, Smith of Mitchell, Smith of Linn, Steele, Teale, Thornburg, Thorniley, Tipton, Townsend, Vale, Walker, Weber, Weidman, Wilbur, Wilson of Butler, Woolson, Wyckoff, Yerger and Young—88.

Those voting for George H. Otis were:

Messrs. Bayless, Beem, Bolter, Burgess, Dayton, Dodge, Dooley, Hamilton, Horton, Jolly, Kegler, Kent, Mattoon, Mitchell, Owen, Piatt, Robb, Roe, Roundy, Russell, Taylor and Wagner—22.

Absent or not voting:

Messrs. Barnett, Bills, Buell, Cassett, Chesebro, Craig, Custer, Darnall, Davie, Dietz, Doron, Doud, Duns, Eckles, Eilers, Estes, Foley, Groneweg, Hall, Hart, Hipwell, Hotchkiss, Hunter, Kline, Knight, Lawrence, Limback, Mills, Rice, Rowan, Schmidt, Seeds, Sweney, Theophilus, Thompson, Wilson of Cass, Wolfe, Woods and Wyman—40.

Otto Nelson having received a majority of all the votes cast for the office of State Binder, was declared duly elected to said office for the term of two years from and after the expiration of the term of the present incumbent and until his successor shall be elected and qualified.

The following certificates were signed and read in the presence of the convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, April 4, 1888. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 4th day of April, A. D. 1888, for the purpose of electing a State Printer, George A. Ragsdale having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of April, A. D. 1888.

J. A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

RICHARD PRICE,
Teller of the Senate.

L. A. RILEY,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, April 4, 1888. }

This is to certify, that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 4th day of April, A. D. 1888, for the purpose of electing a State Binder, Otto Nelson, having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of April, A. D. 1888.

J. A. T. HULL,
President of the Senate.

W. H. REDMAN,
Speaker of the House of Representatives.

ATTEST:

RICHARD PRICE,
Teller of the Senate.

L. A. RILEY,
Teller of the House of Representatives.

The journal of the joint convention was read and approved.
On motion of Senator Young the joint convention dissolved.

The Senate reconvened at 8:20 o'clock, p. m.

The Senate took up Senate File No. 111, a bill for an act to provide for the assessment of railway property by the board of supervisors with report of committee recommending that the bill be indefinitely postponed.

On the question shall the report of the committee be adopted,
The yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dungan, Garlock, Gatch, Hutchison, Kelly, McCoy, Parrott, Poyneer, Price, Reiniger, Smith, Vale, Woolson and Young—21.

The nays were:

Senators Barnett, Bayless, Bolter, Dodge, Dooley, Finn, Funk, Groneweg, Hanchett, Harsh, Kegler, Mattoon, Meservey, Schmidt, Seeds, Taylor, Weber and Weidman—18.

Absent or not voting:

Senators Bills, Cassatt, Chesebro, Doud, Kent, Knight, Lawrence, McVay, Mills, Sweeney and Wolfe—11.

So the report of the committee was adopted and the bill was indefinitely postponed.

The Senate took up Senate File No. 149, a bill for an act to amend section 2783 and 4423 of the Code of Iowa, relating to restricting counsel as to time in argument in both civil and criminal cases, with report of committee recommending that the bill be indefinitely postponed, was taken up and considered.

On the question shall the report be adopted, the yeas and nays were demanded.

The yeas were:

Senators Bolter, Clark, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Hutchison, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Poyneer, Schmidt and Woolson—18.

The nays were:

Senators Barnett, Bayless, Brower, Caldwell, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Mills, Parrott, Price, Seeds, Smith, Taylor, Vale, Weber, Weidman and Young—21.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Chesebro, Converse, Doud, Knight, Lawrence, Reiniger, Sweney and Wolfe—11.

So the report of the committee was not adopted.

Senator Reiniger moved to amend as follows:

Amend section 1 by adding at the end thereof: "Provided, that in arguments to the jury in civil actions the court shall not limit the argument of either party to a time less than one hour in cases where the amount in dispute is \$200 or less, nor to a time less than two hours in cases where the amount in dispute is over \$200 and less than \$500; nor to a time less than three hours in cases where the amount in dispute is \$500 and less than \$1,000; and not to a time less than four hours in cases where the amount in dispute is \$1,000 or more."

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Clark, Deal, Dodge, Dooley, Finn, Kent, Mattoon, McCoy, McVay, Reiniger, Seeds and Woolson—13.

The nays were:

Senators Barnett, Bayless, Brower, Caldwell, Converse, Davidson, Dungan, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Meservey, Mills, Parrott, Poyneer, Price, Smith, Taylor, Vale, Weber, Weidman and Young—25.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Chesebro, Doud, Funk, Kegler, Knight, Lawrence, Schmidt, Sweney and Wolfe—12.

So the amendment was lost.

Senator Seeds moved to amend by adding to section 1 the words "but the restriction shall apply alike to both parties."

Adopted.

Senator Reiniger moved to amend section 2 by adding at the end thereof the words "but in no case to a less time to either party than one hour."

Senator Caldwell moved that the Senate adjourn.

Lost.

The question recurring upon the amendment by Senator Reiniger it was adopted.

On the question shall the bill be engrossed and read a third time to-morrow the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Brower, Caldwell, Converse, Deal, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, McVay,

Mills, Parrott, Price, Reiniger, Taylor, Vale, Weber, Weidman and Young—23.

The nays were:

Senators Bolter, Clark, Dooley, Dungan, Hanchett, Kent, Mattoon, Meservey and Woolson—9.

Absent or not voting:

Senators Bills, Cassatt, Chesebro, Davidson, Dodge, Doud, Finn, Funk, Kelly, Knight, Lawrence, McCoy, Poyneer, Schmidt, Seeds, Smith, Sweney and Wolfe—18.

So the bill was ordered engrossed and read a third time to-morrow.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 373, an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the board of railroad commissioners in relation to the same, and to prevent and punish extortions and discriminations in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11, chapter 77 of the acts of the Seventeenth General Assembly, in relation to the board of railroad commissioners, and all laws in force in direct conflict with the provisions of this act.

Also, Senate File No. 156, an act to amend sections 1401 and 1403 of the Code, relative to the confinement of persons found or alleged to be insane.

Also, Senate File No. 193, an act entitled an act authorizing the Governor of the State to arrange with Gen Wm. W. Belknap for his services in procuring the claims of the State against the general government on account of raising and enrolling troops for the service of the United States during the war of the rebellion.

Also, Senate File No. 417, an act to legalize the voting of aid by taxation in the township of Osage, Mitchell county, Iowa, to the Wiconna & Southwestern Railway Company.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Garlock moved that the Senate adjourn.

Carried.

Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, April 5, 1888. }

The Senate met in regular session at 10 o'clock A. M.
Lieutenant-Governor Hull in the chair.
Senator Cassatt excused indefinitely.

HOUSE MESSAGES.

Senator Gatch moved to take up House messages.
Carried.

House File No. 381, a bill for an act creating in cities of the first class having a population according to any legally authorized census of more than 80,000 inhabitants, a board of public works and defining the powers and duties of its members.

Read first and second times.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Chesebro, Clark, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, McCoy, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Vale, Weber, Weidman, Wolfe and Young—35.

The nays were none.

Absent or not voting:

Senators Bills, Cassatt, Converse, Davidson, Doud, Hutchison, Knight, Lawrence, Mattoon, McVay, Poyneer, Smith, Sweney, Taylor, and Woolson—15.

So the bill passed and the title was agreed to.

Senator Davidson moved to lay aside House messages.

Carried.

Senator Davidson moved that the special order, being substitute for House File No. 501, be postponed for thirty minutes, and that the Senate take up House File No. 37, a bill for an act for the protection of discharged employees and to prevent blacklisting.

Carried.

So the Senate took up House File No. 37, with report of committee recommending that it do pass.

Senator Seeds moved to amend as follows:

Add to section 1: "but this shall not be construed as prohibiting any person or agent of any company or corporations from informing any other person, company or corporation of the reason of such discharge when it was for gross negligence or incompetency, or for

drunkenness or for the commission of any crime known to the law of this State.

Senator Dungan moved to amend the amendment by striking out all after the word "discharge."

Lost.

Senator Davidson moved that the special order, being substitute for House File No. 501, be postponed for ten minutes.

Carried.

The question recurring upon the amendment by Senator Seeds.

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Brower, Caldwell, Chesebro, Clark, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Kegler, Kelly, Kent, Knight, Meservey, Price, Seeds, Weidman, Woolson and Young—24.

The nays were:

Senators Barnett, Bayless, Bills, Davidson, Dodge, Dooley, Groneweg, Harsh, Mattoon, McVay, Vale, Weber and Wolfe—13.

Absent or not voting:

Senators Cassatt, Converse, Hutchison, Lawrence, McCoy, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Sweney and Taylor—13.

So the amendment was adopted.

Senator Davidson moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—34.

The nays were:

Senators Clark and Doud—2.

Absent or not voting:

Senators Barrett, Cassatt, Chesebro, Converse, Deal, Gatch, Hutchison, Kent, Knight, Lawrence, McCoy, Poyneer, Schmidt and Smith—14.

So the bill passed and the title was agreed to.

Senator Clark moved that the Senate now proceed with the special order, it being substitute for House File No. 501, a bill for an act to provide for and regulate the sale of intoxicating liquors for necessary purposes, and to make more efficient the laws for the suppression of intemperance, and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section two (2), chapter eighty-three (83) acts of the Twenty-first General Assembly, after the words "medicines and poisons" in the fifth line thereof, with report of committee recommending amendments, and that it do pass.

Carried.

So the Senate took up the special order.

Senator Kegler moved to amend section 9 as follows: Strike out the first letter "a" in line 3 and insert the word "no;" also strike out the words "and no pharmacist obtains a permit if found necessary" in lines 3 and 4 and insert the words "or if there is a registered pharmacist and he fails to take out a permit."

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Chesebro, Dodge, Groneweg, Kegler, Kent, Knight, Mattoon and Schmidt—11.

The nays were:

Senators Barnett, Barrett, Brower, Caldwell, Clark, Davidson, Dungan, Finn, Funk, Garlock, Harsh, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Woolson and Young—24.

Absent or not voting:

Senators Cassatt, Converse, Deal, Dooley, Doud, Gatch, Hanchett, Hutchison, Kelly, Lawrence, McCoy, Parrott, Smith, Sweney and Wolfe—15.

So the amendment was lost.

Senator Doud moved to amend by adding at the end of section 9 the following:

Any citizen of the State, except hotel keepers, retailers of beverages, grocery-keepers and confectioners, is hereby permitted within the county of his residence to sell intoxicating liquors at wholesale and to registered pharmacists only and upon their furnishing an official shipping permit therefor; provided that such citizen shall make application and first obtain permission from the district court of the proper county in which such exclusive wholesale house is conducted, and file a bond to be approved by the auditor of the county where the application is made, in the sum of ten thousand dollars, with two or more sureties who shall qualify in double the amount of said bond conditioned that he will comply with the provisions of this section, limiting his sales to registered pharmacists contemplated in this act. Said bond shall be in the name of the State and for the benefit of the school fund of the county, and any person having permission from a district court to sell at wholesale only as herein provided for, who shall fail to make a monthly report on or before the 10th day of each month to the county auditor, showing the sales of intoxicating liquors made by him to persons within the State during the preceding calendar month, or who shall make a false report of such sale, shall forfeit for each offense the sum of \$100, to be recovered in the name of the State of Iowa, upon the relation of three citizens of the county, by civil action on his bond with costs, including a reasonable attorney's fee for plaintiff's attorney.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Dodge, Dooley, Doud, Groneweg, Hanchett, Kegler, Kelly, Kent, Knight, Mattoon, Schmidt, Taylor and Wolfe—17.

The nays were:

Senators Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, McCoy, Mc-

Vay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—39.

Absent or not voting:

Senators Barnett, Cassatt, Finn and Lawrence—4.

So the amendment was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I herewith present for your signature the following bill which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House File No. 373, an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners and all laws in force in direct conflict with the provisions of this act.

D. C. KOLF, Chief Clerk.

Special order resumed.

Senator Finn offered the following amendment to section 9:

Strike out all after the word "permits," in line 2.

On this the yeas and nays were demanded.

The yeas were:

Senators Chesebro, Dooley, Doud and Finn—4.

The nays were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Clark, Converse, Davidson, Deal, Dungan, Funk, Garlock, Harsh, Hutchison, Kegler, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—32.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Dodge, Gatch, Groneweg, Hanchett, Kelly, Kent, Knight, Lawrence, Mattoon, Schmidt and Wolfe—14.

So the amendment was lost.

Senator Bayless offered the following substitute for section 9:

In any township where no registered pharmacist has been granted a permit, and when deemed necessary, the court may grant a permit to one discreet person in such township not a registered pharmacist, but having all other qualifications requisite under this act, upon like notice and proceedings as pertain to permitted pharmacists, and subject to the same liabilities, duties, obligations and penalties.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Chesebro, Dodge, Dooley, Gatch, Kegler, Kelly, Mattoon and Schmidt—10.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—28.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Deal, Doud, Groneweg, Hanchett, Kent, Knight, Lawrence, McCoy and Wolfe—12.

So the amendment was lost.

Senator Dungan moved to amend by striking out the word "in" in line 31, section 12, printed bill, and insert the word "into."

Adopted.

Senator Woolson moved to insert before the word "paid" in line 31 of section 12, printed bill, the words, "by said auditor."

Adopted.

Senator Woolson moved to strike out the words, "a user of," in line 17, section 12, printed bill, and insert the words, "in the habit of using," in lieu thereof.

Adopted.

REPORTS OF STANDING COMMITTEES.

By consent the following reports were received:

Senator Knight, from the Committee on Library, submitted the following report:

MR. PRESIDENT—Your Committee on Library, to whom was referred Senate File No. 182, a bill for an act to establish and provide for the government and support of the State libraries and to make appropriations therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, a similar bill having been reported from the Committee on Judiciary and having been acted upon by the Senate.

W. J. KNIGHT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Library, to whom was referred a resolution requesting that an examination be made of the expenses for help in the State Library, submit the following report:

We have made a careful examination of the number of assistants employed in the said Library, the amounts paid them and the labor performed, and we believe that the efficiency of the services in this department would be crippled by a reduction of the number of assistants, and the salaries paid them should not be reduced. The number of assistants and their salaries paid them are as follows: One first assistant, salary, \$600; one second assistant, salary, \$500; one messenger, salary, \$300. It is the duty of the first assistant to enter the books upon the accessions catalogue as they are received, to number catalogues, classify and enter them in the proper shelf lists, and to assist in indexing and making shelf lists. The second assistant takes charge of the periodicals, prepares them for binding, assists in the correspondence of the office and in other detail work. The messenger has charge of the newspapers, serves readers with books as

they are needed, and returns them to their proper places upon the shelves, and assists the Librarian and assistants in looking up references for those seeking information. The janitors are employed by the Executive Council of the State, and, so far as we can ascertain, there are no more employed than are necessary to properly care for the room, dusting the books and such other work as is usually required of such help.

All of which is respectfully submitted.

W. J. KNIGHT, *Chairman*.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 65, a bill for an act to amend section 467 of the Code, in relation to repairing sidewalks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Harsh, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred House File No. 571, a bill for an act to amend chapter 193 of laws of Twentieth General Assembly, in relation to the management and investment of the endowment fund of the Iowa Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. B. HARSH, *Chairman*.

Ordered passed on file.

RESOLUTION.

Senator Price offered the following resolution:

Resolved, That the Senate hold sessions Thursday and Friday evenings of this week, beginning at 7:30 o'clock, said sessions to be devoted to the calendar in regular order.

Adopted.

INTRODUCTION OF BILLS.

By Senator Meservey, Senate File No. 421, a bill for an act to amend section 1155, chapter 4, title 9, Code of 1873.

Read first and second times and referred to the Committee on Printing.

On motion of Senator McVay, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M.

Lieutenant-Governor Hull in the chair.

Journal of yesterday corrected and approved.

The special order being substitute for House File No. 501, under consideration at the hour of adjournment, was resumed.

Senator Dungan moved to amend section 13 as follows:

In line 15, after the words "of the", before the words "county attorneys", insert the words "Commissioner of Pharmacy and the"; also, add to the section the words "all forms necessary to carry out the provisions of this act, not otherwise provided for, shall be as may be provided by the Commissioners of Pharmacy."

Both amendments were adopted.

Senator Bayless offered the following:

Strike out of first line the words "second Monday" and insert the words "tenth day."

Adopted.

Senator Woolson moved to insert after the word "intemperance" in the 21st line, section 14, the words, "and acts amendatory thereof" and strike out the word "act" in line 20, section 14, and insert the word "acts", printed bill.

Adopted.

Senator Woolson moved to insert after the word "selling" in line 10, section 14, printed bill, and insert the words "giving away."

Adopted.

Senator Reiniger moved to insert the word "intoxicating" before the word "liquors" in line 18, section 15, printed bill.

Adopted.

Senator Caldwell moved to insert the word "intoxicating" before the word "liquor" in line 8, section 15, printed bill.

Adopted.

Senator Bayless moved to strike out the words "second Monday" in line 6, section 15, printed bill and insert the words "tenth day."

Adopted.

Senator Hanchett moved to strike out all after the word "purchase" in the second line down to and including the word "residence" in the third line, section 15 printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Dooley, Groneweg, Hanchett, Kegler, Kelly and Mattoon—8.

The nays were:

Senators Brower, Caldwell, Clark, Converse, Davidson, Deal, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweeney, Vale, Weber, Weidman, Woolson and Young—26.

Absent or not voting:

Senators Barnett, Barrett, Bolter, Cassatt, Chesebro, Dodge, Doud, Gatch, Kent, Knight, Lawrence, McCoy, Schmidt, Smith, Taylor and Wolfe—16.

So the amendment was lost.

Senator Taylor moved to insert in line four, section 15, printed bill, after the word "beverage," the words "said permit holders shall not charge such registered pharmacists over ten per cent net profit for liquors so sold."

Senator Caldwell moved to amend the amendment by striking out the word "ten" and inserting "twenty" in lieu thereof.

Lost.

The question recurring upon the amendment by Senator Taylor the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Gatch, Hanchett, Hutchison, Kegler, Kelly, Mattoon, McVay, Meservey, Poyneer, Price, Reiniger, Schmidt, Seeds, Taylor, Weidman, Wolfe, Woolson and Young—30.

The nays were:

Senators Garlock, Groneweg, Harsh, Sweeney, Vale and Weber—6.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Clark, Deal, Doud, Finn, Kent, Knight, Lawrence, McCoy, Mills, Parrott and Smith—14.

So the amendment was adopted.

Senator Bayless moved to strike out section 16.

Lost.

Senator Woolson moved to strike out the word "therefore" and insert in lieu thereof "therefor," in line four, section 16, printed bill.

Adopted.

Senator Dungan moved to strike out the word "clerks" in the sixth line and insert the word "clerk," and to strike out the word "employers" and insert the word "employer," in the seventh line, section 16, printed bill.

Adopted.

Senator Young moved to strike out the word "could" and insert the word "can," in line three, section 17, printed bill.

Adopted.

Senator Woolson moved to strike out the figures "25" at the end of line five, section 18, printed bill, and insert in lieu thereof the figures "50;" and to add to the section: "said amount to be drawn from time to time upon the warrants of the State Auditor, which shall issue for the payment of expenses actually incurred in said prosecutions, after said expenses shall have been audited by the executive council."

Adopted.

Senator Dungan moved to insert after the word "conviction" in line four, section 19, printed bill, the words "therefor shall be."

Adopted.

Senator Dungan moved to strike out the word "to" in line six; also to strike out the word "thereof" in line nine, section 19, printed bill, and insert the words "therefor shall."

Adopted.

Senator Harsh moved to amend by adding the following as sections 21 and 22:

Sec. 21. That section 1, chapter 75 of the acts of the Eighteenth General Assembly be and the same is hereby amended by striking out the words for "medical use, except as hereinafter provided," at the end of said section and inserting in lieu thereof the words, "and any person violating the provisions of this section shall be liable to pay a penalty of five dollars for each day of such violation and cost of prosecution. Suits brought to recover any of the penalties provided for in this act or the acts to which it is amendatory shall be instituted in the name of the State of Iowa by the county attorney or under the direction and by the authority of the Commissioners of Pharmacy for the State of Iowa. In all cases brought under this act or the acts to which it is amendatory, the prosecution need not prove that the defendant has not the required pharmacy certificate of registration; if the defendant has such certificate he must produce it."

Sec. 22. That section 4, chapter 75 of the acts of the Eighteenth General Assembly be and the same is hereby amended by striking out the words "a duplicate of which is to be kept in the Secretary of State's office" in the second and third lines of said section.

Adopted.

Senator Harsh moved that section 21, original bill, be made section 23.

Adopted.

Senator Price moved to reconsider the vote by which the amendment by Senaor Taylor, relating to 10 per cent net profit on sales was adopted.

Senator Taylor moved to lay the motion to reconsider on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Chesebro, Converse, Dodge, Dooley, Dungan, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Schmidt, Taylor, Vale, Weidman, Wolfe and Young—29.

The nays were:

Senators Doud, Parrott, Price, Reiniger, Smith, Weber and Woolson—7.

Absent or not voting:

Senators Barrett, Bolter, Caldwell, Cassatt, Clark, Davidson, Deal, Finn, Gatch, Kent, Knight, Lawrence, Seeds and Sweney—14.

So the motion to lay on the table prevailed.

Senator Woolson moved to strike out the words "pharmaceutical and" in line 5, section 1, and insert the words "pharmaceutical and" before the word "medicinal" in the 4th line, section 1, printed bill.

Adopted.

Senator Woolson moved to insert in line 2, section 18, printed bill, after the word "pharmacy" the words "or any acts for the suppression of intemperance or amendments thereto."

Adopted.

The question being upon the adoption of the substitute, offered in the minority report, included in the motion to substitute, by Senator Schmidt.

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Grone-
weg, Hanchett, Kegler, Kelly, Kent, Knight, Mattoon, Schmidt and
Wolfe—14.

The nays were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson,
Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Harsh, Hutchison,
McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger,
Seeds, Smith, Vale, Weber, Weidman, Woolson and Young—30.

Absent or not voting:

Senators Barnett, Cassatt, Lawrence, Sweney and Taylor—6.

So the substitute was lost.

Senator Clark moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Brower, Caldwell, Clark, Converse,
Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Harsh,
Hutchison, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price,
Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman,
Woolson and Young—33.

The nays were:

Senators Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Grone-
weg, Hanchett, Kegler, Kelly, Kent, Knight, Mattoon, Schmidt and
Wolfe—15.

Absent or not voting:

Senators Cassatt and Lawrence—2.

Senator Reiniger moved to amend the title by adding the follow-
ing: "and to amend sections 1 and 4, chapter 75, acts of the Eigh-
teenth General Assembly, and to provide penalties and proceedings
for violations of the provisions thereof."

Adopted.

So the bill passed and the title as amended was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 6, a bill for an act to regulate the manner of issuing or paying city warrants in cities of the first and second class, and cities organized under special charters.

House File No. 268, a bill for an act for the purpose of supplying State Institutions by jobbers, manufacturers and wholesale merchants doing business within the State, and for procuring supplies at competitive prices.

Also, that the House has passed the following Senate bills:

Senate File No. 146, a bill for an act to repeal section 1065 of the Code, relating to changing articles of incorporation, and enacting a substitute therefor.

Senate File No. 235, a bill for an act to amend chapter 1, title 9 of the Code, to repeal section 1058 thereof, and to enact section 2 of this act in lieu thereof.

Senate File No. 376, a bill for an act to legalize the incorporation of the town of Lohrville, and the incorporate acts and ordinances thereof.

Also, I herewith return to the Senate Senate File No. 258, the House refusing to reconsider the vote by which the bill passed.

Also, that the House has adopted the report of the conference committee, on Senate File No. 7.

I also herewith return to the Senate, by request, House File No. 10, the House having reconsidered the vote by which the Senate amendments were concurred in.

D. C. KOLP, *Chief Clerk.*

REPORTS OF COMMITTEES.

By leave the following reports of committees were received:

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 312, a bill for an act to amend sections 812 and 822 of the Code relating to the time of assessing property and listing the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9, of the Code of Iowa, relating to mutual insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

BEN MCCOY, *Chairman.*

Ordered passed on file.

On motion of Senator McCoy, House File No. 46, a bill for an act to amend section 1160, chapter 4, title 9, of the Code of Iowa, relating to mutual insurance companies, with report of committee recommending that it do pass, was taken up and considered.

Senator McCoy moved that the rule be suspended, and the bill read

a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cheesbro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kessler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poynner, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—42.

The nays were none.

Absent or not voting:

Senators Bolter, Cassatt, Deal, Doud, Finn, Garlock, Groneweg and Lawrence—8.

So the bill passed and the title was agreed to.

Senator Dodge, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 149, a bill for an act to amend sections 2783 and 4423 of the Code of Iowa, relating to restricting counsel as to time in argument in both civil and criminal cases, and find the same correctly engrossed.

W. W. DODGE, *Chairman.*

Senator Deal from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined:

House File No. 580, an act to amend section 5, of chapter 134, of the acts of the Twenty-first General Assembly, and to define the jurisdiction of the district court held at places other than county seats.

House File No. 55, an act to amend chapter 21, of the acts of the Twentieth General Assembly, providing for the weighing of coal at mines.

House File No. 85, an act to change the manner of selecting Railroad Commissioners, and to repeal sections 2 and 8, chapter 77, acts of the Seventeenth General Assembly, and to provide for the election of, and to prescribe the qualification of Railroad Commissioners and for the appointment of a secretary.

House File No. 334, an act to amend section 260, of the Code of 1873, relating to notaries public.

House File No. 113, an act to provide for the payment of wages of workmen employed in mines in the State of Iowa in lawful money of the United States, and to protect said workmen in the management and control of their own earnings.

House File No. 387, an act to regulate the appropriation of money in certain cities of the first class.

House File No. 1, an act to provide for the formation of independent school districts.

House File No. 455, an act to amend section 3179 of the Code.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 34, a bill for an act to fix the maximum charges for the transportation of passengers on all railways in Iowa.

I am also directed to inform the Senate that the House has concurred in Senate amendments to House Files Nos. 55 and 113.

D. C. KOLP, *Chief Clerk*.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 373, an act to regulate railroad corporations and other common carriers in this State, and to increase the powers and further define the duties of the Board of Railroad Commissioners in relation to the same, and to prevent and punish extortion and discriminations in the rates charged for the transportation of passengers and freight on railroads in this State, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal section 11 of chapter 77 of the acts of the Seventeenth General Assembly, in relation to the Board of Railroad Commissioners, and all laws in force in direct conflict with the provisions of this act.

Also, Senate File No. 156, an act to amend sections 1401 and 1403 of the Code, relative to the confinement of persons found or alleged to be insane.

Also, Senate File No. 417, an act to legalize the voting of aid by taxation, in the township of Osage, Mitchell county, Iowa, to the Winona & Southeastern Railway Company.

Also, Senate File No. 193, an act entitled an act authorizing the Governor of the State to arrange with General Wm. W. Belknap for his services in prosecuting the claims of this State against the general government, on account of raising and enrolling troops for the service of the United States during the war of the rebellion.

JNO. K. DEAL, *Chairman*.

Senator Taylor gave notice of a motion to reconsider the vote by which Senate File No. 149 passed the Senate and by which it was ordered to a third reading.

Committee on Appropriations excused.

Senator Clark moved to take up the special order.

Carried.

So the Senate took up Senate File No. 317, a bill for an act supplemental to chapter 143 of the acts of the Twentieth General Assembly, and chapter 86 of the acts of the Twenty-first General Assembly, relating to the sale of intoxicating liquors and abatement of nuisances, with report of committee recommending amendments and when so amended it do pass.

Senator Woolson offered the following substitute for the first committee amendment:

Amend the bill by adding as section 7, to-wit: "Section 7. That section 1553 of the Code as substituted and enacted in section 10 of chapter 66 of the acts of the Twenty-first General Assembly, be amended by striking out the words 'knowingly bring within this State for any other person or persons or corporations, or shall knowingly' where they occur in said section, and insert in lieu of the words so stricken out the word 'shall.'"

Adopted.

The question being on the adoption of the amendment it was adopted.

Senator Clark moved to amend as follows:

Add to section 7: "and that said section 1553 be and the same is further amended by adding at the end thereof the following: Provided, however, that the defendant may show as a defense hereunder by a preponderance of evidence that the character and circumstances of the shipment and its contents were unknown to him."

Adopted.

Senator Clark moved to amend as follows:

Amend the bill further by adding: "Sec. 8. It shall be unlawful for any common carrier or other person to transport or convey by any means from point to point, or from one place to another within this State, any intoxicating liquor unless the vessel or other package containing such liquors shall be plainly and correctly labeled or marked, showing the quantity and kind of liquor contained therein, as well as the name of the party to whom it is to be delivered. And no person shall be authorized to receive or keep such liquors unless the name be marked or labelled as herein required; the violation of any provision of this section by any common carrier, or any agent or employee of such carrier, or by any other person, shall be punished the same as provided in section 1553 as substituted enacted in section 10, chapter 66, acts of Twenty-first General Assembly, for the violation of the provisions of that section, and liquors conveyed or transported or delivered without being marked or labelled as herein required, whether in the hands of the carrier or some one to whom it shall have been delivered, shall be subject to seizure and condemnation as liquor kept for illegal sale."

Adopted.

Senator Woolson moved to amend the second committee amendment so far as to make section 7 section 9.

Adopted.

The question being upon the adoption of the second committee amendment, as amended it was adopted.

Senator Kegler offered the following:

Strike out in line six, section 3 the words, "but nothing herein shall prevent the court trying such action from taxing," and insert in lieu thereof the words "and the court trying such action shall tax."

On this the yeas and nays were demanded.

The yeas were:

Senators Dodge, Dooley, Kegler and Mattoon—4.

The nays were:

Senators Brower, Caldwell, Clark, Deal, Doud, Dungan, Funk, Garlock, Harsh, Knight, McCoy, Meservey, Mills, Poyneer, Price, Reiniger, Sweney, Vale, Weber, Weidman, Woolson and Young—22.

Absent or not voting:

Senators Barrett, Barnett, Bayless, Bills, Bolter, Cassatt, Chesebro, Converse, Davidson, Finn, Gatch, Groneweg, Hanchett, Hutchison, Kelly, Kent, Lawrence, McVay, Parrott, Schmidt, Seeds, Smith, Taylor and Wolfe—24.

So the amendment was lost.

Senator Reiniger moved to strike out section 1 and renumber the sections of the bill correspondingly.

Making section 2 section 1.

Making section 3 section 2.

Making section 4 section 3.

Making section 5 section 4.

Making section 6 section 5.

Making section 7 section 6.

Making section 8 section 7.

Making section 9 section 8.

Carried.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Brower, Caldwell, Clark, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Harsh, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—29.

The nays were:

Senators Bayless, Bills, Bolter, Dodge, Dooley, Groneweg, Hanchett, Kegler, Kent, Knight, Mattoon, Schmidt and Wolfe—13.

Absent or not voting:

Senators Cassatt, Chesebro, Converse, Gatch, Hutchison, Kelly, Lawrence and Smith—8.

So the bill passed and the title was agreed to.

Senator McCoy moved that when the Senate adjourn it be until 9 o'clock A. M. to-morrow.

Carried.

Senator Clark excused until to-morrow morning.

Senate File No. 107, a bill for an act to repeal chapter 8, title 11, of the Code of Iowa of 1873, and all amendments thereto, and to enact in lieu thereof a provision for the levying of a tax upon the occupation of dealing in intoxicating liquors, including ale, wine and beer, was taken up and considered, and the report of the committee recommending indefinite postponement was adopted.

On motion of Senator Meservey, House File No. 366, a bill for an act authorizing cities and towns to submit to the qualified electors the question of levying a special tax for the purpose of prospecting for natural gas and artesian water and provide for utilizing the same,

with report of committee recommending that it do pass, was taken up and considered.

Senator Harsh moved to amend by inserting the word "coal" before the word "mineral" in 5th line of section 1.

Adopted.

Senator Price moved to amend by striking out all after the word "proposed" in line 2, of section 2.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Brower, Caldwell, Davidson, Dooley, Dungan, Finn, Groneweg, Mattoon, Price, Sweney, Weber, and Weidman—18.

The nays were:

Senators Bayless, Bille, Bolter, Chesebro, Deal, Dodge, Doud, Funk, Garlock, Hanchett, Harsh, Kegler, Kent, Knight, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Taylor, Vale and Young—24.

Absent or not voting:

Senators Barrett, Cassatt, Clark, Converse, Gatch, Hutchison, Kelly, Lawrence, McCoy, Schmidt, Smith, Wolfe and Woolson—13.

So the amendment was lost.

Senator Sweney moved to amend, by adding to section 1, the following: "the products from any expenditure herein provided for to belong to the said city or town."

Senator Weber moved to amend the amendment, by adding the words "and the work and digging to be done on city property."

Lost.

The question being on the amendment by Senator Sweney, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Brower, Caldwell, Chesebro, Dooley, Finn, Groneweg, Kegler, Kent, Knight, Price, Reiniger, Sweney, Taylor, Weber, Weidman and Wolfe—18.

The nays were:

Senators Barrett, Bayless, Davidson, Deal, Doud, Dungan, Funk, Garlock, Hanchett, Harsh, McCoy, McVay, Meservey, Parrott, Poyneer, Seeds, Vale and Young—18.

Absent or not voting:

Senators Bolter, Cassatt, Clark, Converse, Dodge, Gatch, Hutchison, Kelly, Lawrence, Mattoon, Mills, Schmidt, Smith and Woolson—14.

So the amendment was lost.

Senator Weber moved that the Senate adjourn.

Lost.

Senator Dooley moved to amend as follows:

Add at end of section 2: "But nothing in this act, shall warrant the collection of more than ten (10) mills on the dollar, within five (5) years."

On motion of Senator Weber, Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, April 8, 1898. }

The Senate met in regular session at 9 o'clock A. M.

Lieutenant Governor Hull in the chair.

Prayer by Rev. Dr. Collins.

Senator Barnett excused on account of sickness.

On motion of Senator Seeds the Senate adjourned until 10 o'clock,

A. M.

Senate re-convened at 10 o'clock, A. M.

Senator Weidman excused until next Monday night.

Senator Bolter moved that House messages be taken up.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 156, 193 and 417.

House Files Nos. 1, 55, 85, 118, 334, 387, 455 and 580.

I am also directed to inform your honorable body that the House has passed the following bills and concurrent resolution, in which the concurrence of the Senate is asked:

House File No. 542, a bill for an act authorizing the Superintendent of Public Instruction and the Executive Council to approve school text-books for use in the public schools of the State, under certain conditions, and authorizing a vote by counties on the question of a county uniform series of text-books, and by district townships and independent districts on the question of free text-books.

House File No. 435, a bill for an act to amend section 2, chapter 168, acts of Nineteenth General Assembly, in regard to admission to the practice of law.

House File No. 110, a bill for an act to compel insurance companies to pay in case of total loss full amount specified in policy of insurance.

House File No. 605, a bill for an act to release certain penalties for failure to make and file reports of sale of intoxicating liquors by holders of permits, within the time required by law, and to dismiss suits.

House File No. 623, a bill for an act to legalize the transfer of certain bridge funds to general fund, by the board of supervisors of Fayette county, Iowa.

Concurrent resolution, by Wyckoff, relative to extending sympathy to the suffering people of Ireland in their struggle for "home rule" and restoration of local government.

D. C. KOLP, *Chief Clerk.*

HOUSE MESSAGES.

House File No. 432, a bill for an act for the protection of trainmen and other railroad employes in handling freight cars.

Read first and second times and referred to the Committee on Railways.

Substitute for House File No. 244, a bill for an act providing for the examination of banks and fixing the fee for the same.

Read first and second times and referred to the Committee on Banks.

House File No. 584, a bill for an act to repeal section 2080 of the Code of 1873, and enact a substitute therefor, relating to usury.

Read first and second times and referred to the Committee on Ways and Means.

House File No. 268, a bill for an act for the purpose of supplying State institutions by jobbers, manufacturers and wholesale merchants and for procuring supplies at competitive prices.

Read first and second times and referred to the Committee on Ways and Means.

Substitute for House File No. 6, a bill for an act to regulate the manner of issuing or paying city warrants in cities of the first and second class and cities organized under special charters.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 575, a bill for an act to amend section 463 of the Code of 1873.

Read first and second times and referred to the Committee on Judiciary.

House File No. 412, a bill for an act to amend sub-division two of section 3793 of the Code of 1873, relating to the compensation of the county treasurer.

Read first and second times and referred to the Committee on Compensation of Public Officers.

House File No. 616, a bill for an act to amend section 78 of the Code of 1873, in relation to interest on warrants drawn on the State Treasurer.

Read first and second times and referred to the Committee on Ways and Means.

House File No. 413, a bill for an act authorising cities organized under special charters to condemn the right of way through private property for sewers and drains.

Read first and second times and referred to the Committee on Cities and Towns.

House File No. 34, a bill for an act to amend section two (2) of chapter 68 of the acts of the Fifteenth General Assembly, fixing the maximum charge for the transportation of passengers on the different railroads of this State.

Read first and second times and referred to the Committee on Railways.

House File No. 454, a bill for an act to provide for the repayment of insurance premiums in certain cases.

Read first and second times and referred to the Committee on Insurance.

House File No. 279, a bill for an act to limit the liabilities of a State bond.

Read first and second times and referred to the Committee on Banks.

House File No. 461, a bill for an act to amend section 3639 of the Code relating to evidence.

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

House File No. 548, a bill for an act to amend section 1, chapter 51, acts of the Fifteenth General Assembly.

Read first and second times and referred to the Committee on Judiciary.

House File No. 392, a bill for an act to regulate the erection of telephone lines upon the public highway.

Read first and second times and referred to the Committee on Highways.

House File No. 110, a bill for an act to compel insurance companies to pay full amount of policy, and to prevent frauds and misrepresentation in procuring over insurance.

Read first and second times and referred to the Committee on Insurance.

House File No. 435, a bill for an act to amend section 2, of chapter 168, of the laws of the Twentieth General Assembly, of the State of Iowa, regulating the admission of attorneys to the practice of law.

Read first and second times and referred to the Committee on Judiciary.

House File No. 623, a bill for an act to legalize the transfer of certain bridge funds to general fund by the board of supervisors of Fayette county.

Read first and second times and referred to the Committee on Judiciary.

House File No. 605, a bill for an act to release certain penalties for failure to make and file reports of sale of intoxicating liquors by holders of permits within the time required by law and to dismiss suits.

Read first and second times and referred to the Committee on Suppression of Intemperance.

Amendment to House File No. 542, a bill for an act authorizing the Superintendent of Public Instruction and the executive council to approve school text books for use in the public schools of the State under certain conditions, and authorizing a vote by counties on the question of a county uniform series of text books, and by district townships and independent districts on the question of free text books.

Read first and second times and referred to the Committee on Schools.

House Concurrent Resolution, relative to extending sympathy to the people of Ireland, in their struggle for "Home Rule," and the restoration of representative local government of which they have been deprived for the last ninety years.

Referred to Committee on Federal Relations.

On motion of Senator Funk, House File No. 259 as amended, a bill for an act to amend section 1365 of the Code, relative to the support of the poor, with report of committee recommending that it do pass, was taken up and considered.

Senator Harsh moved to amend by adding to section 1 the following: "Provided that this act shall apply to acts of overseer of poor in cities as well as to township trustees."

The yeas were:

Senators Bayless, Bolter, Caldwell, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, Kegler, Knight, Mattoon, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Sweney, Taylor, Vale, Weber, Wolfe and Woolson—28.

The nays were:

Senators Bills, Chesebro, Groneweg, Hanchett, Kelly, McVay, Meservey and Smith—8.

Absent or not voting:

Senators Barnett, Barrett, Brower, Cassatt, Clark, Deal, Doud, Gatch, Kent, Lawrence, Schmidt, Seeds, Weidman and Young—14.

So the amendment was adopted.

Senator McCoy moved to amend by striking out all after the word "by" in first line, to and including the word also in line 3, printed bill.

The yeas were:

Senators Caldwell, Davidson, Dooley, Doud, Mattoon, McCoy, Parrott, Price, Sweney, Wolfe and Woolson—11.

The nays were:

Senators Bayless, Brower, Chesebro, Dodge, Dungan, Funk, Garlock, Groneweg, Hanchett, Hutchison, Kegler, Kelly, Kent, McVay, Meservey, Mills, Poyneer, Reiniger, Taylor, Vale and Weber—21.

Absent or not voting:

Senators Barnett, Barrett, Bills, Bolter, Cassatt, Clark, Converse, Deal, Finn, Gatch, Harsh, Knight, Lawrence, Seeds, Schmidt, Smith, Weidman and Young—18.

So the amendment was lost.

Senator Kegler moved to amend as follows:

Strike out in line 7 the second word "or," and all of said line after the word "services."

Lost.

Senator Davidson moved to amend as follows:

Strike out all after the enacting clause and insert the following:

"Section 1. That section 1365 of the Code be and the same is hereby amended by adding after the last word of section 1365 of the Code the following words: The board of supervisors may examine into all claims for medical attendance allowed by the township trustees for the support of the poor, and if they find the amount allowed by said trustees to be unreasonable or exorbitant for any services, they may reject or diminish the claim as in their judgment would

be right and just, and this act shall apply to all counties in the State, whether there are poor-houses established in the same or not."

Senator Price moved the previous question, which was seconded.

On the question, shall the main question be put, it was carried.

On the question shall the amendment by Senator Davidson be adopted, the yeas and nays were demanded.

The yeas were:

Senators Caldwell, Converse, Davidson, Dooley, Doud, Groneweg, Kegler, Knight, McCoy, McVay, Price, Schmidt and Wolfe—18.

The nays were:

Senators Bayless, Bills, Bolter, Brower, Chesebro, Deal, Dodge, Dungan, Finn, Funk, Garlock, Hanchett, Harsh, Hutchison, Kelly, Kent, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Taylor, Vale and Weber—25.

Absent or not voting:

Senators Barnett, Barrett, Cassatt, Clark, Gatch, Lawrence, Mattoon, Smith, Sweney, Weidman, Woolson and Young—12.

So the amendment was lost.

On the question, shall the bill be read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Deal, Dodge, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Vale and Weber—33.

The nays were:

Senators Davidson, Dooley, Doud, McCoy, Schmidt and Wolfe—6.

Absent or not voting:

Senators Barnett, Barrett, Cassatt, Gatch, Lawrence, Mattoon, Smith, Sweney, Weidman, Woolson and Young—11.

So the bill was ordered to a third reading to-morrow.

Senator Poyneer moved to reconsider the vote by which the bill was ordered read a third time to-morrow.

Carried.

Senator Funk moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Converse, Deal, Dodge, Dungan, Finn, Funk, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Vale and Weber—30.

The nays were:

Senators Caldwell, Davidson, Dooley, Doud, Groneweg, Knight, McCoy, Schmidt, Wolfe and Woolson—10.

Absent or not voting:

Senators Barnett, Cassatt, Clark, Garlock, Gatch, Lawrence, Smith, Sweney, Weidman and Young—10.

So the bill passed and the title was agreed to.

CONCURRENT RESOLUTION.

Senator Mills offered the following concurrent resolution:

WHEREAS, There is no provision of law for the publication of the proceedings of the State Dairymen's Association, the report of which, if made, would be of interest and profit to the people of the State; therefore,

Be it resolved by the Senate, the House concurring, That the Executive Council of the State of Iowa be and are hereby empowered and authorized to audit and allow a sum not exceeding three hundred dollars, to be paid out of the funds appropriated in chapter 52, acts of the Twenty-first General Assembly, and amended by act of the Twenty-second General Assembly, for the purpose of publishing the proceedings of the Iowa State Dairymen's Association.

Adopted.

On motion of Senator Hutchison, House File No. 115, a bill for an act authorizing boards of directors to change the boundaries of independent school districts within the same civil township, with report of committee recommending that it do pass, was taken up and considered.

Senator Vale moved to strike out the words, "within the same civil township," in line 2, section 1, printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Converse, Davidson, Kelly, Mills, Parrott, Price, Reiniger, Schmidt Sweney, Vale, Weber and Wolfe—13.

The nays were:

Senators Barrett, Bayless, Bolter, Brower, Chesebro, Deal, Dodge, Doud, Dungan, Funk, Groneweg, Hanchett, Harsh, Hutchison, Kent, Mattoon, Meservey, Poyneer, Seeds and Smith—20.

Absent or not voting:

Senators Barnett, Cassatt, Caldwell, Clark, Dooley, Finn, Garlock, Gatch, Kegler, Knight, Lawrence, McCoy, McVay, Taylor, Weidman, Woolson and Young—17.

So the amendment was lost.

Senator Hutchison moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Chesebro, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber and Wolfe—37.

The nays were none:

Absent or not voting:

Senators Barnett, Brower, Caldwell, Cassatt, Clark, Dooley, Knight, Lawrence, McCoy, Schmidt, Weidman, Woolson and Young—13.

So the bill passed and the title was agreed to.

Senator Seeds moved to take up resolution relative to final adjournment.

Carried.

Senator Seeds moved to amend by striking out the words, "Thursday, April 6," at 2 o'clock P. M. and inserting the words, "Tuesday, April 10," at 12 o'clock M.

Senator Sweney moved to amend the amendment by striking out "Tuesday, April 10," and inserting "Thursday, April 12."

Senator Hutchison moved that this motion be made a special order for 4 o'clock P. M. to-day.

Carried.

REPORTS OF COMMITTEES.

Senator Clark, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred House File No. 605, a bill for an act to release certain penalties for failure to make and file report of sales of intoxicating liquors by holders of permits, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 93, a bill for an act to secure to children between the ages of eight and twelve years the benefit of an elementary education, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows.

Amend section 2 by adding after word act in 13th line of original bill the following: "or unless such child is otherwise exempted from attendance under the provisions of section 1 hereof."

Amend section 3 by striking out the words "any money at their disposal for school purposes, in lines 12 and 13 and inserting the following: "the contingent fund of said district."

Amend section 3 by inserting after the word "child" in the 27th line the words "liable under the provisions of this act to school duty and who is".

Amend section 3, in line 64, by striking out the words "any child under his legal charge" and inserting "such child so under his legal charge."

Amend section 3, in line 74, by adding after word "provided" the words "or any facts which under the provisions of section 1 hereof would relieve said child from attendance at public school."

Amend section 4, line 7, by striking out the words, "by reason of poverty."

Amend section 4, by striking out of lines 9 to 13 inclusive, the words, "said child shall be furnished by the school board with such

books as are required in the course of study pursued in the schools of the district wherein said child resides," and insert, "such books as are required in the course of study pursued in the school wherein said child is attending shall be furnished and loaned by the school board to said child."

Amend section 4 by adding at end of same, "when said district has not said books already in its possession."

Amend section 5 by striking out at end of same the words, "and when so imposed and collected shall be paid into the contingent fund of the district wherein such offense was committed," and insert, "and when so imposed and collected shall be paid into the school fund of said county as now or hereafter provided by law."

Amend title by striking out word "twelve" and insert "fifteen."

And that as so amended the bill do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 542, a bill for an act authorizing the Superintendent of Public Instruction and Executive Council to approve school books, etc., beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass, and that the same be taken up for immediate action.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Wolfe, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance to whom was referred House File No. 380, a bill for an act to amend section 1144, of chapter 4, title 9 of the Code of Iowa, relating to foreign fire insurance companies, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it to pass.

P. B. WOLFE, *Chairman*.

Ordered passed on file.

Senator Hutchison, from the Committee on Ways and Means submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred House File No. 351, a bill for an act relating to reports from State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Public Health submitted the following report:

MR. PRESIDENT—Your Committee on Public Health to whom was referred House File No. 495, a bill for an act regulating the public health, and amending section 4088 of the Code of Iowa, beg leave to

report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Sweney, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 420, a bill for an act to provide for investigation and arbitration of differences between railroad companies and their employes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting a substitute for section one of said bill, as follows:

Section one. The Railroad Commissioners of this State are hereby empowered when called upon by a railroad corporation or its employes in relation to a controversy between them concerning any matter of difference relating to the operation of a railroad, to investigate and ascertain the facts concerning said controversy and to make findings in relation thereto; and upon the application of both parties, and on submission of said controversy in writing, the said Commissioners may act as a board of arbitration between said parties, and their findings shall have the same force and effect as is provided by law in cases of arbitration. Also, that section two of said bill be amended by inserting before the word "arbitration" in last line thereof the words "investigation and;" and that as so amended the bill do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

AFTERNOON SESSION.

The Senate met in regular session at 2 o'clock P. M.
Lieutenant-Governor Hull in the chair.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 196, a bill for an act authorizing and empowering cities and incorporated towns to borrow money and issue bonds; and to provide for the levy of taxes for the payment thereof, and to prescribe a penalty for the diversion of said taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason the committee has recommended a similar bill.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 4, a bill for an act amending chapter 161 of the laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a similar bill has been favorably recommended by the committee.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 191, a bill for an act to authorize cities of the first class to require the erection and construction of viaducts over or under railroads on public streets, and to provide compensation to owners of property abutting on such streets, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a

similar bill has already been favorably recommended by the committee.

MATT PARROTT, *Chairman.*

Ordered passed on file.

On motion of Senator Taylor, Senate File No. 407, a bill for an act to provide for the support of the families of insane persons out of their estates, with report of committee recommending substitute and that it do pass, was taken up, considered, and the substitute of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Parrott, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe and Young—39.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Converse, Doud, Knight, Lawrence, McCoy, Mills, Poyneer, Weidman and Woolson—11.

So the bill passed and the title was agreed to.

By leave, Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred House File No. 394, a bill for an act to provide for the re-assessment and re-levy of special taxes and assessments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. G. HUTCHISON, *Chairman.*

Senator Dodge moved that the bill, being House File No. 394, be considered now.

Carried.

Senator Dodge moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Kegler, Kelly, Knight, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Weber, Wolfe and Young—37.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Doud, Dungan, Hanchett, Hutchison, Lawrence, McCoy, Parrott, Smith, Vale, Weidman and Woolson—13.

So the bill passed and the title was agreed to.

Senator Reiniger moved that Senate File No. 167, a bill for an act conferring on women the right to vote at municipal and school elections, with report of committee recommending amendments, and that it do pass, be taken up and considered.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Finn, Gatch, Harsh, Hutchison, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber and Young—23.

The nays were:

Senators Bayless, Bills, Bolter, Brower, Chesebro, Dooley, Garlock, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, McVay, Poyneer, Schmidt, Taylor and Wolfe—18.

Absent or not voting:

Senators Barrett, Cassatt, Dodge, Funk, Knight, Lawrence, McCoy, Weidman and Woolson—9.

So the bill was not taken up, there not being a two-thirds majority.

On motion of Senator Deal, House File No. 366, a bill for an act authorizing cities and towns to submit to the qualified electors the question of levying a special tax for the purpose of prospecting for natural gas and artesian water, and provide for utilizing the same, with report of committee recommending that it do pass, was taken up and considered.

The pending question being the amendment of Senator Dooley, as follows:

Add at end of section 2: "But nothing in this act shall warrant the collection of more than ten (10) mills on the dollar within five (5) years."

Senator Price offered the following substitute for Senator Dooley's amendment:

"Provided, that not more than ten mills shall be levied in the aggregate, and the levy shall not be extended beyond five years."

Adopted.

The question recurring on the substitute as an amendment to the bill.

It was adopted.

Senator Mills offered the following amendment:

Strike out in line 3, section 1 the the words "qualified electors" and "regular or", and insert after the word "the" in third line of said section, "citizen of lawful age", and add after "town" in same line, "resident of the county and State".

On this the yeas and nays were demanded.

The yeas were:

Senators Brower, Converse, Dooley, Dungan, Finn, Harsh, Hutchison, Mills, Reiniger, Vale and Weber—11.

The nays were:

Senators Bayless, Bills, Bolter, Caldwell, Clark, Davidson, Deal, Dodge, Funk, Garlock, Gatch, Groneweg, Hanchett, McCoy, Meservey, Poyneer, Schmidt, Seeds, Smith, Sweney and Taylor—21.

Absent or not voting:

Senators Barnett, Barrett, Cassatt, Chesebro, Doud, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McVay, Parrott, Price, Weidman, Wolfe, Woolson and Young—18.

So the amendment was lost.

Senator Barrett offered the following amendment.

Amend section 1 by inserting before the word "towns" the word "incorporated."

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Caldwell, Chesebro, Clark, Davidson, Deal, Dodge, Funk, Garlock, Harsh, Hutchison, McCoy, McVay, Meservey, Parrott, Poyneer, Smith and Vale—20.

The nays were:

Senators Bills, Bolter, Brower, Dooley, Dungan, Finn, Gatch, Groneweg, Kegler, Kent, Mills, Price, Schmidt, Seeds, Taylor and Weber—16.

Absent or not voting:

Senators Cassatt, Converse, Doud, Hanchett, Kelly, Knight, Lawrence, Mattoon, Reiniger, Sweney, Weidman, Wolfe, Woolson and Young—14.

So the bill was lost, not having received a constitutional majority.

Senator Bolter offered the following resolution:

Resolved, That a Sifting Committee, consisting of nine members of the Senate, of which committee the Senator from Mahaska shall be chairman, be by the chair appointed, and that all bills, other than appropriation bills, not reported by Monday April 9th, by 10 o'clock A. M. of said day, be referred to said Sifting Committee.

Senator Barnett offered the following amendment:

Amend by adding "that this resolution shall not apply to House File No. 374."

Senator Price moved to lay the resolution on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Converse, Davidson, Finn, Kegler, Kent, McCoy, Mills, Price, Reiniger, Sweney, Weber and Young—16.

The nays were:

Senators Barrett, Bolter, Caldwell, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Meservey, Parrott, Poyneer, Schmidt, Seeds, Smith, Vale, Wolfe and Woolson—26.

Absent or not voting:

Senators Cassatt, Gatch, Knight, Lawrence, Mattoon, McVay, Taylor and Weidman—8.

So the motion to lay upon the table did not prevail.

The question recurring on the amendment of Senator Barnett, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Kegler, Kelly, McCoy, Meservey, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Wolfe and Young—28.

The nays were:

Messrs. Barrett, Bolter, Chesebro, Clark, Deal, Doud, Garlock, Hanchett, Kent, Mills, Parrott, Schmidt, Smith and Woolson—14.

Absent or not voting:

Senators Brower, Cassatt, Gatch, Knight, Lawrence, Mattoon, McVay and Weidman—8.

So the amendment was adopted.

The question recurred on the resolution as amended.

Senator Sweney moved that further consideration of the resolution be deferred until to-morrow, Saturday, April 7th, at 10:30 A. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Converse, Davidson, Finn, Groneweg, Harsh, Kegler, Kelly, Mattoon, McVay, Mills, Parrott, Price, Reiniger, Sweney, Vale and Weber—20.

The nays were:

Senators Bolter, Brower, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Hanchett, Hutchison, Kent, Knight, Meservey, Schmidt, Seeds, Smith, Wolfe, Woolson and Young—22.

Absent or not voting:

Senators Barrett, Cassatt, Gatch, Lawrence, McCoy, Poyneer, Taylor and Weidman—8.

So the motion to postpone did not prevail.

The question recurring on the resolution as amended, Senator Bayless offered the following amendment:

Add to the resolution the words "nor to House File No. 34."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Hutchison, Kegler, Kelly, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—37.

The nays were:

Senators Doud, Hanchett and Smith—3.

Absent or not voting:

Senators Cassatt, Clark, Gatch, Kent, Knight, Lawrence, Mattoon, McCoy, Parrott and Weidman—10.

So the amendment was adopted.

Senator Barrett offered the following amendment:

Insert in the original resolution "all bills now on the calendar except special orders."

Senator Finn moved to lay the resolution on the table.

Carried.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully

report that they have examined House File No. 295, an act to authorize certain cities to require the erection and construction of viaducts over or under railroads on public streets, and to provide compensation to owners of property abutting on such streets.

House File No. 621, an act to amend section 35, chapter 211 of the acts of the Sixteenth General Assembly, relative to the publishing of ordinances of the city of Comanche.

House File No. 610, an act to legalize certain acts and ordinances of the council of the incorporated town of Dow City, Crawford county, Iowa.

House File No. 577, an act to legalize the incorporation of the town of Manilla, Crawford county, Iowa, the election of its town officers and all acts done and ordinances passed by said town officers.

House File No. 184, an act to legalize the ordinances of the town of Grand Junction, Greene county, Iowa.

Senate File No. 7, an act requiring railroad companies to fence their tracks within the State of Iowa, and to keep the fences in good repair.

Senate File No. 376, an act to legalize the incorporation of the town of Lohrville, and the corporate acts and ordinances thereof.

Senate File No. 235, an act to amend section 1058 of the Code, relating to corporations for pecuniary profit.

Senate File No. 146, an act to repeal section 1065 of the Code, relating to changing articles of incorporation and enacting a substitute therefor, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 580, an act to amend section 5, of chapter 184, of the acts of the Twenty-first General Assembly, and to define the jurisdiction of the district court held at places other than county seats.

House File No. 55, an act to amend chapter 21 of the acts of the Twentieth General Assembly, providing for the weighing of coal at mines.

House File No. 85, an act to change the manner of selecting Railroad Commissioners and to repeal sections 2 and 8, chapter 77, acts of the Seventeenth General Assembly, and to provide for the election of, and to prescribe the qualification of Railroad Commissioners, and for the appointment of a secretary.

House File No. 384, an act to amend section 260 of the Code of 1873, relating to notaries public.

House File No. 118, an act to provide for the payment of wages of workmen employed in mines in the State of Iowa in lawful money of the United States, and to protect said workmen in the management and control of their own earnings.

House File No. 387, an act to regulate the appropriation of money in certain cities of the first class.

House File No. 1, an act to provide for the formation of independent school districts.

House File No. 455, an act to amend section 3179 of the Code.

JNO. K. DEAL, *Chairman*.

President/Hull was excused until Monday noon next.

President *pro tem* Senator Poyneer in the chair.

Senator Reiniger moved to take up special orders.

Carried.

Senate File No. 175, a bill for an act to amend chapter 4, title 5, of the Code of 1873, relating to electors of President and Vice President of the United States, with report of Committee on Federal Relations recommending amendments and that it do pass, was taken up and considered.

Pending the consideration of the special order, Senator Finn moved that House File No. 542, a bill for an act authorizing the Superintendent of Public Instruction and the Executive Council to approve school text-books for use in the public schools of the State under certain conditions, and authorizing a vote by counties on the question of a county uniform series of text books, and by district townships and independent districts on the question of free text-books, etc., be made a special order for to-morrow morning at ten o'clock, provided that it does not interfere with special orders now pending, and that it be continued as a special order until disposed of, provided that it shall not interfere with the consideration of appropriation bills.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Caldwell, Finn, Funk, Garlock, McVay, Parrott, Price, Reiniger, Sweney, Taylor, Vale, Weber and Young—14.

The nays were:

Senators Bills, Bolter, Chesebro, Clark, Converse, Dodge, Doud, Dungan, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Knight, Meservey, Poyneer, Schmidt, Seeds, Smith, Wolfe and Woolson—21.

Absent or not voting:

Senators Barrett, Bayless, Brower, Cassatt, Davidson, Deal, Dooley, Gatch, Kent, Kelly, Lawrence, Mattoon, McCoy, Mills and Weidman—15.

So the motion was lost.

Journal of yesterday corrected and approved.

REPORTS OF COMMITTEES.

Pending the consideration of the special order, the following reports were received:

Senator Vale, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred substitute for House File No. 244, a bill for an act providing for the examination of banks and fixing the fee for the same, beg leave to report that they have had the same under consideration, and have in-

structed me to report the same back to the Senate with the recommendation that it do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred House File No. 279, a bill for an act to limit the liabilities of a State bank, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee Judiciary, to whom was referred Senate File No. 398, a bill for an act to amend an act entitled "an act to provide for the permanent survey of lands," approved, March, 5, 1874, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 585, a bill for an act to extend the time for the renewal of certain corporations organized under chapter one (1), title nine (9), Code of 1878, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 376, a bill for an act to punish bribe taking by State, county, township, city, school or other municipal officers, and to punish bribery, or the attempt to bribe said officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred substitute for House File No. 81, a bill for an act to legalize the incorporation of the town of Audubon, in Audubon county, Iowa, to legalize the election of the officers of said town; to legalize the official acts of the officers of said town; to legalize the ordinances of said town, and to legalize the assessment and taxes levied, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 623, a bill for an act to legalize the transfer of certain bridge funds to general fund by the board of supervisors of Fayette county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House File No. 474, a bill for an act to enable administrators, guardians, etc., to deposit funds and securities with the clerk of the district court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, a bill to the same effect having passed the Senate.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 418, a bill for an act to amend section 3155 of the Code in regard to granting new trials, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 297, a bill for an act to legalize the incorporation and ordinances of Northwood, Worth county, Iowa, beg leave to report that that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, a bill to the same purpose having already been acted on by the Senate.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 161, a bill for an act to amend chapter 2, title 9 of the Code, relating to corporations other than those for pecuniary profit, and to legalize certain corporate acts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, a bill to the same purpose having been acted upon by the Senate.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 224, a bill for an act to provide for enforcing the liability of stockholders of foreign corporations doing business in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 547, a bill for an act to legalize the acts and ordinances of Stuart, in Guthrie and Adair counties, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 194, a bill for an act to amend section 4252 of the Code of Iowa, relating to holding one accused of crime to answer an indictment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that (1) it be amended by inserting after the word "session" in line 8 the following words: "and the grand jury has not been discharged for the term;" (2) by inserting after the word "session" in line 19 the following: "and the grand jury has not been discharged for the term," and as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 78, a bill for an act to amend section 3327 of the Code, relating to cancellation of mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: (1) Insert after the word "genuine" in line 10 of section 1, the words "and that he knows the person making the satisfaction to be the identical person whose name is signed thereto, or that his identity has been proved by one credible witness, naming him;" (2) add to bill as section 2, the following: "Section 2. Assignments of mortgages may be made upon the margin of the record of the mortgage assigned, and when so made shall be certified and attested in the same manner as required in case of satisfaction of mortgages."

(3) Amend title by inserting after the word "cancellation" the words "and assignment," and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Garlock, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate File No. 363, a bill for an act to organize and manage the department for criminal insane at the penitentiary at Anamosa, and to fix the compensation of the additional officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following substitute for section 6 be adopted, and that when so amended the bill do pass:

"Sec. 6. No convict shall be discharged from the department for the criminal insane until he is restored to reason, but at the expiration of his term of imprisonment an examination by competent physicians shall be made, and if still insane, the Governor may order his transfer to the insane hospital, or that he be retained at said hospital for criminal insane, as his condition at the time may justify."

A. O. GARLOCK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred House File No. 30, as engrossed, a bill for an act to amend chapter 154, laws of the Eighteenth General Assembly, regulating the good time of prisoners in our penitentiaries, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended the bill do pass:

Amend section 1 by striking out of line 4 the words "in an orderly and peaceful manner."

Amend section 2, in line 7, printed bill, by inserting after the word "power", the words "with the approval of the Governor", and after the word "him", same line, strike out the words "at his discretion". Also, amend section 2 by striking out all after the word "offense" in line 9.

A. O. GARLOCK, *Chairman*.

Ordered passed on file.

Pending consideration of the special order, Senator Hutchison offered the following resolution.

Resolved, That when the appropriation bills shall be reported, it shall be in order for the chairman of the committee to call up such bills for consideration at any time and all orders, special or otherwise, shall give way to the consideration of such appropriation bills.

Adopted.

Senator Clark moved that the special orders be postponed for the consideration of House File No. 25, a bill for an act to prevent improper combinations by insurance companies, their officers and agents.

Senator Finn moved to amend by adding "that House File No. 543 be made a special order to follow House File No. 25."

Senator Wolfe moved to lay the motion on the table.

Carried.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being the resolution fixing the time for final adjournment.

Senator Seeds moved that it be postponed until five o'clock.

Carried.

The question recurring on the special order, the consideration of Senate File No. 175, a bill for an act to amend chapter 4, title 5 of the Code of 1873, relating to electors of President and Vice President of the United States, with report of committee recommending amendments and that it do pass, was resumed and the amendments of the committee were adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Caldwell Chesebro, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Harsh, Hutchison, Kegler, Knight McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—35

The nays were none.

Absent or not voting:

Senators Bayless, Bolter, Cassatt, Clark, Deal, Doud, Finn, Gatch, Groneweg, Hanchett, Kelly, Kent, Lawrence, Mattoon and Weidman—15.

So the bill passed and the title was agreed to.

Senate File No. 176, a bill for an act providing for contesting the election of Presidential electors, additional to chapter 6, title 5 of the Code of 1873, with report of committee recommending amendments and that it do pass, was taken up and considered, and the amendments of the committee were adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Caldwell, Chesebro, Converse, Davidson, Dungan, Groneweg, Hutchison, Kegler, Kent, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Wolfe, Woolson and Young—28.

The nays were none.

Absent or not voting:

Senators Bayless, Bolter, Cassatt, Clark, Deal, Dodge, Dooley, Doud, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Kelly, Knight, Lawrence, Mattoon, Mills, Schmidt, Taylor and Weidman—22.

So the bill passed and the title was agreed to.

House File No. 286, a bill for an act restricting non-resident aliens in their right to acquire and hold real estate and repealing sections 1908 and 1909 of the Code, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Woolson moved that the bill be considered section by section.

Carried.

On the question, shall the bill be read a third time to-morrow?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Groneweg, Hutchison, Kegler, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—36.

The nays were:

Senator Clark—1.

Absent or not voting:

Senators Cassatt, Deal, Doud, Gatch, Hanchett, Harsh, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy and Weidman—13.

So the bill was ordered read a third time to-morrow.

Senator Dooley moved to reconsider the vote by which the bill was ordered to a third reading to-morrow.

Carried.

Senator Dooley moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Groneweg, Harsh, Kegler, Kelly, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe and Young—34.

The nays were:

Senators Clark, Doud and Hanchett—3.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Deal, Gatch, Hutchison, Kent, Knight, Lawrence, Matton, McCoy, Weidman and Woolson—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 61, a bill for an act to amend section 1289 of the Code, and making railway corporations absolutely liable for all damages by fire set out or caused by operating such railways, and for double damages and additional damages therefor in certain cases.

House File No. 555, a bill for an act to repeal section 1672 of the Code of Iowa, and enact a substitute therefor, relating to the admission of pupils from other States into the College for the Blind.

House File No. 397, a bill for an act granting additional powers to certain cities of the first class and to cities organized under special charters.

House File No. 472, a bill for an act to provide for the revision and codification of the statutes of Iowa, creating a commission therefor, and defining their duties; providing for the publication and distribution of their report.

Also, that the House has passed the following Senate bill:

Senate File No. 320, a bill for an act to repeal section 1623 of the Code, and enact a substitute therefor, relating to appointment of trustees of the Soldiers' Orphans' Home and Home for Destitute Children at Davenport, Iowa.

I also herewith return to the Senate House Files Nos. 24 and 37, the House having refused to concur in the amendments by the Senate.

I also hereby inform the Senate that the House has concurred in Senate amendments to substitute for House File No. 501.

Also, that Senate File No. 189 was lost on passage.

Also, that the House has passed joint resolution No. 16, in which the concurrence of the Senate is asked.

D. C. KOLP, *Chief Clerk.*

The consideration of the special orders was resumed.

Senate File No. 307, a bill for an act to facilitate the trial of actions brought to abate nuisances by injunctions or other restraining order, with report of majority of committee recommending that it do pass, was taken up and considered.

Senator Dodge moved to amend as follows:

Amend by striking out the word "parties" in line 5, section 1, and add the words "either party."

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 7, 146, 235, 251 and 376.

House Files Nos. 184, 295, 577, 610 and 621.

D. C. KOLP, *Chief Clerk.*

The hour having arrived for the special order, it being the resolution fixing the time of final adjournment on Thursday, April 5th, at 2 o'clock P. M., it was taken up and considered.

The pending question was the amendment of Senator Sweney, to strike from the amendment of Senator Seeds the words "Tuesday, April 10th," inserting in lieu thereof the words "Thursday, April 12th."

Senator Sweney moved to postpone the further consideration of the resolution until to-morrow at 11 o'clock A. M.

On this question the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Converse, Finn, Gatch, Groneweg, Harsh, Hutchison, Kegler, Mattoon, Mills, Parrott, Poyneer, Price, Reiniger, Sweney, Taylor and Vale—19.

The nays were:

Senators Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Garlock, Hanchett, Kent, Knight, McCoy, McVay, Meservey, Schmidt, Seeds, Smith, Weber, Wolfe, Woolson and Young—25.

Absent or not voting:

Senators Barrett, Cassatt, Funk, Kelly, Lawrence and Weidman—6.

So the motion was lost.

The question recurring on the amendment of Senator Sweney it was withdrawn.

The question recurring on the amendment of Senator Seeds.

Senator Bayless moved to amend by striking out "Tuesday, April 10th" and inserting "Wednesday, April 11th" in lieu thereof.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Converse, Davidson, Finn, Gatch, Harsh, Kegler, Mattoon, Price, Reiniger, Sweney, Taylor and Vale—15.

The nays were:

Senators Barrett, Bolter, Brower, Caldwell, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Dungan, Garlock, Groneweg, Hanchett, Hutchison, Kent, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Schmidt, Seeds, Smith, Weber, Wolfe, Woolson and Young—30.

Absent or not voting:

Senators Cassatt, Funk, Kelly, Lawrence and Weidman—5.

So the amendment was lost.

Senator Harsh explained his vote as follows:

MR. PRESIDENT—I vote for the amendment to the amendment because it gives us the latest date named for final adjournment of the present General Assembly. I do not want to adjourn until I shall have voted "aye" on the two cent passenger fare bill, and until this body shall have further considered the bills which relate to control of railroads that have been favorably reported by the Railroad Committees.

J. B. HARSH.

The question recurring on the amendment of Senator Seeds.

The yeas and nays were demanded:

The yeas were:

Senators Barrett, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Groneweg, Hanchett, Hutchison, Kent, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Schmidt, Seeds, Smith, Weber, Wolfe, Woolson and Young—33.

The nays were:

Senators Barnett, Bayless, Converse, Finn, Gatch, Harsh, Kegler, Mattoon, Price, Reiniger, Sweney, Taylor and Vale—13.

Absent or not voting:

Senators Cassatt, Kelley, Lawrence and Weidman—4

So the amendment was adopted.

Senators offered the following explanations of their votes:

MR. PRESIDENT—For the reason that the appropriation bills are not yet reported to the Senate, and that we do not know what the recommendations of the committee will be, I believe that we ought not to fix the time of adjournment yet. I believe it to be my duty to know before the last hours of the session, when adjournment at the time fixed is inevitable, that the proposed appropriations are to be within the income of the State after paying the State debt.

This I do not know yet, and I shall not consent to fix the time of adjournment until I do. I vote no.

J. H. SWENNY.

MR. PRESIDENT—I vote no. It has been said that I desire further time because I wish to vote for 374. I will not vote for 374. I want time to consider much pending important legislation, and for reason that the appropriations have not yet been considered, or even reported from committee.

J. B. HARSH.

I vote no for the reason that I believe that it will cut off House File No. 374, a bill to make maximum freight rates on railroads.

J. H. BARNETT,

Eleventh Senatorial District.

The question recurring on the resolution, it was adopted.

Senator Woolson moved to reconsider the vote by which the resolution was adopted.

Senator Woolson moved that the consideration of the motion be postponed until to-morrow at 11 o'clock A. M.

Senator Kegler moved to lay the motion on the table.

Lost.

The question recurring on the motion of Senator Woolson, it was adopted.

The question recurred on the special order, being Senate File No. 307, the pending question being the amendment of Senator Dodge, as follows:

Amend by striking out the word "parties" in line 5, section 1, and add the words "either party."

REPORTS OF COMMITTEES.

Pending the consideration of the special order, the following reports were received:

Senator Gatch, from the Committee on Appropriations submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 110, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund, and for the development of the institution, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with

the recommendation that said substitute be adopted and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 152, a bill for an act to appropriate funds to furnish buildings, buy lands, and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 138, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the said substitute be adopted and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 215, a bill for an act making appropriations for the State Agricultural College, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted and when so adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 43, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the senate with the recommendation that said substitute be adopted, and when adopted that it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 96, a bill for an act for making an appropriation for the Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the

same back to the Senate with the recommendation that said substitute be adopted, and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 115, a bill for an act authorizing the trustees of the Iowa Hospital for the Insane at Independence to purchase 180 acres of land adjoining the lands now owned by the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 92, a bill for an act making appropriations for the State normal school at Cedar Falls, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the said substitute be adopted and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 351, a bill for an act making an appropriation for the purpose of procuring a water supply for the Normal School at Cedar Falls, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to section one (1) these words: "Or, if found practicable, the said board are directed to provide for this water supply, sewerage and ventilation independent of any connection with the city water works aforesaid, by sinking an artesian well, or in any other way that the water, sewerage and ventilation can be so independently furnished, and the board shall call to their investigation in this respect the assistance of the Governor."

Also, by striking out of lines one and two, section 2, the words "ten thousand," and insert the words "seven thousand one hundred" in lieu thereof, and when so amended the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 123, a bill for an act making appropriations for the penitentiary at Fort Madison, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 298, a bill for an act to appropriate funds to carry on the work of the penitentiary at Anamosa, and for other purposes connected therewith, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and that when adopted the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 124, a bill for an act making appropriations for the Institution for Feeble-Minded Children, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted, and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 166, a bill for an act making appropriation for the Iowa Industrial School, Boys' Department, at Eldora, Iowa, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted, and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 92, a bill for an act to apportion the State into representative districts and declaring the ratio of representation.

House File No. 414, a bill for an act to amend chapter 143, laws of the Seventeenth General Assembly, relating to the examinations of teachers.

House File No. 541, a bill for an act to amend section 285 of chapter 1, title 4, of the Code of Iowa.

House File No. 558, a bill for an act to provide for the organization of sub-districts as independent districts.

Also, that the House has passed the following Senate bills:

Senate File No. 268, a bill for an act to repeal chapter 3 of the laws of the Twentieth General Assembly, and to enact a substitute, relating to drainage.

Senate File No. 288, a bill for an act to amend section 471 of the Code, and to make applicable, etc.

Senate File No. 359, a bill for an act designating officers who may take acknowledgment of conveyances of real estate and incumbrances affecting the same.

D. C. KOLP, *Chief Clerk.*

The question recurring on the special order, Senate File No. 307.

Senator Price moved to postpone the consideration of the special order until 9:15 A. M. to-morrow.

On motion of Senator Doud the Senate adjourned.

EVENING SESSION

The Senate met in regular session at 7:30 P. M.

President *pro tem* Senator Poyneer in the chair.

By leave, Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred substitute for House File No. 6, a bill for an act to regulate the manner of issuing and paying city warrants in cities of the first and second classes, and cities organized under special charter, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

On motion of Senator Wolfe the Senate took a recess for fifteen minutes.

Senate reconvened after the recess.

On motion of Senator Bayless the roll was called to ascertain if a quorum was present, and a quorum was found to be present.

REPORTS OF STANDINGS COMMITTEES.

Senator Mills, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 393, a bill for an act to amend section 986 of the Code as enacted in section 3, chapter 300 of the acts of the Twentieth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 186, a bill for an act for the preservation and perpetuation of government corners in highways, beg leave to report that they have have had the same under consideration and have in-

structed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committees on Highways, to whom was referred House File No. 392, a bill for an act to regulate the erection of telephone lines upon the public highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: 1. Amend section 2 by striking out in the third line, printed bill, "the board of supervisors or." 2. Strike out section 3 and insert in lieu thereof the following amendment: "Any individual, company or corporation operating a line of telephone in this State, shall keep and maintain at customary rates at least one instrument for public use in every incorporated town through which they pass." Section 4, line two, strike out all after the word "dollars," and as so amended it do pass.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 187, a bill for an act to amend section 990 of the Code, and to extend the jurisdiction of road supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways to whom was referred Senate File No. 346, a bill for an act to repeal section 1, chapter 85 of the acts of the Twenty-first General Assembly, and to enact a substitute therefor, relating to the establishment and change of highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "Eddyville, Iowa, 188," and when so amended it do pass.

W. D. MILLS, *Chairman*.

On motion of Senator McCoy the report was taken up for consideration.

The question being on the adoption of the committee amendment it was adopted.

Senator McCoy offered the following amendment:

In last line, section 2, after the word "county" insert the words "road or".

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bills, Bolter, Brower, Caldwell, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe and Young—40.

The nays were none.

Absent or not voting:

Senators Barnett, Bayless, Cassatt, Chesebro, Clark, Converse, Kent, Lawrence, Weidman and Woolson—10.

So the bill passed and the title was agreed to.

Senator Caldwell moved that House File No. 547, a bill for an act to legalize the acts and ordinances of Stuart, in Guthrie and Adair counties, Iowa, with report of committee recommending that it do pass, be taken up and considered.

Lost.

BILLS ON THIRD READING.

Senate File No. 273, a bill for an act to amend section 1381 of the Code relating to use of unappropriated bridge fund, with House amendments, was on motion of Senator Mattoon indefinitely postponed.

On motion of Senator Mattoon, House File No. 623, a bill for an act to provide for the organization of sub districts as independent districts, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Mattoon moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Wolfe and Woolson—40.

The nays were none.

Absent or not voting:

Senators Barnett, Cassatt, Chesebro, Clark, Kegler, Kent, Lawrence, Weber, Weidman and Young—10.

So the bill passed and the title was agreed to.

Senate File No. 47, a bill for an act to punish and prevent fraud in the sale of grain, seed and other cereals, with amendments of the House, was taken up.

The question being the re consideration of the vote by which the Senate refused to concur in House amendments, it was carried.

The question being on concurrence in the House amendments.

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Caldwell, Converse,

Davidson, Deal, Dungan, Finn, Funk, Garlock, Harsh, Hutchison, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Sweney, Vale, Weber and Young—28.

The nays were:

Senators Bolter, Doud, Groneweg, Hanchett, Schmidt and Wolfe—8.

Absent or not voting:

Senators Barrett, Cassatt, Chesebro, Clark, Dodge, Dooley, Gatch, Kegler, Kent, Knight, Lawrence, Seeds, Smith, Taylor, Weidman and Woolson—16.

So the Senate concurred in the House amendments.

On motion of Senator Gatch, Senate File No. 110, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs and in aid of the income fund, and for the development of the institution, with report of committee recommending substitute and that the substitute do pass, was taken up and considered.

On motion of Senator Barnett the substitute was considered section by section.

Senator Seeds offered the following amendment:

Add at end of section the following: For the biennial period ending June 1, 1890.

Adopted.

Senator Price offered the following amendment to the substitute:

Amend section 1, line 4, by striking out the words "twenty thousand" and inserting the words "fifteen thousand" in lieu thereof.

Senator Harsh moved to postpone the consideration of all appropriation bills until the bills and reports of the Appropriation Committee can be printed and laid upon the desks of Senators.

Lost.

The question recurring on the amendment of Senator Price, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Dungan, Finn and Price—4.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Davidson, Deal, Dodge, Dooley, Doud, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—36.

Absent or not voting:

Senators Barrett, Bills, Cassatt, Chesebro, Clark, Converse, Lawrence, Mills, Parrott and Weidman—10.

So the amendment was lost.

Senator Finn offered the following amendment to the substitute:

To strike out the first section.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett and Finn—2.

The nays were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch,

Groneweg, Hanchett, Hutchison, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—39.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Converse, Harsh, Kagler, Lawrence, Mills and Weidman—9.

So the amendment was lost.

The question recurring on the adoption of the substitute for the bill, it was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Groneweg, Hanchett, Harsh, Hutchison, Kagler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Wolfe and Woolson—39.

The nays were:

Senators Barnett and Finn—2.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Gatch, Lawrence, Sweney, Weidman, Young and Garlock—9.

So the bill passed and the title was agreed to.

Senator Barnett offered the following explanation of his vote: I vote no for the reason that I think the sum appropriated is twice as large as it should be. I am opposed to taxing the people of Iowa for the purpose of paying the president \$5,000 salary per year, and other professors a larger amount than is paid for like service in other educational institutions in the State.

J. H. BARNETT,
Senator 11th District.

Senator Finn offered the following explanation of his vote:

"I vote against the appropriation because in the first item there is an amount of \$26,000 for which no explanation is offered or any intimation given of the manner in which the same is to be used. The same or nearly the same amount has appeared each year for several years under some indefinite term, such as 'deficit'—development of institution, etc., terms which convey no definite information as to the particular necessities of the institution, or for the appropriation, and suggests a concealment not consistent with business integrity or common honesty, a suggestion more significant from the fact that no information is proffered by any one in support of the bill."

G. L. FINN.

On motion of Senator Gatch, Senate File No. 166, a bill for an act making appropriations for the Iowa Industrial School, boys department, at Eldora, with report of committee recommending a substi-

tute and that the substitute do pass, was taken up and considered, and the substitute of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—42.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Converse, Doud, Knight, Lawrence and Weidman—8.

So the bill passed and the title was agreed to.

Senator Seeds moved that the Senate adjourn until nine o'clock to-morrow morning.

Senator Gatch moved to amend by striking out nine and inserting ten in lieu thereof.

Lost.

The question recurring on the motion of Senator Seeds, it was lost.

Senator McCoy moved that the Senate adjourn when it do adjourn until ten o'clock to-morrow morning.

Senator Bayless moved to amend by making the time 9:15 to-morrow morning.

Lost.

The question being the motion of Senator McCoy it prevailed.

On motion of Senator Gatch, Senate File No. 138, a bill for an act making appropriation for the institution for the deaf and dumb at Council Bluffs, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered, and the substitute of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Clark, Converse, Deal, Doud, Finn, Lawrence, Meservey, Mills and Weidman—12.

So the bill passed and the title was agreed to.

On motion of Senator Gatch Senate File No. 43, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered, and the substitute of the committee was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Matton, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Clark, Converse, Deal, Doud, Lawrence, Meservey and Weidman—10.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, Senate File No. 123, a bill for an act making appropriations for the Penitentiary at Ft. Madison, with report of committee recommending that the bill do pass, was taken up and considered.

By unanimous consent the following publication clause was added as section 8 of the bill:

"Sec. 8. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa."

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Bayless, Cassatt, Chesebro, Clark, Converse, Deal, Doud, Lawrence, Meservey and Weidman—10.

So the bill passed and the title was agreed to.

On motion of Senator Gatch Senate File No. 96, a bill for an act making appropriations for the hospital for the insane at Independence, with report of committee recommending a substitute and that the substitute do pass, was taken up and considered.

Senator Dungan moved to amend the substitute by inserting the

words, "not otherwise appropriated," in line 2, section 1, after the word "treasury."

Adopted.

The question being on the adoption of the substitute, it was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Davidson, Dooley, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chesebro, Clark, Converse, Deal, Dodge, Doud, Finn, Garlock, Lawrence, Meservey and Weidman—12.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, Senate File No. 152, a bill for an act to appropriate funds to furnish buildings, buy land and make improvements for the Soldiers' Orphans' Home, and Home for Indigent Children at Davenport, Iowa, with report of committee recommending a substitute and that the substitute do pass, was taken up and considered.

Senator Schmidt moved to strike out the word "orphans" from line 2, section 2.

Adopted.

The question being on the adoption of the substitute, it was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Davidson, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Barnett, Cassatt, Chesebro, Clark, Converse, Deal, Dodge, Doud, Finn, Lawrence, Meservey and Weidman—12.

Senator Gatch moved to strike out of the title the words "buy lands."

Adopted.

So the bill passed and the title as amended was agreed to.

Senate adjourned to 10 A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, April 7, 1888. }

The Senate met in regular session at 10 o'clock A. M.
President *pro tem*, Senator Poyneer, in the chair.
Prayer by Rev. S. Ollerenshaw.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 359, a bill for an act to change the burden of proof in actions grounded upon the negligence of corporations.

House File No. 360, a bill for an act to amend title 12, chapter 1 of the Code, providing for the traveling expenses of the superintendent of public instruction.

House File No. 517, a bill for an act to repeal sections 2, 3, 5, 6, 10, 11 and 12 of chapter 168, laws of the Twenty-first General Assembly, and enacting a substitute therefor, relative to making contracts by cities of the first class, containing a population of over 30,000, for paving and curbing streets and construction of sewers and the making and collection of assessments and issuance of bonds or certificates to pay for the same.

House File No. 545, a bill for an act to organize and manage the department for criminal insane at the penitentiary at Anamosa, and to fix the compensation of the additional officers.

House File No. 327, a bill for an act to amend chapter 104, of the acts of the Twenty-first General Assembly.

Also, that the House has passed the following Senate bills:

Senate File No. 56, a bill for an act to amend sections 4413 and 4414 of the Code, relating to peremptory challenges of jurors in criminal cases.

Senate File No. 194, a bill for an act to provide for the greater safety of passengers on board all sail and steam boats on the inland waters of the State of Iowa.

Senate File No. 218, a bill for an act granting additional powers to certain cities of the first class in the construction of sewers and to provide for the payment of the cost of the same and to repeal a part of section 10, of chapter 25, acts of the Twentieth General Assembly.

Senate File No. 367, a bill for an act to amend sections 8, 9, 10 and 14 of chapter 21, acts Twentieth General Assembly.

I am also directed to ask the Senate to return to the House, House File No. 24 with Senate amendments in which the House refused to concur.

D. C. KOLF, *Chief Clerk.*

HOUSE MESSAGES.

Senator Smith moved to take up House messages.

Carried.

Substitute for House File No. 92, a bill for an act to apportion the State into representative districts and declaring the ratio of representation.

Read first and second times.

Senator Smith moved that substitute for House File No. 92, be made a special order for 10:30 o'clock A. M.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Brower, Caldwell, Cassatt, Converse, Davidson, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, McCoy, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Vale, Weber, Woolson and Young—27.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Groneweg, Kegler, Kelly, Kent, Mattoon, Schmidt, Taylor and Wolfe—15.

Absent or not voting:

Senators Clark, Knight, Deal, Lawrence, McVay, Price, Sweney and Weidman—8.

So the motion was lost, not having received two thirds majority.

Senator Smith moved that the rule be suspended, and the bill be read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Brower, Caldwell, Clark, Converse, Davidson, Deal, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Woolson and Young—30.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Groneweg, Kegler, Kelly, Kent, Knight, Mattoon, Schmidt, Taylor and Wolfe—16.

Absent or not voting:

Senators Cassatt, Finn, Lawrence and Weidman—4.

So the motion was lost, not having received a two-thirds majority.

The bill was ordered read a third time to-morrow.

Senator Davidson moved to take up House File No. 37, a bill for an act for the protection of discharged employes and to prevent black-listing.

Carried.

So the Senate took up House File No. 37.

The question being shall the Senate recede from its amendment to section one?

The yeas were:

Senators Barnett, Davidson, Dodge, Dooley, Harsh, Mattoon, McCoy, McVay, Price, Taylor, Vale, Weber and Wolfe—13.

The nays were.

Senators Barrett, Bills, Bolter, Brower, Chesebro, Clark, Converse, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kegler, Kelly, Kent, Knight, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney and Woolson—31.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Lawrence, Weidman and Young—8.

So the Senate refused to recede from its amendment.

Senator Davidson moved that a conference committee of three be appointed relative to Senate amendment to House File No. 37, and that the House be requested to appoint a like committee.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report of the conference committee on Senate File No. 290, a bill for an act to provide for the levy of one-half mill State tax for the years 1888 and 1889, to pay the outstanding indebtedness of the State, the House receding from its amendment.

I am also directed to inform your honorable body that the House has passed the following Concurrent Resolution, relative to appointment of a committee to investigate the State University, vesting it with powers, providing payment, etc.

D. C. KOLF, *Chief Clerk*.

On motion of Senator Gatch, Senate File No. 124, a bill for an act making appropriations for the institution for feeble-minded children, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered and the substitute of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Caldwell, Clark, Converse, Davidson, Deal, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Wolfe and Young—35.

The nays were:

Senator Chesebro—1.

Absent or not voting:

Senators Bayless, Brower, Cassatt, Dodge, Finn, Kelly, Knight, Lawrence, Mattoon, McVay, Smith, Weber, Weidman and Woolson—14.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

By leave, Senator Gatch from the Committee on Appropriations submitted the following reports:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 336, a bill for an act making appropriations for the State Fish Commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 410, a bill for an act to appropriate money to provide for payment of Superintendent of the Insane Hospital at Clarinda and other help, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 181, a bill for an act for an appropriation for Benedict Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 265, a bill for an act making appropriations for the Soldiers' Home at Marshalltown, Iowa, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted, and when adopted that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

On motion of Senator Gatch, Senate File No. 336, a bill for an act making appropriations for the Fish Commission, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dooley, Doud, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Wolfe and Young—40.

The nays were:

Senator Barnett—1.

Absent or not voting:

Senators Cassatt, Dodge, Finn, Garlock, Lawrence, Price, Smith, Weidman and Woolson—9.

So the bill passed and the title was agreed to.

On motion of Senator Gatch Senate File No. 115, a bill for an act authorizing the trustees of the Iowa Hospital for the Insane at Independence to purchase 180 acres of land adjoining the land now owned by the State, with report of committee recommending that it do pass, was taken up and considered.

SPECIAL ORDER.

The hour having arrived for the special order, it being the consideration of the motion to reconsider the vote by which the Senate adopted a resolution fixing the time of final adjournment at Tuesday, April 10th, at 12 o'clock M., Senator Woolson withdrew the motion to reconsider the vote by which the resolution was adopted.

The question recurring on Senate File No. 115.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dungan, Funk, Hanchett, Harsh, Hutchison, Kegler, Kent, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Wolfe Woolson and Young—34.

The nays were none.

Absent or not voting:

Senators Barnett, Bayless, Cassatt, Dodge, Dooley, Doud, Finn, Garlock, Gatch, Groneweg, Kelly, Knight, Lawrence, Mills, Smith, and Weidman—16.

So the bill passed and the title was agreed to.

On motion of Senator Hanchett Senate File No. 371, a bill for an act to amend the military code, with report of committee recommending that it do pass was taken up and considered.

Senator Dungan moved that the bill be referred to the Committee on Appropriations.

Carried.

On motion of Senator Gatch Senate File No. 398, a bill for an act to appropriate funds to carry on the work at the penitentiary at Anamosa and for other purposes connected therewith, with report of

committee recommending a substitute and that when adopted the substitute do pass, was taken up and considered, and the substitute of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Vale, Weber, Wolfe, Woolson and Young—40.

The nays were none.

Absent or not voting:

Senators Cassatt, Deal, Doud, Finn, Knight, Lawrence, Schmidt, Seeds, Taylor and Weidman—10.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, Senate File No. 181, a bill for an act for appropriation for Benedict Home, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Bolter, Caldwell, Cassatt, Deal, Doud, Finn, Knight, Lawrence, Schmidt, Seeds, Smith and Weidman—13.

So the bill passed and the title was agreed to.

□ The chair announced the following Senators as a conference committee on House File No. 37: Senators Davidson, Seeds and Kent.

REPORTS OF STANDING COMMITTEES.

By consent, Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 485, a bill for an act amending section 2 of chapter 168 of the laws of the Twentieth General Assembly of the State of Iowa, regulating the admission of attorneys to the practice of law, beg leave to report that they have had the same under consid-

eration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 353, a bill for an act to amend chapter 24 of the Code of 1873, relating to change of venue in criminal cases, beg leave to report that they have had the same under consideration and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 180, a bill for an act to amend section sixteen hundred and fifty-three (1653) of the Code, relating to commitments to the industrial school, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 388, a bill for an act equalizing the validity of mechanics' liens as between contractor and sub-contractor, and for the more perfect protection of the sub-contractor, and for amending section 6, and repealing sections 7 and 8 of the Code as relating thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 374, a bill for an act in relation to pleadings in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 383, a bill for an act to amend section 204 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 461, a bill for an act to amend section 3639 of the Code relating to evidence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 575, a bill for an act to amend section 463 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 128, a bill for an act to provide and preserve record evidence of the heirs of intestate decedents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 199, a bill for an act amending sections 2655 and 2665 of the Code of 1873, in relation to pleading, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 548, a bill for an act to amend section 1, chapter 51, acts of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

On motion of Senator Gatch, Senate File No. 410, a bill for an act to authorize the trustees of the Hospital for the Insane at Clarinda, to employ a superintendent and subordinate force to carry on said hospital and farm connected therewith, and to appropriate six thousand dollars to pay for same, with report of committee recommending that it do pass, was taken up and considered.

Senator Woolson offered the following amendment to section 1:

Add at end of section 1: The said trustees shall have power to draw and expend said funds herein appropriated in such manner as they may find necessary for the purposes expressed in this act.

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Bolter, Casaatt, Chesebro, Deal, Doud, Finn, Groneweg, Hanchett, Knight, Lawrence, McCoy, Mills, Seeds, Smith and Weidman—15.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M.

President *pro tem*, Senator Poyneer, in the chair.

On motion of Senator Seeds House File No. 65, a bill for an act to amend section 467 of the Code, in relation to repairing sidewalks, with report of committee recommending that it do pass, was taken up and considered.

Senator Seeds moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Grone-weg, Hanchett, Harsh, Hutchison, Kelly, Knight, Lawrence, Mat-ton, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Wool-son and Young—39.

The nays were:

Senator Kegler—1.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Clark, Deal, Finn, Garlook, Kent, Reiniger and Weidman—10.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Woolson, Senate File No. 422, a bill for an act to prevent persons from unlawfully using or wearing the emblems or badges of the Grand Army of the Republic or of the Military Order of the Loyal Legion of the United States.

Read a first and second time.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud,

Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Vale, Weber, Wolfe, Woolson and Young—41.

The nays were none.

Absent or not voting:

Senators Cassatt, Finn, Groneweg, Kent, Reiniger, Schmidt, Sweeney, Taylor and Weidman—9.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 149, a bill for an act authorizing the trustees of Iowa Hospital for Insane at Independence to purchase 180 acres of land adjoining land now owned by the State.

House File No. 53, a bill for an act making appropriations for the College for the Blind at Vinton.

House File No. 346, a bill for an act making appropriations for the Iowa State Agricultural College.

Also, the House has passed the following Senate bills:

Senate File No. 43, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

Senate File No. 138, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs.

Senate File No. 96, a bill for an act making appropriations for the Hospital for the Insane at Independence with amendments.

I am directed to inform the Senate that the Speaker has appointed Messrs. Mahoney, Paschal and Beem Conference Committee on House File No. 37.

D. C. KOLF, *Chief Clerk.*

On motion of Senator Gatch, substitute for Senate File No. 265, a bill for an act making appropriations for the Soldiers' Home at Marshalltown, Iowa, with report of committee recommending substitute and that it do pass, was taken up and considered.

Senator Gatch offered the following amendment:

Add at the end of section 1, "and that for the purpose of improving the grounds, there is appropriated the sum of \$2,200; and for the further improvement of the grounds, the trustees are directed to use the unexpended balance of the Marshalltown cash contribution now in the hands of the treasurer of the Home."

Adopted.

Senator Dooley offered the following amendment:

Strike out the figures "\$2,750" in line 12, section 1, printed bill, and insert in lieu thereof "\$1,750".

Lost.

The question being on the adoption of the substitute, it was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Wolfe and Young—40.

The nays were none.

Absent or not voting:

Senators Cassatt, Deal, Doud, Finn, Gatch, Kent, Lawrence, Weber, Weidman and Woolson—10.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

On motion of Senator McVay, House messages were taken up.

House File No. 545, a bill for an act to organize and manage the department for criminal insane at the penitentiary at Anamosa, and to fix the compensation of the officers.

Read first and second times.

On motion of Senator McVay, House File No. 545, a bill for an act to organize and manage the department for criminal insane at the penitentiary at Anamosa, and to fix the compensation of the officers, was taken up and considered.

Senator McVay moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Bills, Bolter, Brower, Caldwell, Chesebro, Converse, Davidson, Dodge, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber and Woolson—37.

The nays were none.

Absent or not voting:

Senators Barnett, Barrett, Bayless, Cassatt, Clark, Deal, Dooley, Doud, Finn, Knight, Weidman, Wolfe and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Caldwell, House File No. 547, a bill for an act to legalize the acts and ordinances of Stuart, in Guthrie and Adair counties, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Caldwell moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Garlock, Grone-weg, Hanchett, Hutchison, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Wolfe and Woolson—33.

The nays were none.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Doud, Finn, Funk, Gator, Harsh, Kegler, Kelly, Kent, Knight, Mills, Schmidt, Taylor, Weidman and Young—17.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

By consent Senator Sweney submitted the following reports from the Committee on Railways:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 185, a bill for an act providing for the use of portions of the tracks of railroads by other railroads being constructed, when in the opinion of the railroad commissioners the same is necessary, and providing compensation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with a recommendation for indefinite postponement.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 40, a bill for an act imposing certain duties upon the Attorney General, and empowering him to employ assistant counsel beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 347, a bill for an act for the promotion of the safety of the public traveling on railway trains, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that, as amended, the same do pass.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 263, a bill for an act providing for greater safety of railroad crossings, and to repeal chapter 163, acts of the Twentieth General Assembly, relating to railroads, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 207, a bill for an act to amend chapter 6, title 10, of the Code of Iowa, of 1873, providing for a maximum charge for transmitting telegraph messages, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that it would diminish the receipts and imperil the existence of small telegraph offices and give but little benefit to the State, also that it does not provide adequate compensation to the second line in the transmission of messages, the provision being only six cents for a message of ten words.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways to whom was referred House File No. 432, a bill for an act for the protection of train men and other railroad employes in handling freight cars, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 34, a bill for an act to amend section two, of chapter 68, of the acts of the Fifteenth General Assembly, fixing the maximum charges for the transportation of passengers on the different railroads of this State, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWENEY, *Chairman*.

Ordered passed on.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 374, a bill for an act to establish reasonable maximum rates of charges for the transportation of freight and property on the different railroads of this State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation, and state that a majority of the committee believe said schedule is inequitable and imperfect, and that they have not been able to properly amend the same or adopt a schedule the passage of which they could recommend and urge upon the floor of the Senate.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator Bayless moved that House File No. 34, be made a special order for Monday, April 9th, at 11 o'clock, A. M.

Senator Barnett moved to amend by adding House File No. 374 to the special order to follow House File No. 34.

Senator Garlock moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Chesebro, Clark, Dodge, Dooley, Doud, Garlock, Gatch, Hanchett, Kent, Knight, Lawrence, McCoy, Mills, Parrott, Reiniger, Smith, Wolfe and Woolson—19.

The nays were:

Senators Barnett, Bayless, Bills, Converse, Davidson, Dungan, Finn, Funk, Groneweg, Harsh, Hutchison, Kegler, Kelly, Mattoon, McVay, Meservey, Poyneer, Price, Schmidt, Seeds, Sweney, Taylor, Vale, Weber and Young—25.

Absent or not voting:

Senators Barrett, Brower, Caldwell, Cassatt, Deal and Weidman—6.

So the motion to lay on the table did not prevail.

Senator Dodge offered the following explanation of his vote:

I vote aye on the motion to table the motion to make House Files Nos. 34 and 374 special orders for Monday, April 9, 1888, at 11 o'clock, for these reasons, hastily given: House File No. 34 is the bill to reduce passenger fares. My objections to the passage of this measure is contained in my minority report to Senate File No. 9, on the same subject, which I herein reiterate. House File No. 374 is what is known as the maximum rate bill, which has passed the House, and was considered this morning for the first time in the railroad committee. I favor the passage of this bill, as the majority of my constituents desire me to support this measure; but it is absolute folly to presume that we could consider this bill in one day and a half, when it required the House days and weeks. The Senate has fixed the day of adjournment for 12 o'clock, noon, Tuesday, April 10, 1888. The motion to make these measures "special orders" on the day before fixed for adjournment is nothing but buncombe, "political clap-trap," and for the purpose of making "personal" records. These measures could have been called up some time ago by their friends, but for reasons "most peculiar" they have been allowed to sleep the sleep of peace, rest and quiet.

W. W. DODGE.

April 7, 1888.

The question recurring on the amendment of Senator Barnett, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Clark, Converse, Davidson, Doud, Dungan, Finn, Garlock, Gatch, Hutchison, Kegler, Kelly, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney Taylor, Vale, Weber, Woolson and Young—31.

The nays were:

Senators Bolter, Caldwell, Chesebro, Dodge, Dooley, Funk, Groneweg, Hanchett, Harsh, Kent, Knight, Lawrence, Mills, Schmidt and Wolfe—15.

Absent or not voting:

Senators Cassatt, Brower, Deal and Weidman—4.

So the amendment was adopted.

Senator Reiniger offered the following amendment: "Provided that these special orders shall not have preference over or interfere with special orders now on the calendar."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Dodge, Dooley, Doud, Garlock, Gatch, Hanchett, Hutchison, Kent, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Vale, Weber and Woolson—29

The nays were:

Senators Barnett, Bayless, Bills, Davidson, Dungan, Finn, Funk, Groneweg, Harsh, Kegler, Kelly, Mattoon, McVay, Meservey, Seeds, Taylor, Wolfe and Young—18.

Absent or not voting:

Senators Cassatt, Deal and Weidman—8.

So the amendment of Senator Reiniger was adopted.

Senator Converse explained his vote as follows:

I vote yes because I am opposed to making any more special orders until the appropriation bills and special orders are disposed of.

S. A. CONVERSE.

The question recurring on the motion of Senator Bayless as amended.

Senator Bolter moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Brower, Caldwell, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Garlock, Gatch, Hanchett, Hutchison, Kent, Knight, Lawrence, McCoy, Mills, Parrott, Poyneer, Smith, Weber, Wolfe and Woolson—25.

The nays were:

Senators Barnett, Bayless, Bills, Converse, Davidson, Dungan, Finn, Funk, Groneweg, Harsh, Kegler, Kelly, Mattoon, McVay, Meservey, Price, Reiniger, Seeds, Sweney, Taylor, Vale and Young—22.

Absent or not voting:

Senators Cassatt, Schmidt and Weidman—3.

So the motion was laid on the table.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF IOWA,
EXECUTIVE OFFICE, DES MOINES, April 7, 1888. }

MR. PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, the following bills:

Senate File No. 156, an act to amend sections 1401 and 1403 of the Code, relative to the confinement of persons found or alleged to be insane.

Senate File No. 193, an act entitled "an act authorizing the Governor of the State, to arrange with Gen. William W. Belknap, for his services in prosecuting the claims of this State against the General Government on account of raising and enrolling troops for the service of the United States during the war of the rebellion."

Senate File No. 417, an act to legalize the voting of aid by taxation in the township of Osage, Mitchell county, Iowa, to the Winona & Southwestern railway company.

Senate File No. 7, an act requiring railroad companies to fence their tracks within the State of Iowa, and to keep the fences in good repair.

Senate File No. 376, an act to legalize the incorporation of the town of Lohrville, and the corporate acts and ordinances thereof.

Senate File No. 146, an act to repeal section 1065 of the Code, relating to changing articles of incorporation, an (and) enacting a substitute therefor.

Senate File No. 235, an act to amend section 1058 of the Code, relating to corporations for pecuniary profit.

Senate File No. 251, an act to amend, revise and consolidate the various acts relating to the public printing and binding and the publication and distribution of the public documents and the Journals of the two Houses, and relating to the election and duties and compensation of State Printer and Binder.

FRED'K W. HOSSFELD, *Private Secretary.*

By consent, Senator Young from the Committee on Rules submitted the following report.

MR. PRESIDENT—Your Committee on Rules, to whom was referred House File No. 614, a bill for an act to provide for the election of clerks of committees of the Senate and House of Representatives, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word ten in the 13th line of section 1, and inserting the word twelve, in lieu thereof, and when so amended the bill do pass.

L. YOUNG, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills:

Substitute for Senate File No. 166, a bill for an act making appropriations for the Iowa Industrial School, Boys' Department, at Eldora, Iowa.

Substitute for Senate File No. 124, a bill for an act making appropriations for the Institution for Feeble-Minded Children.

House File No. 626, a bill for an act making appropriations for the Hospital at Clarinda.

Senate File No. 422, a bill for an act to prevent persons from unlawfully wearing or using the emblems of the Grand Army, etc.

D. C. KOLP, *Chief Clerk.*

By consent, Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 266, a bill for an act for the support of the Soldiers' Home, at Marshalltown, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Journal of yesterday corrected and approved.

On motion of Senator Gatch, Senate File No. 266, a bill for an act for the support of Soldiers' Home, at Marshalltown, Iowa, with report of committee recommending that it do pass, was taken up and considered.

On motion, the words "Marshalltown Times-Republican" were stricken from the publication clause.

By unanimous consent, the publication clause was renumbered as a separate section.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Chesebro, Clark, Dodge, Doud, Dooley, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Meserve, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Converse, Davidson, Deal, Finn, Groneweg, Hanchett, Mattoon, Sweney and Weidman—12.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

On motion of Senator Gatch, House messages were taken up.

House File No. 397, a bill for an act granting additional powers to certain cities of the first class and to cities organized under special charters.

Read a first and second time.

Senator Kegler offered the following amendment:

Strike out of section 1, line 9, printed bill, after the word "posters," down to and including the word "made."

Lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 141, a bill for an act making appropriations for the State Normal School, at Cedar Falls.

Substitute for House File No. 443, a bill for an act making appropriation for the Industrial School, Girls' Department, at Mitchellville.

The House has also passed the following Senate bill:

Senate File No. 317, a bill for an act supplemental to chapter 143, acts of Twentieth General Assembly, and chapter 66, acts Twenty-first General Assembly, relating to intoxicating liquors and abatement of nuisances.

D. C. KOLF, *Chief Clerk*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House File No. 527, a bill for an act making an appropriation for the purpose of procuring a water supply for the Normal School, at Cedar Falls.

D. C. KOLF, *Chief Clerk*

Senator Lawrence offered the following amendment:

Strike out of section 1 the words "and to regulate the slaughtering of all animals within the corporate limits of such cities."

Adopted.

Senator McCoy offered the following amendment:

Insert in section 1, after the word "first," in line 1, the words "and cities of the second class having over 7,000 inhabitants."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Brower, Chesebro, Clark, Converse, Dodge, Harsh, Hutchison, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Reiniger, Smith, Sweney, Vale, Weber, Wolfe and Young—22.

The nays were:

Senators Bills, Dooley, Dungan, Finn, Garlock, Kegler, Kent, Poyneer and Taylor—9.

Absent or not voting:

Senators Barnett, Bayless, Caldwell, Cassatt, Davidson, Deal, Doud, Funk, Gatch, Groneweg, Hanchett, Kelly, Knight, Mills, Price, Schmidt, Seeds, Weidman and Woolson—19.

So the amendment prevailed.

Senator Gatch moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bolter, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Dungan, Garlock, Gatch, Groneweg, Hanchett, Hutchison,

Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Smith, Sweney, Vale, Weber, Wolfe and Young—29.

The nays were:

Senators Barnett, Bills, Funk, Kegler, Kent, Schmidt and Taylor—7.

Absent or not voting:

Senators Bayless, Brower, Caldwell, Cassatt, Converse, Davidson, Finn, Harsh, Kelly, Knight, Price, Seeds, Weidman and Woolson—14.

Senator Wolfe offered the following amendment to the title: Add the words "and cities of the second class having over 7,000 inhabitants."

Adopted.

So the bill passed and the title as amended was agreed to.

Substitute for House File No. 346, a bill for an act making appropriations for the State Agricultural College.

Read first and second times.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Clark, Converse, Dodge, Dooley, Doud, Dungan, Finn, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—33.

The nays were none.

Absent or not voting:

Senators Barnett, Bolter, Brower, Caldwell, Cassatt, Chesebro, Davidson, Deal, Funk, Kelly, Kent, Knight, Lawrence, McCoy, Price, Seeds and Weidman—17.

So the bill passed and the title was agreed to.

House File No. 360, a bill for an act to amend title 12, chapter 1 of the Code, providing for the traveling expenses of the superintendent of public instruction.

Read first and second times.

Senator Wolfe moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Barrett, Bayless, Bills, Bolter, Caldwell, Clark, Converse, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Lawrence, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—36.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Davidson, Deal, Doud, Kelly, Kent, Knight, Mattoon, McCoy, Price, Seeds and Weidman—14.

So the bill passed and the title was agreed to.

House File No. 53, a bill for an act making appropriations for the College for the Blind at Vinton.

Read first and second times.

Senator Gatch moved to insert the word "dollars" after each of the items of figures.

Adopted.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Caldwell, Clark, Converse, Dodge, Dungan, Finn, Funk, Garlock, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—36.

The nays were:

Senator Chesebro—1.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Davidson, Deal, Dooley, Doad, Gatch, Kelly, Knight, Price, Seeds and Weidman—13.

So the bill passed and the title was agreed to.

Substitute for House File No. 443, a bill for an act making appropriations for the Iowa Industrial School, girls' department, at Mitchellville.

Read a first and second time.

Senator Dungan moved to insert the word "dollars" after each item of figures in the bill.

Adopted.

Senator Gatch moved that the rule be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Converse, Dodge, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Vale, Weber, Woolson and Young—36.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Davidson, Deal, Dooley, Doad, Kelly, Knight, Lawrence, Mattoon, Seeds, Taylor, Weidman and Wolfe—14.

So the bill passed and the title was agreed to.

Substitute for House File No. 141, a bill for an act making appropriations for the State Normal school at Cedar Falls.

Read first and second times.

Senator Dungan moved to amend by adding the word "dollars" after each item of figures.

Adopted.

Senator Parrott moved that the rule be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe and Young—38.

The nays were:

Senator Chesebro—1.

Absent or not voting:

Senators Brower, Cassatt, Deal, Doud, Hutchison, Kelly, Kent, Knight, Schmidt, Weidman and Woolson—11.

So the bill passed and the title was agreed to.

House File No. 626, a bill for an act making appropriations for the Hospital for the Insane at Clarinda.

Read first and second times.

Senator Clark offered the following amendment:

Strike out the last six lines of section 2.

Adopted.

Senator Clark moved that the rule be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Caldwell, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—43.

The nays were none.

Absent or not voting:

Senators Bayless, Brower, Cassatt, Deal, Hutchison, Kegler and Weidman—7.

So the bill passed and the title was agreed to.

House File No. 149, a bill for an act authorizing the trustees of the Iowa Hospital for the Insane at Independence to purchase 180 acres of land adjoining the lands now owned by the State.

Read first and second times.

Senator Seeds moved that the rule be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe and Woolson—35.

The nays were none.

Absent or not voting:

Senators Barnett, Bolter, Brower, Cassatt, Clark, Deal, Doud,

Harsh, Hutchison, Kegler, Kelly, Kent, Mills, Weidman and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Seeds the Secretary was instructed to request the House to return to the Senate Senate File No. 115.

Substitute for House File No. 527, a bill for 'an act making an appropriation for the purpose of procuring a water supply to the Normal School at Cedar Falls.

Read first and second times.

Senator Parrott offered the following amendment: Strike out all of section 2 after the word "necessary" in fifth line thereof.

Adopted.

Senator Parrott moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—38.

The nays were none.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Clark, Deal, Funk, Hutchison, Kelly, Kent, Price, Reiniger and Weidman—12.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Woolson by consent, Senate File No. 423, a bill for an act to legalize the action of certain independent school districts.

Read first and second times.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Doud, Dungan, Funk, Gatch, Hanchett, Hutchison, Knight, Lawrence, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Dooley, Finn, Garlock, Groneweg, Harsh, Kegler, Kelly, Kent, Meservey, Price and Weidman—13.

So the bill passed and the title was agreed to.

Senator Price moved that when the Senate adjourn it be until 8 o'clock this evening, and that the Senate then take up bills on the

calendar to which there is no opposition, and House Messages to which there is no opposition.

Senator Kegler moved that the Senate does now adjourn, and demanded the yeas and nays.

The yeas were:

Senators Doud and Kegler—2.

The nays were:

Senators Barnett, Barrett, Bayless, Bolter, Caldwell, Clark, Davidson, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Hutchison, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson, and Young—35.

Absent or not voting:

Senators Bills, Brower, Cassatt, Chesebro, Converse, Deal, Dodge, Dooley, Groneweg, Harsh, Kelly, Lawrence and Weidman—13.

So the motion to adjourn was lost.

The question recurring on the motion of Senator Price it was adopted.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 286, an act restricting non-resident aliens in their right to acquire and hold real estate, and repealing sections 1908 and 1909 of the Code.

House File No. 394, an act to provide for the re-assessment or reliev of special taxes and assessments.

House File No. 115, an act authorizing boards of directors to change the boundaries of independent school districts within the same civil township.

House File No. 46, an act to amend section 1160, chapter 4, title 9, for the Code of Iowa, relating to mutual insurance companies.

House File No. 623, an act to legalize the transfer of certain bridge funds to general fund by the board of supervisors of Fayette county, Iowa.

House File No. 381, an act creating in all cities of the first-class having a population according to any legally authorized census of more than 30,000 inhabitants a board of public works, and defining the powers and duties of its members.

Senate File No. 43, an act making appropriations for the Hospital of the Insane at Mt. Pleasant.

Senate File No. 288, an act to amend section 471 of the Code of 1873, relating to the power of establishing water works by cities and towns, and making the powers granted in sections 472, 473, 474 and 475 of the Code of 1873, applicable to establishment of gas works or electric light plants, and providing for the payment for the same by the issuing of bonds.

Senate File No. 320, an act to repeal section 1623 of the Code, and enact a substitute therefor, relating to the appointment of trustees of the Soldiers' Orphans' Home, and Home for Destitute Children at Davenport, Iowa.

Senate File No. 359, an act designating officers who may take ac-

knowledge of conveyances of real estate and encumbrances affecting the same, and amending section 1955.

Senate File No. 47, an act to punish or prevent fraud in the sale of grain, seed, and other cereals.

Senate File No. 268, an act to repeal chapter 188, laws of the Twentieth General Assembly, and to enact a substitute therefor, relating to drainage.

Senate File No. 367, an act to amend sections 8, 9, 10 and 14, chapter 21, acts of the Twentieth General Assembly of the State of Iowa.

House File No. 65, an act to amend section 467 of the Code, in relation to repairing sidewalks.

Senate File No. 422, an act to prevent persons from unlawfully using or wearing the emblems and badges of the Grand Army of the Republic or the military order of the Loyal Legion of the United States.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 295, an act to authorize certain cities to require the erection and construction of viaducts over or under railroads on public streets and to provide compensation to owners of property abutting on such streets.

House File No. 621, an act to amend section 35, chapter 211, of the acts of the Sixteenth General Assembly, relative to the publishing of ordinances of the city of Comanche.

House File No. 610, an act to legalize certain acts and ordinances of the council of the incorporated town of Dow City, Crawford county, Iowa.

House File No. 577, an act to legalize the incorporation of the town of Manilla, Crawford county, Iowa; also, election of its town officers, and all acts done and ordinances passed by the said town officers.

House File No. 184, an act to legalize the ordinances of the town of Grand Junction, Greene county, Iowa.

Senate File No. 7, an act requiring railroad companies to fence their tracks within the State of Iowa, and to keep the fences in good repair.

Senate File No. 376, an act to legalize the incorporation of the town of Lohrville and the corporate acts and ordinances thereof.

Senate File No. 235, an act to amend section 1058 of the Code, relating to corporations for pecuniary profit.

Also, Senate File No. 146, an act to repeal section 1065 of the Code, relating to changing articles of incorporation and enacting a substitute therefor.

JNO. K. DEAL, *Chairman.*

On motion of Senator Kegler the Senate adjourned.

EVENING SESSION.

President *pro tem*, Senator Poyneer, in the chair.

On motion of Senator Parrott the Senate took a recess of ten minutes.

Senate reconvened after the recess.

Senator Weber moved to suspend the rule and make House File No. 542 a special order for 10:30 A. M., on Monday, April 9.

Senator Bayless moved to amend by adding House File No. 34, as special order to follow the consideration of House File No. 542.

Senator Price moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Caldwell, Clark, Funk, Garlock, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Poyneer, Price, Reiniger, Schmidt and Woolson—16.

The nays were:

Senators Barnett, Bayless, Bills, Davidson, Dungan, Finn, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Seeds, Sweney, Vale and Weber—16.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Converse, Deal, Dooley, Dodge, Doud, Gatch, Hutchison, Kent, Knight, McCoy, Smith, Taylor, Weidman, Wolfe and Young—18.

So the motion to lay on the table was lost.

Senator Kegler explained his vote as follows:

MR. PRESIDENT—I am in favor of the consideration of both bills, but am not in favor of any more special orders; therefor vote aye.

A. G. KEGLER.

The Chair ruled that the amendment of Senator Bayless was out of order, and the question recurred on the original motion of Senator Weber.

Senator Reiniger moved to amend the motion of Senator Weber by making the bill a special order for 8:30 o'clock A. M. on Monday, April 9th.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Davidson, Dungan, Finn, Garlock, Gatch, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale and Weber—22.

The nays were:

Senators Bolter, Clark, Dooley, Funk, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Schmidt and Woolson—11.

Absent or not voting:

Senators Barrett, Brower, Caldwell, Cassatt, Chesebro, Converse, Deal, Dodge, Doud, Hutchison, Kent, Knight, McCoy, Smith, Weidman, Wolfe and Young—17.

So the amendment of Senator Reiniger was adopted.

Senator Kegler explained his vote as follows:

MR. PRESIDENT—I am in favor of considering that bill any time, but am not in favor of making it a special order Monday, at half past eight, for the reason that many Senators cannot and will not be present at that hour; and, in fact, am not in favor of any more special orders whatever.

KEGLER

The question recurred on the motion as amended, fixing the special order at 8:30 A. M., Monday, April 9th.

Senator Woolson moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Brower, Clark, Dooley, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Lawrence, McCoy, Poyneer, Price, Schmidt and Woolson—19.

The nays were:

Senators Barnett, Bayless, Bills, Davidson, Dungan, Finn, Kelly, Mattoon, McVay, Meservey, Mills, Parrott, Reiniger, Seeds, Sweney, Taylor, Vale and Weber—18.

Absent or not voting:

Senators Caldwell, Cassatt, Chesebro, Converse, Deal, Dodge, Doud, Kent, Knight, Smith, Weidman, Wolfe and Young—13.

So the motion to lay on the table prevailed.

Senator Funk moved that the Secretary be instructed to request the House to return to the Senate, Senate File No. 373.

Carried.

The following report was presented from the Conference Committee on House File No. 37:

MR. PRESIDENT—Your Conference Committee, to whom was referred amendments to House File No. 37, beg leave to report that they have had the same under consideration and report that they have been unable to agree.

D. B. DAVIDSON,
ED. P. SEEDS,

For the Senate.

C. M. PASCHAL,
J. W. MAHONEY,
J. C. BEEM,

For the House.

Ordered passed on file.

Senator Woolson moved that a second conference committee of three be appointed by the Chair on the part of the Senate and that

a like committee be requested on the part of the House to consider House File No. 87.

Carried.

In regular order on the calendar the following bills were considered:

Senate File No. 150, a bill for an act amendatory to section 411 of the Code and providing for the appointment of a special deputy treasurer in certain cases, with report of committee recommending that it do pass, was taken up and considered.

Senator Kelly moved to amend by adding to section 2 the following words: "newspapers published at Des Moines, Iowa."

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Caldwell, Clark, Dungan, Finn, Funk, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Reiniger, Schmidt, Vale and Woolson—20.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Davidson, Poyneer, Price, Seeds, Sweney and Taylor—10.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Converse, Deal, Dodge, Dooley, Doud, Gatch, Garlock, Groneweg, Hutchison, Kent, Knight, McCoy, Smith, Weber, Weidman, Wolfe and Young—20.

So the bill was lost, not having received a constitutional majority.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 43, 47, 268, 288, 320, 359, 367 and 422.

House Files Nos. 46, 65, 115, 286, 381, 394 and 623.

Also, that the House has concurred in Senate amendments to House Files Nos. 259 and 626.

Also, that the House has concurred in Senate concurrent resolution relative to authorizing the Executive Council to publish proceedings of the State Dairymen's Association.

D. C. KOLF, *Chief Clerk.*

Substitute for House File No. 67, a bill for an act to prohibit the selling, giving or furnishing of tobacco in any forms to minors under the age of sixteen years, with report of committee recommending that it do pass was taken up and considered.

Senator Schmidt offered the following amendment: Add at end of section 1 the following:

Section 2. Any minor under the age of sixteen years who shall for the purpose of evading the provisions of section one (1) falsely represent his age, shall be deemed guilty of a misdemeanor and

fined for every such offence not exceeding twenty-five dollars or be imprisoned in the county jail not more than thirty days or both, in the discretion of the court.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Groneweg, Hanchett, Kegler, Mattoon, Mills, Schmidt, Taylor and Vale—10.

The nays were:

Senators Barnett, Barrett, Bills, Clark, Davidson, Dungan, Finn, Funk, Harsh, Kelly, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Woolson and Young—20.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Chesebro, Converse, Deal, Dodge, Dooley, Doud, Garlook, Gatch, Hutchison, Kent, Knight, Lawrence, McCoy, Smith, Weber, Weidman and Wolfe—20.

So the amendment was lost.

Senator Woolson moved that the Committee on Appropriations be excused for the evening.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed herewith to return to the Senate Senate File No. 393.

D. C. KOLP, *Chief Clerk*.

Senator Bayless offered the following amendment:

Add to section 2: Provided, that where the dealer sells in good faith, believing that the minor is not under sixteen years of age, and where the purchaser represents that he is sixteen years of age the seller shall not be liable under the provisions of this act.

Lost.

On the question shall the bill be read to-morrow the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Caldwell, Clark, Dungan, Finn, Funk, Garlook, Harsh, McVay, Meservey, Mills, Price, Reiniger, Seeds, Sweney, Woolson and Young—18.

The nays were:

Senators Bayless, Bolter, Brower, Davidson, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, Poyneer, Schmidt and Vale—14.

Absent or not voting:

Senators Bills, Cassatt, Chesebro, Converse, Deal, Dodge, Dooley, Doud, Gatch, Hutchison, Knight, McCoy, Parrott, Smith, Taylor, Weber, Weidman and Wolfe—18.

So the bill was ordered to a third reading to morrow.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 800, a bill for an act to provide for the levy of a street or road tax by municipal corporations.

House File No. 824, a bill for an act to define the meaning of the words "crossings or intersections" as used in chapter 24, laws of 1884, and providing for the erection of railroad station houses.

House File No. 479, a bill for an act relating to applications for insurance.

D. C. KOLP, *Chief Clerk.*

· INTRODUCTION OF BILLS.

By Senator Funk, Senate File No. 424, a bill for an act to amend section 1, chapter 63, acts of the Twenty-first General Assembly, relative to the maintenance of fish dams across the outlets of meandered lakes.

Read first and second times.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clark, Davidson, Dungan, Funk, Garlock, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Vale, Woolson and Young—31.

The nays were:

Senator Barnett—1.

Absent or not voting:

Senators Cassatt, Chesebro, Converse, Deal, Dodge, Dooley, Doud, Finn, Gatch, Hutchison, Knight, Lawrence, McCoy, Smith, Taylor, Weber, Weidman and Wolfe—18.

So the bill passed and the title was agreed to.

Senator Bayless moved that the Senate adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Bolter, Clark, Converse, Garlock, Gatch, Groneweg, Hanchett, Kent, McVay, Meservey, Parrott, Schmidt, Seeds and Smith—15.

The nays were:

Senators Barnett, Bayless, Brower, Caldwell, Davidson, Dungan, Funk, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mills, Poyneer, Price, Reiniger, Sweney, Taylor, Vale, Woolson and Young—21.

Absent or not voting:

Senators Barrett, Cassatt, Chesebro, Deal, Dodge, Dooley, Doud, Finn, Knight, Mattoon, McCoy, Weber, Weidman and Wolfe—14.

So the motion was lost.

Senator Bayless offered the following:

Be it resolved, That when the Senate adjourn to-night that it adjourn until 8:30 o'clock on the morning of the next legislative day, at which time House File No. 34 be taken up for consideration.

There being two propositions the resolution was not put; decided to be out of order.

Senator Davidson moved that the Senate take up House File No. 571.

Lost.

Senator Meservey moved that the Senate adjourn until 8:30 o'clock A. M. Monday morning.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, April 9, 1888. }

The Senate met in regular session at 8:30 o'clock A. M.
President *pro tem*, Senator Poyneer, in the chair.

RESOLUTION.

Senator Bolter offered the following resolution:

Resolved, That a sifting committee consisting of nine members of the Senate be, by the chair appointed, and when so appointed, all bills other than appropriation bills be referred to said committee, and that no bills except appropriation bills be hereafter considered unless favorably reported by said committee, provided, that in no case shall the Senator from Harrison be appointed on said committee.

Senator Bolter moved that the resolution be adopted.

Senator Meservey moved to amend by striking out the proviso.

Adopted.

Senator Finn moved to amend by adding, provided, that said sifting committee shall report as the first bill on their calendar for consideration, House File No. 542.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Caldwell, Davidson, Dungan, Finn, Funk, Garlock, Kegler, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber and Weidman—24.

The nays were:

Senators Bolter, Brower, Clark, Dodge, Dooley, Doud, Groneweg, Harsh, Hutchison, Knight, McCoy, Smith, Wolfe, Woolson and Young—15.

Absent or not voting:

Senators Bills, Cassatt, Chesebro, Deal, Gatch, Kelly, Kent, Lawrence, Schmidt, Converse and Hanchett—11.

So the amendment was adopted.

Senator Barnett offered the following amendment:

Provided, further, that not more than one member shall be appointed out of any one vocation.

Lost.

Senator Finn moved to amend by adding that the Senate proceed with the calendar to give the sifting committee time to report.

Senator Reiniger moved to amend the amendment by adding that the calendar be taken up by the Senate in regular order, preference being given to legalizing acts pending the report of the sifting committee.

Adopted.

The question recurring upon the amendment as amended.

Senator Dodge moved to amend the amendment as follows: And providing further, that Senate File No. 378, being an act to fix the liability of sleeping car companies for the loss or damage to personal property carried by them, fixing the rate of charges and providing punishment for violation of this act, follow in regular order House File No. 542 in report of Sifting Committee.

Lost.

The question recurring on the resolution as amended, it was adopted.

The chair appointed the following as a second conference committee on House File No. 37: Senators Davidson, Woolson and Bolter.

The chair appointed the following Sifting Committee: Senators Young, McCoy, Funk, Sweney, Woolson, Finn, Parrott, Bayless and Bolter.

On motion of Senator Kegler Senate File No. 148, a bill for an act to repeal chapter 59 of the acts of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines, and to enact the following in lieu thereof, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Davidson, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Groneweg, Harshett, Harsh, Hutchison, Kegler, Kelly, Knight, Mattoon, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Chesebro, Clark, Converse, Deal, Doud, Garlock, Kent, Lawrence, McCoy, Poyneer and Smith—13.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

Senator Smith moved to take up bills on third reading.

Carried.

Substitute for House File No. 92, a bill for an act to apportion the State into representative districts and declaring the ratio of representation, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Brower, Caldwell, Clark, Doud, Dungan, Funk, Garlock, Gatch, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—27.

The nays were :

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Finn, Groneweg, Kegler, Kelly, Kent, Knight, Mattoon, Mills, Schmidt, Taylor, and Wolfe—18.

Absent or not voting:

Senators Cassatt, Converse, Davidson, Deal and Hanchett—5.

So the bill passed and the title was agreed to.

Senator Doud explained his vote as follows:

At this late hour of the session of the Twenty-second General Assembly it being too late to have any other bill acted upon, and now being under obligation to divide the State into representative districts, I shall vote aye, hiding myself behind the "shoe-string" district of South Carolina.

M. P. DOUD.

Senator Finn explained his vote as follows:

As a member of the Twenty-first General Assembly I voted against a similar bill for the same reason that I vote against this. I believe it to be a violation of the constitution.

G. L. FINN.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 379, a bill for an act supplementary to chapter 162 of the acts of the Seventeenth General Assembly, entitled an act to authorize cities of the first class containing according to any legally authorized census or enumeration a population of over 30,000, to provide for the construction of sewers, additional to Code chapter 10, title 4, concerning cities and towns, and to repeal chapter 166 of the laws of the Twenty-first General Assembly, relating to the construction of sewers.

House File No. 470, a bill for an act to amend section 3865 of the Code of 1873, in relation to the crime of enticing females under fifteen years of age, and affixing penalties therefor.

House File No. 552, a bill for an act to amend section 543 of the Code, in relation to the jurisdiction of police judges.

House File No. 576, a bill for an act repealing section 4, chapter 159, acts of the Fifteenth General Assembly, and providing a substitute therefor.

Also, that the House has passed the following Senate bills:

Senate File No. 12, a bill for an act for the relief of Wm. H. Birkhead, of Des Moines county, &c.

Substitute for Senate File No. 152, a bill for an act to appropriate funds to furnish buildings and make improvements for the soldiers' orphans' home and home for indigent children, at Davenport, Iowa.

Substitute for Senate File No. 265, a bill for an act making appropriations for the soldiers' home at Marshalltown, Iowa.

Senate File No. 357, a bill for an act to legalize certain acts of the board of supervisors of Jasper county, Iowa.

Senate File No. 405, a bill for an act to amend section 104, acts Twenty first General Assembly, to regulate the practice of medicine and surgery.

Substitute for Senate File No. 407, a bill for an act to provide for the support of the families of insane out of their estate, and to amend section 2276 of the Code.

D. C. KOLF, *Chief Clerk.*

On motion of Senator Hutchison, Senate File No. 389, a bill for an act to amend chapter 92, laws of the Seventeenth General Assembly, and fix the per diem and expenses of trustees of State institutions, members of visiting committees to the hospital for the insane, and regents of the State University, with report of committee recommending that it do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Chesebro, Clark, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—88.

The nays were none.

Absent or not voting:

Senators Bolter, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Finn, Meservey, Schmidt, Smith and Sweney—12.

So the bill passed and the title was agreed to.

On motion of Senator McCoy, House File No. 30, a bill for an act to regulate the good time of prisoners in our penitentiaries, with report of committee recommending that it do pass, was taken up and considered.

Senator McCoy moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Davidson, Dodge, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Kelly, Knight, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—41.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Converse, Deal, Dooley, Finn, Garlock, McVay and Smith—9.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 304, a bill for an act making an appropriation for the Benedict home.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Kent, House File No. 534, a bill for an act to legalize the acknowledgements of conveyances of power of attorney made by Hazen Wilson, attorney-in-fact for Joseph Webster, with report of committee recommending that it do pass, was taken up and considered.

Senator Kent moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Caldwell, Clark, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Gatch, Grone-weg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—42.

The nays were none.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Chesebro, Dooley, Garlock, Lawrence and Young—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House File No. 528, a bill for an act making appropriations for the State Library.

Also, has passed the following Senate bill: Senate File No. 266, a bill for an act for the support of the Soldiers' Home at Marshalltown, with amendments.

Also, the House has concurred in Senate amendments to Substitute for House Files No. 141, 53 and 443.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Knight, House File No. 571, a bill for an act to amend chapter 193, laws of the Twentieth General Assembly, in relation to the management and investment of the endowment fund of the Iowa Agricultural College, with report of committee recommending that it do pass, was taken up and considered.

Senator Knight moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Dodge, Dooley, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—42.

The nays were none.

Absent or not voting:

Senators Cassatt, Converse, Deal, Doud, Finn, Garlock, McVay and Smith—8.

So the bill passed and the title was agreed to.

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committees on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 286, an act restricting non resident aliens in their right to acquire and hold real estate, and repealing sections 1908 and 1909 of the Code.

House File No. 394, an act to provide for the re-assessment or re-levy of special taxes and assessments.

House File No. 115, an act authorizing boards of directors to change the boundaries of independent school districts within the same civil township.

House File No. 46, an act to amend section 1160, chapter 4, title 2, of the Code of Iowa, relating to mutual insurance companies.

House File No. 623, an act to legalize the transfer of certain bridge funds to general fund by the board of supervisors of Fayette county.

House File No. 381, an act creating in all cities of the first class having a population according to any legally authorized census of more than 30,000 inhabitants, a board of public works and defining the powers and duties of its members.

Senate File No. 43, an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

Senate File No. 288, an act to amend section 471 of the Code of 1873, relating to the power of establishing water works by cities and towns, and making the powers granted in sections 472, 473, 474 and 475 of the Code of 1873, applicable to establishment of gas works and electric light plants, and providing for the payment for the same by the issuing of bonds.

Senate File No. 320, an act to repeal section 1623 of the Code, and enact a substitute therefor relating to the appointment of Trustees of the Soldiers' Orphans' Home and Home for Destitute Children at Davenport, Iowa.

Senate File No. 359, an act designating officers who may take acknowledgment of conveyances of real estate and incumbrances affecting the same and amending section 1955.

Senate File No. 47, an act to punish or prevent fraud in the sale of grain seeds and other cereals.

Senate File No. 268, an act to repeal chapter 188, laws of the Twentieth General Assembly, and to enact a substitute therefor, relating to drainage.

Senate File No. 367, an act to amend sections 8, 9, 10 and 14, chapter 21, acts of the Twentieth General Assembly of the State of Iowa.

House File No. 65, an act to amend sections 4, 6, 7, of the Code, in relation to repairing sidewalks.

Senate File No. 422, an act to prevent persons from unlawfully using or wearing the emblems of the G. A. R. or the military order of the Loyal Legion of the United States.

JNO. K. DEAL, *Chairman.*

On motion of Senator Barrett House File No. 605, a bill for an act to release certain penalties for failure to make and file reports of sale of intoxicating liquors by holders of permits, with report of committee recommending that it do pass, was taken up and considered.

Senator Wolfe moved to amend by inserting the words, "or person," after the word, "druggist" in line 1, section 1, printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Bolter, Brower, Chesebro, Dodge, Dooley, Groneweg, Kegler, Kelly, Knight, Mattoon, Schmidt, Taylor and Wolfe—14.

The nays were.

Senators Barrett, Bayless, Caldwell, Clark, Converse, Davidson, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Lawrence, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Woolson and Young—30.

Absent or not voting:

Senators Barnett, Cassatt, Deal, Finn, Kent, and Parrott—6.

So the amendment was lost.

Senator Barrett moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weber, Weidman and Young—86.

The nays were:

Senator Barnett, Groneweg, Kegler, Knight, Schmidt, Sweney and Wolfe—7.

Absent or not voting:

Senators Cassatt, Davidson, Deal, Finn, Kent, Mills and Woolson—7.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

Senator Gatch moved to take up House messages.

Carried.

House File No. 379, a bill for an act relating to the construction of sewers in cities having a population of more than thirty thousand according to the census of 1885 supplementary to chapter 162 of the acts of the Seventeenth General Assembly, entitled an act to authorize cities of the first class containing according to any legally authorized census or enumeration of population of over thirty thousand, to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and towns and to repeal chapter 166 of the acts of the Twenty first General Assembly, relating to the construction of sewers.

Read first and second times.

Senator Gatch moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Poyneer, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman and Wolfe—37.

The nays were none.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Deal, Finn, Kelly, Kent, Parrott, Price, Reiniger, Schmidt, Woolson and Young—13.

So the bill passed and the title was agreed to.

House File No. 517, a bill for an act to repeal sections 2, 3, 5, 6, 10, 11 and 12 of chapter 168, acts of the Twenty-first General Assembly and enacting a substitute therefor, relative to making contracts by cities of the first class containing a population of over thirty thousand for paving and curbing streets and construction of sewers and the making and collection of assessments and issuance of bonds or certificates to pay for the same.

Read first and second times.

Senator Gatch moved to strike out the words, "than is now provided by chapter 166, laws of the Twenty first General Assembly," in lines 10 and 11, section 10, and insert after the word "amount" in line 10, section 10, the words, "than three dollars."

Adopted.

Senator Gatch moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Converse, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence,

McCoy, Meservey, Mills, Parrott, Poyneer, Seeds, Sweney, Vale, Weber, Weidman Wolfe and Young—35.

The nays were none.

Absent or not voting:

Senators Barnett, Cassatt, Davidson, Deal, Doud, Kegler, Knight, Mattoon, McVay, Price, Reiniger, Schmidt, Smith, Taylor, and Woolson—15.

So the bill passed and the title was agreed to.

On motion of Senator Gatch Senate File No. 402, a bill for an act to empower cities of the first class organized as such since January 1, 1888, to levy taxes additional to section 461 of the Code, with report of committee recommending amendment, and that it do pass, was taken up and considered, and the amendment of the committee was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Chesebro, Clark, Converse, Davidson, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Lawrence, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, and Young—37.

The nays were none.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Deal, Dooley, Kelly, Kent, Knight, McCoy, Price, Schmidt, Taylor and Woolson—13.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, substitute for House File No. 6, a bill for an act to regulate the manner of issuing or paying city warrants in cities of the first and second class, and cities organized under special charter, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Gatch moved that the rule be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Chesebro, Clark, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Taylor, Vale, Weber, Weidman and Wolfe—38.

The nays were:

Senator Barnett—1.

Absent or not voting:

Senators Cassatt, Converse, Deal, Hanchett, Knight, Price, Schmidt, Smith, Sweney, Woolson and Young—11.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, House File No. 395, a bill for an act

to repeal section 9, of chapter 116, of the laws of the Twenty-first General Assembly, and to enact a substitute in lieu thereof, with report of committee recommending that it do pass, was taken up and considered.

Senator Gatch moved to substitute consideration of House File No. 44 for the bill under consideration.

Adopted.

So the Senate took up House File No. 44, a bill for an act granting additional powers to cities organized under special charters with reference to the improvement of streets, highways, avenues or alleys, and to provide a system of payment therefor, with report of committee recommending amendments and when adopted the bill do pass, and the amendments recommended by the committee were adopted.

Senator Gatch moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bills, Bolter, Caldwell, Chesebro, Clark, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Sweney, Taylor, Vale, Weber, Weidman and Young—36.

The nays were none.

Absent or not voting:

Senators Barnett, Bayless, Brower, Cassatt, Converse, Deal, Finn, Harsh, Kent, Knight, Mills, Smith, Wolfe and Woolson—14.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, House File No. 395, a bill for an act to repeal section 9, of chapter 116, of the laws of the Twenty-first General Assembly, and to enact a substitute in lieu thereof, with report of committee recommending that it do pass, was taken up and considered.

Senator Gatch moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Caldwell, Chesebro, Clark, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Barnett, Bolter, Brower, Cassatt, Converse, Deal, Finn, Kelly, Kent, Knight, Mattoon, Schmidt and Smith—13.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator T. J. Caldwell, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate File No. 63, a bill for an act to amend section 8, chapter 83, laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 346, an act making an appropriation for the Iowa Agricultural College;

House File No. 360, an act to amend title 12, chapter 1 of the Code, providing for the traveling expenses of the Superintendent of Public Instruction;

House File No. 149, an act authorizing the trustees of the Iowa Hospital for the Insane at Independence to purchase 180 acres of land adjoining the lands now owned by the State;

House File No. 626, an act making appropriations for the Hospital for the Insane at Clarinda;

House File No. 397, an act granting additional power to certain cities of the first class and to cities organized under special charters, and cities of the second class having over 7,000 inhabitants;

House File No. 259, an act to amend section 1365 of the Code, relative to the support of the poor;

House File No. 547, an act to legalize the acts and ordinances of Stuart, in Guthrie and Adair counties, Iowa;

House File No. 527, an act making an appropriation for the purpose of procuring a water supply for the Normal School at Cedar Falls;

House File No. 545, an act to organize and manage the department for criminal insane at the Penitentiary at Anamosa, and to fix the compensation of the officers;

House File substitute for No. 501, an act to provide for and regulate the sale of intoxicating liquors for necessary purposes, and to make more efficient the laws for the suppression of intemperance, and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section 2, chapter 83, acts of the Twenty-first General Assembly, after the words "medicine and poison" in the fifth line thereof, and to amend sections 1 and 4, chapter 75, acts of the Eighteenth General Assembly, and to provide penalties and proceedings for violation of the provisions thereof; and find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate Files Nos. 50, 104, 171, 259, 372, 380, 388 and House File No. 85, beg leave to report that under the Senate resolution just adopted said bills are turned over to the Secretary of the Senate in order that they may be placed in the hands of the sifting committee.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Bayless, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred joint resolution No. 13, a bill for an act in behalf of the public forests, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate File No. 382, a bill for an act to prevent misappropriations of the swamp land funds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Meservey, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House File No. 228, a bill for an act to prevent fraud, bribery or undue influence at elections, primary elections, conventions and caucuses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections to whom was referred House File No. 148, a bill for an act to amend the election laws of the State, and to more fully define the duties and powers of the judges of election, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Election, to whom was referred Senate File No. 341, a bill for an act to amend section 620 of the Code, beg leave to report that they have had the same under consider-

ation and have instructed me to report the same back to the Senate without recommendation.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate File No. 421, a bill for an act to amend section 1155, chapter 4, title 9 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 135, a bill for an act to provide for a Supervisor of State printing, and to provide for letting contracts for doing the State printing, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing to whom was referred Senate File No. 141, a bill for an act to repeal all acts and parts of acts, relating to the publication of the reports of State officers and State institutions, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator McVay, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 383, a bill for an act to repeal section 1672 of the Code of Iowa, and enact a substitute therefor, relating to the admission of pupils from other States into the College for the Blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 241, a bill for an act to provide for the care of certain children who are without salutary parental control, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 403, a bill for an act to establish a board of inspectors for steam boilers, other than locomotive, and to provide for licensing engineers of steam engines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the sifting committee.

L. YOUNG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 211, a bill for an act to prevent deduction from the wages of workingmen and for the payment of lawful money to employes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the sifting committee.

L. YOUNG, *Chairman.*

Ordered passed on file.

Senator Weber, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 369, a bill for an act providing for the appointment of the trustees of all of the State Institutions and Board of Regents of the State University by the Governor with the advice and consent of the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

N. F. WEBER, *Chairman.*

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 379, a bill for an act to amend section 1800 of the Code relating to independent school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

G. L. FINN, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 293, a bill for an act making an ap-

propriation to reimburse the Iowa State Agricultural Society for money expended by said society in the permanent improvement of the State Fair Grounds to pay indebtedness of said society.

House File No. 385, a bill for an act to provide an emergency fund for the suppression and extermination of pluro pneumonia among cattle.

House File No. 624, a bill for an act making appropriation to help discharged prisoners to an honest life.

House File No. 627, a bill for an act to legalize the proceedings of the town council of Maxwell, Story county, Iowa.

House File No. 628, a bill for an act to legalize the incorporation and official proceedings of the town of Lynnville, Jasper county, Iowa.

Also, that the House has passed the following Senate bills:

Senate File No. 175, a bill for an act to amend chapter 4, title 5 of the Code, relating to electors of president and vice-president of the United States

Senate File No. 176, a bill for an act to provide for contesting the elections of presidential electors additional to chapter 6, title 5 of the Code.

Also, that the House has concurred in Senate amendments to House File No. 80.

D. C. KOLF, *Chief Clerk.*

On motion of Senator Sweney Senate File No. 222, a bill for an act to repeal section 1452 of the Code as amended by chapter 70 of the acts of the Fifteenth General Assembly, and by chapter 188 of the acts of the Eighteenth General Assembly, and enacting a substitute therefor, with report of committee recommending that it do pass, was taken up and considered.

Senator Woolson moved to amend as follows:

Strike out the words, "repealed and the following enacted in lieu thereof," and insert, "amended so as to read as follows," in line 2, section 1, printed bill.

Adopted.

Senator Sweney moved to amend as follows: Add as section 2:

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

Adopted.

On motion of Senator Bolter the Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 P. M.

Lieutenant-Governor Hull in the chair.

The bill under consideration at the hour of adjournment being Senate File No. 222, was resumed.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Bills, Bolter, Brower, Caldwell, Chesebro, Dodge, Dooley, Dungan, Funk, Harsh, Hutchison, Kegler, Knight, Lawrence, Mills, Parrott, Poyneer, Price, Reiniger, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—27.

The nays were:

Senators Barrett, Bayless, Deal, Doud, Garlock, Gatch, Groneweg, Hanchett, Kelly, Mattoon, McVay, Meservey, Seeds, Smith and Taylor—18.

Absent or not voting:

Senators Cassatt, Clark, Converse, Davidson, Finn, McCoy and Schmidt—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills:

Senate File No. 123, a bill for an act making appropriation for the Penitentiary at Ft. Madison.

Senate File No. 148, a bill for an act to repeal chapter 59 of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines.

Senate File No. 336, a bill for an act making an appropriation for the State Fish Commission.

Senate File No. 390, a bill for an act to amend section 3, chapter 186 of the Twentieth General Assembly, in relation to drains, ditches, etc.

Senate File No. 410, a bill for an act to appropriate money to pro-

vide for payment of superintendent and other help at the Hospital at Clarinda.

Senate File No. 423, a bill for an act to legalize the action of certain independent school districts.

Substitute for Senate File No. 398, a bill for an act to appropriate funds to carry on the work at the Penitentiary at Anamosa.

Substitute for Senate File No. 110, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund and for the development of the Institution, with amendment.

Also, that the Speaker has appointed Messrs. Roach, Teale and Roe as conference committee on the part of the House on House File No. 37, and Messrs. Custer, Cummins and Hall on the part of the House on House File No. 24.

D. C. KOLP, *Chief Clerk*.

RESOLUTION.

Senator Dodge offered the following:

Resolved, That the President of the Senate be authorized to certify to the Auditor of State 18 days service as a page in the Senate of Lafayette Young, Jr., who acted in this capacity, under the direction of the sergeant-at-arms, during the illness or necessary absence of other pages.

Adopted.

Senator McCoy moved that the Senate return House File No. 24 to the House.

Carried.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House Files Nos. 149, 259, 346, 360, 397, 501, 548, 547 and 626.

D. C. KOLP, *Chief Clerk*.

On motion of Senator Caldwell substitute for House File No. 81, a bill for an act to legalize the incorporation of Audubon, in Audubon county, Iowa, to legalize the election of the officers of said town to legalize the official acts of the officers of said town; to legalize the ordinances of said town, and to legalize the assessments and taxes levied, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Caldwell moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Chesebro, Clark, Davidson, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott,

Poyneer, Price, Reiniger, Seeds, Taylor Vale, Weber, Weidman, Wolfe and Young—41.

The nays were none.

Absent or not voting:

Senators Brower, Cassatt, Converse, Deal, Finn, Schmidt, Smith, Sweney and Woolson—9.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Parrott, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 242, a bill for an act authorizing cities organized under special charter to remove snow and ice from sidewalks and to levy special tax to pay for the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, a similar bill having been passed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 397, a bill for an act to repeal chapter 39, laws Fifteenth General Assembly, and section 1, chapter 68, laws Seventeenth General Assembly, and section 295 of the Code, relating to the division of counties into supervisor districts and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 186, a bill for an act providing for the vetoing of ordinances passed in all cities by the mayor thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, similar bill having passed.

MATT PARROTT, *Chairman*.

Ordered passed on.

Senator McCoy, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 197, a bill for an act to prohibit fire insurance companies from pooling or using joint rates, beg leave to report that they have had the the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 454, a bill for an act to provide for the repayment of insurance premiums in certain cases, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 110, a bill for an act to compel insurance companies to pay full amount of policy and to prevent fraud and misrepresentation in procuring our insurance, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Senator Dungan moved to take up House File No. 10, a bill for an act to amend section 4, chapter 140, of the laws of the Twenty-first General Assembly, and to amend chapter 21 of the laws of the Twentieth General Assembly, relative to State Mine Inspectors, their duties and manner of appointment.

Adopted.

By unanimous consent, Senator Dungan offered the following amendment:

Amend section 23, in line 2, by inserting after the word "year," the words "except that for the year 1888 said board shall meet on the second Monday of May."

Adopted.

Also, the following section was adopted:

Sec. 26. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Clark, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—35.

The nays were none.

Absent or not voting:

Senators Barrett, Brower, Caldwell, Cassatt, Converse, Deal, Doud, Finn, Hutchison, Mattoon, Poyneer, Price, Schmidt, Smith and Sweeney—15.

So the bill passed and the title was agreed to.

On motion of Senator Parrott, House File No. 591, a bill for an act to authorize incorporated towns to refund outstanding bonded debt, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Parrott moved that the rule be suspended and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Bayless, Bills, Bolter, Chesebro, Clark, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weber, Weidman, Wolfe and Young—38.

The nays were none.

Absent or not voting:

Senators Barnett, Barrett, Brower, Caldwell, Cassatt, Converse, Deal, Mattoon, Poyneer, Schmidt, Sweney and Woolson—12.

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE.

MR. PRESIDENT—Your conference committee, to was referred amendments to House File No. 37, beg leave to report that have had the same under consideration and report that they recommend that the Senate recede from its amendment and that the following amendment be adopted in lieu thereof:

Add to section 1: "But this section shall not be construed as prohibiting any person or agent of any company or corporation from informing in writing any other person, company or corporation, setting forth a truthful statement of the reasons for such discharge."

D. B. DAVIDSON,
JOHN S. WOOLSON,
L. R. BOLTER,

On the part of the Senate.

E. C. ROACH,
THOMAS TRALE,
F. F. ROE,

On the part of the House.

On the question shall the report be adopted?

The yeas were:

Senators Barnett, Bayless, Bills, Bolter, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Dungan, Harsh, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Taylor, Vale, Weber, Wolfe, Woolson and Young—28.

The nays were:

Senators Doud, Funk, Gatch, Groneweg, Hutchison, Kegler, Kent, Knight, Poyneer, Seeds, Smith and Weidman—12.

Absent or not voting:

Senators Barrett, Brower, Caldwell, Cassatt, Deal, Finn, Garlock, Hanchett, Schmidt and Sweney—10.

So the report of the conference committee was adopted.

On motion of Senator Price, House File No. 362, a bill for an act to amend State Board of Equalization to amend section 834, chapter 1, title 6 of the Code of 1873, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Price moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Bayless, Brower, Chesebro, Clark, Dodge, Dooley, Groneweg, Kelly, Lawrence, Mattoon, McVay, Mills, Price Sweney, Taylor, Vale, Weber, and Weidman—18.

The nays were:

Senators Barnett, Bills, Bolter, Converse, Doud, Dungan, Gatch, Hanchett, Hutchison, Kegler, McCoy, Meservey, Poyneer, Reiniger, Seeds, Smith, Wolfe, Woolson and Young—19.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Davidson, Deal, Finn, Funk, Garlock, Harsh, Kent, Knight, Parrott and Schmidt—13.

So the bill was lost.

BILLS ON THIRD READING.

Substitute for Senate File No. 96, a bill for an act making an appropriation for the Hospital for the Insane at Independence, with House amendment, was taken up and read a third time.

The question being, shall the Senate concur in the House amendment?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Clark, Converse, Deal, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—34.

The nays were none.

Absent or not voting:

Senators Barnett, Caldwell, Cassatt, Davidson, Dodge, Dooley, Garlock, Hutchison, Kent, Knight, McVay, Poyneer, Schmidt, Smith, Sweney and Young—16.

So the amendment was concurred in.

REPORT OF COMMITTEE.

Senator Finn, from the Committee on Schools, submitted the following report, pending bills on third reading.

MR. PRESIDENT—Your Committee on Schools to whom was referred Senate File Nos. 54, 27, 53, 72, 75, 120, 125, 132, 189, 229, 248, 260, 262, 291, 326 and 356. Also, House File No. 102, beg leave to report

that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that they be referred to the sifting committee.

G. L. FINN, *Chairman.*

Substitute for Senate File No. 110, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund, and for the development of the institution with House amendment.

The question being, shall the Senate concur in the House amendment?

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Chesebro, Clark, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mattoon, McCoy, Meservey, Parrott, Poyneer, Reiniger, Seeds, Taylor, Vale, Weber, Weidman, Wolfe and Woolson—32.

The nays were none.

Absent or not voting:

Senators Bayless, Brower, Caldwell, Cassatt, Converse, Davidson, Deal, Doud, Hutchison, Kent, Knight, McVay, Mills, Price, Schmidt, Smith, Sweney and Young—18.

So the Senate concurred in the House amendment.

Senate File No. 266, a bill for an act for the support of the Soldiers' Home at Marshalltown, Iowa, with House amendment was taken up.

The question being shall the Senate concur in the House amendment.

The yeas were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Chesebro, Clark, Converse, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Reiniger, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Davidson, Deal, Doud, Kent, Knight, Mills, Price, Schmidt, Sweney and Wolfe—13.

So the Senate concurred in the House amendment.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills:

Senate File No. 402, a bill for an act to empower cities of the first class to levy taxes additional to section 461 of the Code.

Senate File No. 424, a bill for an act to amend section 1, chapter 67, acts of Twenty-first General Assembly, relating to maintenance of fish dams across the out-lets of meandered lakes.

D. C. KOLP, *Chief Clerk.*

Senator Gatch from the Committee on Appropriations, submitted the following reports:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 161, a bill for an act providing for the proper interment of the remains of victims of the Spirit Lake massacre, and the erection of a commemorative monument, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out of section four, line four, the words "one thousand" and insert "five hundred" in lieu thereof, and when so amended the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senator Caldwell excused.

On motion of Senator Gatch, Senate File No. 161, a bill for an act providing for the proper interment of the remains of the victims of the Spirit Lake massacre, and the erection of a commemorative monument, with report of committee recommending amendments and that it do pass, were taken up, considered, and the amendments of the committee were adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bills, Brower, Chesebro, Clark, Converse, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—86.

The nays were:

Senators Barnett, Bolter, Kegler and Knight—4.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Davidson, Dooley, Groneweg, Reiniger, Schmidt, Sweney and Wolfe—10.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

By consent, Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 271, a bill for an act to amend the military code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 401, a bill for an act to appropriate money to repay citizens for money advanced to make the exhibit of Iowa, at

the World's Exposition at New Orleans, Louisiana, in the years 1884 and 1885, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted, and when adopted, that the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 239, a bill for an act to appropriate money for the relief of George Bennett, wrongfully confined in the penitentiary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 411, a bill for an act to appropriate money to reimburse the Commissioners of Pharmacy for money paid by them and expenses incurred in the enforcement of the law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out all after the word "thereof" in line 16, and adding the following in lieu thereof:

Provided, that before the said appropriation or any part thereof shall be paid the claimants, shall furnish to the Auditor of State a certificate from the executive council, which shall show that satisfactory evidence, and vouchers have been furnished to said council to establish the right of the claimants to the aforesaid appropriation or any part thereof, and said certificate shall be preserved by the Auditor of State, and said evidence and vouchers shall be preserved by the executive council, and that, as amended, the bill do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

HOUSE MESSAGES.

Substitute for House File No. 304, a bill for an act making appropriations for Benedict Home.

Read first and second time.

Senator Gatch moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Caldwell, Clark, Converse, Davidson, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Kent, Lawence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Taylor, Vale, Weber, Weidman, Woolson and Young—38.

The nays were:

Senators Bolter, Brower, Chesebro, Dooley, Groneweg, Knight and Sweeney—7.

Absent or not voting:

Senators Cassatt, Barnett, Kegler, Deal and Wolfe—5.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

House File No. 627, a bill for an act to legalize the proceedings of the town council of Maxwell, Story county, Iowa.

Read first and second time.

Senator Davidson moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Gatch, Harsh, Hutchison, Kegler, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—42.

The nays were none.

Absent or not voting:

Senators Bills, Caldwell, Cassatt, Groneweg, Hanchett, Kelly, Knight and McVay—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 485, a bill for an act to provide for the custody and safe keeping of wills prior to the death of the testator.

House File No. 629, a bill for an act to make appropriation for the payment of State officers and other bills and State expenses.

D. C. KOLP, *Chief Clerk.*

On motion of Senator Gatch, Senate File No. 239, a bill for an act appropriating money to George Bennett, wrongfully confined in the penitentiary, with report of committee recommending that it do pass, was taken up and considered.

Senator Barnett moved to strike out the words "in full compensation for said money aforesaid," in line 3 of section 1, and insert "as compensation for wages received by the State for service of said George Bennett during said time."

Adopted.

Senator Knight offered the following:

Amend by adding "section 2. That there be and is hereby appro-

apropriated from the money now in the State treasury not otherwise appropriated, the sum of twenty-five hundred dollars for the support of the Home for the Friendless at Dubuque, to be paid as may be ordered by the Governor during the current year on satisfactory showing to him of the needs of the institution, and as such needs shall seem to him to require."

Ruled out of order by the chair.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Chesebro, Clark, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Smith, Sweney, Taylor, Vale, Weber, Weidman and Young—37.

The nays were:

Senators Bolter, Brower, Dodge, Dooley, Groneweg, Harsh, Hatchison, Seeds, Wolfe and Woolson—10.

Absent or not voting:

Senators Caldwell, Cassatt and Knight—3.

Senator McCoy moved to amend the title by adding after the word "appropriate" the words "and refund."

Adopted.

So the bill passed and the title as amended was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 625, a bill for an act to authorize and empower the Executive Council of the State of Iowa to sell and convey lots eleven and twelve in block six, Scott's addition to the town of Des Moines.

D. C. KOLP, *Chief Clerk*.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 56, 96, 138, 152, 166, 176, 194, 218, 258, 265, 290, 317, 357, 390, 405 and 407.

House Files Nos. 53, 443 and 605.

D. C. KOLP, *Chief Clerk*.

On motion of Senator Gatch Senate File No. 401, a bill for an act to appropriate money to repay citizens for money advanced to make the exhibit of Iowa at the Worlds' Exposition at New Orleans, Louis-

iana, in the years 1884 and 1885, with report of committee recommending a substitute and when adopted that it do pass, was taken up and considered.

Senator Knight offered the following amendment to the substitute:
Amend by striking out all after the enacting clause and insert:

Section 1. That there be and is hereby appropriated from the money now in the treasury not otherwise appropriated, the sum of one thousand dollars for the support of the Home for the Friendless at Dubuque, to be paid as may be ordered by the Governor during the current year on satisfactory showing to him of the needs of the institution and as such needs shall seem to him to require.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bolter, Chesebro, Dodge, Dooley, Kelly, Knight, Mattoon, Meservey, Schmidt, Taylor and Wolfe—12.

The nays were:

Senators Barrett, Bayless, Bills, Brower, Clark, Converse, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Lawrence, McCoy, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Vale, Weidman, Woolson and Young—31.

Absent or not voting:

Senators Caldwell, Cassatt, Davidson, Deal, Finn, Kent and Weber—7.

So the amendment was lost.

On the question shall the substitute recommended by the committee be adopted, the yeas and nays and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bills, Clark, Converse, Funk, Garlock, Gatch, Hanchett, Kegler, Kelly, Mattoon, McVay, Parrott, Poyneer, Seeds, Smith, Sweney Vale, Weber, Weidman, Wolfe Woolson and Young—24.

The nays were:

Senators Barnett, Bolter, Brower, Chesebro, Dooley, Dungan, Groneweg, Harsh, Hutchison, Lawrence, Meservey, Price and Taylor—18.

Absent or not voting:

Senators Caldwell, Cassatt, Davidson, Deal, Dodge, Doud, Finn, Kent, Knight, McCoy, Mills, Reiniger, and Schmidt—18.

So the substitute recommended by the committee was adopted.

Senator Sweney presented the following statement:

TWENTY-SECOND GENERAL ASSEMBLY }
SENATE CHAMBER, Des Moines, April 8, 1888. }

I hereby release and relinquish unto the the State of Iowa, all my right, title, claim and interest in and to a certain note signed by me and given for money with which to repay the expenses of the State of Iowa at the New Orleans exposition in the years 1885 and 1886, said note having been paid by myself and others.

J. H. SWENEY.

Senator McCoy excused from voting on the bill.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Clark, Converse, Davidson, Funk, Garlock, Gatch, Hanchett, Kegler, Kelly, Mattoon, McVay, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—36.

The nays were:

Senators Barnett, Bolter, Brower, Chesebro, Dooley, Doud, Dungan, Groneweg, Harsh, Hutchison, Knight, Lawrence, Meservey, Mills, Price and Taylor—16.

Absent or not voting:

Senators Caldwell, Cassatt, Deal, Dodge, Finn, Kent, McCoy and Schmidt—8.

The Chair declared that the bill having failed to receive a constitutional majority was lost, under chapter 31, article 3 of the constitution.

On motion of Senator Gatch Senate File No. 271, a bill for an act to amend the military code, with report of committee recommending that the bill do pass, was taken up and considered.

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

On the question shall the bill pass?

The yeas were:

Senators Barrett, Brower, Clark, Dodge, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—32.

The nays were:

Senators Bayless, Bolter, Chesebro, Dooley, Groneweg and Taylor—6.

Absent or not voting:

Senators Barnett, Bills, Caldwell, Cassatt, Converse, Davidson, Deal, Finn, Garlock, Kelly, Reiniger and Schmidt—12.

So the bill passed and the title was agreed to.

Senator Doud filed the following:

I hereby give notice that I will move to reconsider the vote by which Senate File No. 401 was lost.

M. P. DOUD.

Senator Taylor explained his vote on passage of Senate File No. 271 as follows:

In explaining my vote I desire to say the increase in the appropriation is larger than I feel it my duty to support. I would favor a part of the extra appropriation, viz., that of allowing more days for subsistence, for camp service, for room rent, and for banda. Not being able to vote separately on these propositions I vote no.

W. H. TAYLOR.

On motion of Senator Gatch Senate File No. 411, a bill for an act to appropriate money to reimburse the Commissioners of Pharmacy for money paid by them and expenses incurred in the enforcement of the law, with report of committee recommending amendments, and when adopted the bill do pass, was taken up and considered, and the amendments of the committee were adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Clark, Converse, Dungan, Finn, Funk, Gatch, Harsh, Hutchison, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Sweney, Vale, Weber, Weidman, Woolson and Young—24.

The nays were:

Senators Barnett, Bills, Bolter, Chesebro, Dooley, Doud, Grone-weg, Hanchett, Kegler, Lawrence, Taylor and Wolfe—12.

Absent or not voting:

Senators Barrett, Bayless, Brower, Caldwell, Cassatt, Davidson, Deal, Dodge, Garlock, Kelly, Kent, Knight, Schmidt and Smith—14.

So the bill was lost, not having received a constitutional majority.

REPORTS OF COMMITTEES.

Senator Young, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House File No. 135, a bill for an act to protect wage-workers in their rights to organize for their mutual protection and benefit, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the sifting committee.

Ordered passed on file.

L. YOUNG, *Chairman*.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House Files Nos. 268, 584 and 616, beg leave to report that under the Senate resolution just adopted, they turn said bills over to the secretary of the Senate in order that they may be placed in the hands of the sifting committee.

J. G. HUTCHISON, *Chairman*.

HOUSE MESSAGES.

Senator Vale moved to take up House messages.

Carried.

House File No. 629, a bill for an act to make appropriations for the payment of State officers and other bills and State expenses.

Read first and second times and passed on file.

House File No. 625, a bill for an act to authorize and empower the Executive Council of the State of Iowa to sell and convey lots 11 and 12 in block 6, Scott's Addition to the Town of Des Moines.

Read first and second times and passed on file.

House File No. 598, a bill for an act making appropriations for the State library.

Read first and second times and passed on file.

House File No. 624, a bill for an act making an appropriation to help discharged convicts to an honest life.

Read first and second times and passed on file.

Substitute for House File No. 293, a bill for an act making appropriations to reimburse the Iowa State Agricultural Society for moneys expended by said society in the permanent improvement of the State fair grounds, and to pay the indebtedness of said society.

Read first and second times and passed on file.

House File No. 576, a bill for an act repealing section 4, chapter 159, acts of the Sixteenth General Assembly, and providing a substitute therefor; also, amending section 8, chapter 159, act of the Sixteenth General Assembly, relating to the duties and compensation of the Secretary of the Senate, and the Clerk of the House of Representatives in preparing the journals of their respective houses.

Read first and second times and referred to the Committee on Retrenchment and Reform.

Senator Parrott moved that the Senate adjourn until 8 o'clock p.m.

Senator Bayless moved to amend by striking out 8 o'clock and inserting 7:30 o'clock.

Lost.

The question recurring upon the original motion, it was adopted.

Senate adjourned.

EVENING SESSION.

The Senate met in regular session at 8 o'clock P. M.
Lieutenant-Governor Hull in the chair.

LEAVE OF ABSENCE GRANTED.

Senators Clark and Caldwell excused.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Senate concurrent resolution in relation to final adjournment:

D. C. KOLF, *Chief Clerk*.

On motion of Senator Wolfe House File No. 376, a bill for an act to punish bribe taking by State, county, township, city, school or municipal officers, and to punish bribery, or the attempt to bribe, or conspiracy to bribe said officers, with report of committee recommending that it do pass, was taken up and considered.

Senator Wolfe moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Chesebro, Davidson, Dodge, Dooley, Doud, Dungan, Groneweg, Harsh, Kegler, Kelly, Kent, Knight, Matton, McCoy, McVay, Meservey, Mills, Price, Reiniger, Seeds, Smith, Vale, Weber, Weidman, Wolfe, and Young—29.

The nays were:

Senators. Hanchett, Poyneer and Taylor—3.

Absent or not voting:

Senators Bayless, Bolter, Brower, Caldwell, Cassatt, Clark, Converse, Deal, Finn, Funk, Garlock, Gatch, Hutchison, Lawrence, Parrott, Schmidt, Sweney and Woolson—18.

So the bill passed and the title was agreed to.

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 379, an act relating to the construction of sewers in cities having a population of more than 80,000 according to the census of 1885 and supplementary to chapter 162 of

the acts of the Seventeenth General Assembly, entitled an act to authorize cities of the first class containing according to any legally authorized census or enumeration a population of over 30,000 to provide for the construction of sewers, additional to Code chapter 10, title 4, concerning cities and towns, and to repeal chapter 166 of the acts of the Twenty-first General Assembly relating to the construction of sewers.

House File No. 591, an act to authorize incorporated towns to refund outstanding bonded debt.

House File No. 141, an act making appropriations for the State Normal School at Cedar Falls.

House File No. 527, an act making an appropriation for the purpose of procuring a water supply for the normal school at Cedar Falls.

House File No. 24, an act to establish a uniform system of weighing coal at the mines of this State, and to provide certain regulations connected therewith.

House File No. 30, an act to amend chapter 154, laws of the Eighteenth General Assembly, regulating the good time of prisoners in our penitentiaries.

House File No. 44, an act granting additional powers to cities organized under special charters, with reference to the improvement of streets, highways, avenues or alleys and to provide a system of payment therefor.

House File No. 534, an act to legalize the acknowledgement of conveyances of power of attorney made by Hazen Wilson attorney in fact for James Webster.

House File No. 571, an act to amend chapter 193 of the laws of the Twentieth General Assembly, in relation to the management and investment of the endowment of Iowa Agricultural College.

House File No. 395, an act to repeal section 9 of chapter 116 of the Twenty-first General Assembly, and to enact a substitute in lieu thereof.

Substitute for House File No. 92, an act to apportion the State into representative districts and declaring the ratio of representation

Senate File No. 266, an act for the support of the Soldiers' Home at Marshalltown, Iowa.

Senate File No. 298, an act to appropriate funds to carry on the work at the penitentiary at Anamosa, and for other purposes connected therewith.

Senate File No. 410, an act to authorize the trustees of the Hospital for the Insane at Clarinda, to employ a superintendent and subordinate force to carry on said hospital and farm connected therewith, and to appropriate \$6,000 to pay for the same.

Senate File No. 424, an act to amend section 1, chapter 63, acts of the Twenty-first General Assembly, relative to the maintenance of fish dams across the outlet of meandered lakes.

Senate File No. 123, an act making appropriations for the penitentiary at Ft. Madison, Iowa.

Senate File No. 110, an act for an appropriation for the better support of the State University in the several departments and chairs, and in aid of the income fund and for the development of the institution.

Senate File No. 386, an act making an appropriation for the State Fish Commission.

Senate File No. 402, an act to empower cities of the first class, organized as such since January 1, 1885, to levy taxes additional to section 461, Code.

Senate File No. 423, an act to legalize the action of certain independent school districts.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined House File No. 605, an act to release certain penalties for failure to make and file reports of sales of intoxicating liquors by holders of permits within the time required by law and to dismiss suits.

House File No. 53, an act making an appropriation for the College for the Blind at Vinton.

House File No. 443, an act making appropriations for the Iowa Industrial School at Mitchellville, Iowa.

Senate File No. 317, an act supplemental to chapter 143 of the acts of the Twentieth General Assembly, and chapter 66 of the acts of the Twenty-first General Assembly relating to the Sale of intoxicating liquors, and abatement of nuisances.

Senate File No. 194, an act to provide for the greater safety of passengers on board all sail or steam boats on the inland water of the State of Iowa.

Senate File No. 96, an act making an appropriation for the Hospital for the Insane at Independence.

Senate File No. 166, an act making appropriation for the Iowa Industrial School, boys department, at Eldora, Iowa.

Senate File No. 218, an act granting additional powers to certain cities of the first class in the construction of sewers, and to provide for the payment of the costs of the same, and repeal a part of section 10, chapter 25 of the acts of the Twentieth General Assembly.

Senate File No. 138, an act making an appropriation for the Institution for the Deaf and Dumb at Council Bluffs.

Senate File No. 258, an act to amend section 1, chapter 137 of the laws of the Nineteenth General Assembly relating to registered pharmacists.

Senate File No. 152, an act to appropriate funds to furnish buildings and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Senate File No. 56, an act to amend section 4413 and 4414 of the Code of Iowa relating to peremptory challenges of jurors in criminal cases.

Senate File No. 405, an act to amend section 6, chapter 104, acts of the Twentieth General Assembly to regulate the practice of medicine and surgery.

Senate File No. 176, an act providing for contesting the election

of presidential electors additional chapter 6, title 5 of the Code of 1873.

Senate File No. 357, an act legalizing certain proceedings of the board of supervisors of Jasper county, Iowa.

Senate File No. 407, an act to provide for the support of the family of insane persons out of their estate, and to amend section 2976 of the Code.

Senate File No. 290, an act to provide for the levy of one half mill State tax for the years 1888 and 1889 to pay the outstanding indebtedness of the State.

Senate File No. 265, an act making appropriations for the Soldiers' Home at Marshalltown.

Senate File No. 390, an act to amend section 3, chapter 186, of the Twentieth General Assembly, in relation to drains, ditches, etc.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Senator Young, from sifting committee, submitted the following report:

MR. PRESIDENT—Under instructions of the Senate your special committee to whom was referred bills pending before the Senate, have instructed me to report House File No. 542 for the immediate consideration of the Senate, and to request further time before reporting others.

L. YOUNG, *Chairman*.

Ordered passed on file.

Senator Young, from the sifting committee, submitted the following report:

MR. PRESIDENT—Your special committee to whom was referred the bills now before the Senate, respectfully ask leave to report the following, which are the legalizing acts now before the Senate, and have instructed me to recommend that they be considered in the order in which they are arranged, immediately after disposing of House File No. 542:

Senate File No. 169, Calendar No. 68.

Senate File No. 184, Calendar No. 225.

Senate File No. 294, Calendar No. 308.

House File No. 158, Calendar No. 150.

House File No. 611, Calendar No. 268.

L. YOUNG, *Chairman*.

Ordered passed on file.

The Senate took up House File 542, a bill for an act authorizing the Superintendent of Public Instruction and the Executive Council to approve school text books for use in the public schools of the State under certain condition, and authorizing a vote by counties on the question of a county uniform series of text books and by districts, townships and independent districts on the question of free text books.

And on motion of Senator Seeds it was considered by sections.

Senator Gatch moved to lay aside House File No. 542, and take up substitute for House File No. 293.

Adopted.

The Senate took up substitute for House File No. 293, a bill for an

act making an appropriation to reimburse the Iowa State Agricultural Society, for money expended by said society in the permanent improvement of the State fair grounds, and to pay the indebtedness of said society.

Senator Gatch moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bills, Brower, Converse, Deal, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Hutchison, Kegler, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—88.

The nays were:

Senators Barnett, Bayless, Bolter, Chesebro, Davidson, Doud, Garlock, Groneweg, Kelly, Mattoon and Price—11.

Absent or not voting:

Senators Caldwell, Cassatt, Clark, Kent, Lawrence, and Schmidt,—6.

So the bill was lost not having received the constitutional majority.

Senators Deal, Davidson and Schmidt were excused from constant attendance on the sessions of the Senate, because of their necessary absence in performance of their duties on Committee on Enrolled Bills; and this excuse was made to apply to all absences and failure to vote on different measures for the past two weeks.

NOTICE FOR RECONSIDERATION.

I hereby give notice that I will move to reconsider the vote by which House File No. 293 was lost.

M. P. Doud.

On motion of Senator Gatch, House File No. 528, a bill for an act making appropriations for the State Library, was taken up and considered.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Dodge, Dooley, Doud, Dungan, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Mattoon, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe and Woolson—87.

The nays were none.

Absent or not voting:

Senators Barnett, Caldwell, Cassatt, Clark, Converse, Davidson, Deal, Finn, Kent, Lawrence, McCoy, Taylor and Young—13.

So the bill passed and the title was agreed to.

On motion of Senator Gatch House File No. 625, a bill for an act to authorize and empower the Executive Council of the State of

Iowa to sell and convey lots Nos. eleven (11) and twelve (12), block six (6), Scott's addition to the town Des Moines, Iowa, was taken up and considered.

Senator Groneweg offered the following amendment:

Amend section 1 by adding: "said sale to be made by inviting sealed bids for said property, after advertising the sale thereof in the Iowa State Register and Des Moines Leader for not less than three weeks; provided, that the Executive Council may reject any and all bids if they deem it for the interest of the state to do so."

On this the yeas and nays were demanded.

The yeas were:

Senator Barnett, Bayless, Bills, Bolter, Brower, Chesebro, Converse, Dodge, Garlock, Groneweg, Harsh, Kegler, Kelly, Knight, Mattoon, Parrott, Reiniger, Schmidt, Seeds, Vale, Weber, Wolfe, Woolson and Young—24.

The nays were:

Senators Barrett, Davidson, Deal, Dungan, Finn, Funk, Gatch, Hanchett, Hutchison, Kent, McCoy, McVay, Meservey, Mills, Poyneer, Smith, Sweney, Taylor and Weidman—19.

Absent or not voting:

Senators Cassatt, Caldwell, Clark, Dooley, Doud, Lawrence and Price—7.

So the amendment was adopted.

Senator Gatch moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barnett, Bayless, Bills, Brower, Chesebro, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Weber, Weidman, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Barrett, Bolter, Caldwell, Cassatt, Clark, Dodge, Dooley, Hanchett, Knight, Lawrence, Schmidt, Vale and Wolfe—13.

So the bill passed and the title was agreed to.

Senator Doud moved to reconsider the vote by which House File No. 293 was lost.

Carried.

On the question shall the bill pass?

The yeas were:

Senators Bills, Brower, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Hutchison, Kent, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—32.

The nays were

Senators Barnett, Bayless, Bolter, Chesebro, Garlock, Groneweg, Kegler, Kelly, Mattoon and Price—10.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Clark, Dooley, Knight, Lawrence and Schmidt—8.

So the bill not having received a constitutional majority was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following a substitute for Senate File No. 35, in which the concurrence of the Senate is asked:

Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies, and as to evidence in such cases.

D. C. KOLP, *Chief Clerk.*

Senator Price moved to take up bills on third reading.

Lost.

On motion of Senator Gatch House File No. 624, a bill for an act making an appropriation to help discharged convicts to an honest life, was taken up and considered.

Senator Gatch moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Brower, Davidson, Deal, Dodge, Doud, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kelly, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Vale, Weber, Weidman, Woolson and Young—32.

The nays were:

Senators Bolter, Groneweg and Wolfe—3.

Absent or not voting:

Senators Barnett, Caldwell, Cassatt, Chesebro, Clark, Converse, Dooley, Finn, Kegler, Kent, Knight, Lawrence, Mills, Sweney and Taylor—15.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House: ☐

Senate Files No. 110, 123, 256, 298, 336, 402, 423 and 424.

House Files No. 24, 30, 44, substitutes for 92, 141, 379, 395, 527, 534, 571 and 591. ☐

D. C. KOLP, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Committee on appropriations:

Senate File No. 425, a bill for an act entitled an act to appropriate

and make disposition of money which may come into the State treasury in pursuance to an act of Congress refunding to this State the amount paid to the General Government under the direct tax act approved August 5, 1861.

Read first and second times.

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

On the question shall the bill pass?

The yeas were:

Senators Bills, Bolter, Brower, Chesebro, Converse, Davidson, Deal, Dodge, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Parrott, Poyneer, Price, Reiniger, Smith, Sweney, Taylor, Vale, Weber, Weidman, Woolson and Young—37.

The nays were none.

Absent or not voting:

Senators Barnett, Bayless, Barrett, Caldwell, Cassatt, Clark, Dooley, Knight, Lawrence, Mills, Schmidt, Seeds and Wolfe—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 630, a bill for an act to provide for the appointment of a commission to examine and report to the Twenty-third General Assembly, with reference to the employment of blind people within this State.

Also, that the House has passed the following Senate bills:

Senate File No. 391, a bill for an act to amend chapter 150, laws of the Eighteenth General Assembly, relating to the publication and distribution of the school laws.

D. C. KOLP, *Chief Clerk.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House Files No. substitute for 6, 37, 81, 304, 517 and 627.

D. C. KOLP, *Chief Clerk.*

□ On motion of Senator Gatch House File No. 639, a bill for an act to make appropriations for the payment of State officers and other bills and State expenses, was taken up and read a first and second time.

Senator Knight offered the following as an additional section:

Sec. 41. That there is hereby appropriated out of the money in the

State treasury not otherwise appropriated, the sum of ten hundred dollars for the support of the Home for the Friendless at Dubuque, to be paid as may be ordered by the Governor during the biennial period ending June 30, 1890, on satisfactory showing to him of the needs of the institution and as such needs shall seem to him to require.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Davidson, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, Meservey, Mills, Schmidt, Seeds, Taylor, Vale, Weber and Wolfe—30.

The nays were:

Senators Converse, Finn, Groneweg, MoVay, Poyneer, Reiniger, Seeds, Sweney Weidman Woolson and Young—11.

Absent or not voting:

Senators Barnett, Caldwell, Cassatt, Clark, Deal, Doud, Parrott, Price, and Lawrence—9.

So the amendment was adopted.

Senator Gatch moved to reconsider the vote by which the amendment by Senator Knight was adopted.

On this the yeas and nays were demanded.

The yeas were:

Senators Brower, Converse, Davidson, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, McCoy, MoVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Taylor, Vale, Weidman, Woolson and Young—26.

The nays were:

Senators Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Kegler, Kelly, Kent, Knight, Mattoon, Schmidt and Wolfe—13.

Absent or not voting:

Senators Barnett, Barrett, Caldwell, Cassatt, Clark, Deal, Garlock, Lawrence, Parrott, Sweney and Weber—11.

So the motion to reconsider was adopted.

On the question shall the amendment offered by Senator Knight be adopted?

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Chesebro, Dodge, Dooley, Kegler, Kelly, Kent, Knight, Mattoon, Parrott, Schmidt and Wolfe—14.

The nays were:

Senators Brower, Converse, Davidson, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, McCoy, MoVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Vale, Weidman, Woolson and Young—25.

Absent or not voting:

Senators Barnett, Barrett, Caldwell, Cassatt, Clark, Deal, Garlock, Lawrence, Sweney, Taylor and Weber—11.

So the amendment was lost.

Senator Gatch moved that the rule be suspended, and the bill read a third time now, which motion prevailed and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Converse, Davidson, Deal, Doud, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Knight, Mattoon, McCoy, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Schmidt, Seeds, Smith, Vale, Weber, Weidman, Wolfe and Woolson—37.

The nays were none.

Absent or not voting:

Senator Barnett, Caldwell, Cassatt, Clark, Dodge, Dooley, Kelly, Kent, Lawrence, McVay, Sweney, Taylor and Young—13.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Knight, Senate File No. 426, a bill for an act to appropriate money to aid the home for the friendless, at Dubuque, Iowa.

Read first and second times.

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

On the question shall the bill pass?

The yeas were:

Senators Bayless, Bills, Dodge, Dooley, Dungan, Funk, Garlock, Gatch, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Schmidt, Seeds, Taylor, Vale, Weber, Wolfe and Young—30.

The nays were:

Senators Bolter, Chesebro, Davidson, Doud, Finn, Groneweg, Reiniger, Smith, Weidman and Woolson.—10.

Absent or not voting:

Senators Barnett, Barrett, Brower, Caldwell, Cassatt, Clark, Converse, Deal, Lawrence and Sweney—10.

So the bill was lost, not having received a constitutional majority.

Senator Doud moved that the Senate adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Bolter, Chesebro, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kent, Knight, McVay, Meservey, Poyneer, Schmidt, Smith, Weidman, Wolfe and Woolson—24.

The nays were:

Senators Barnett, Bayless, Converse, Davidson, Finn, Garlock, Kelly, Mattoon, McCoy, Mills, Parrott, Price, Reiniger, Seeds, Taylor, Vale, Weber and Young—18.

Absent or not voting:

Senators Barrett, Brower, Caldwell, Cassatt, Clark, Deal, Lawrence and Sweney—8.

So the motion prevailed and the Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER.
DES MOINES, IOWA, Tuesday, April 10, 1888. }

Senate met in regular session at nine o'clock A. M.

Lieutenant-Governor Hull in the chair.

Prayer by Rev. John Pennington.

Senator Caldwell excused.

Senator Weber moved that the Senate take up and consider House File No. 542 in lieu of bills on third reading.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Brower, Davidson, Dungan, Finn, Funk, Garlock, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Knight, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Taylor, Vale, Weber, Weidman, Wolfe and Young—29.

The nays were:

Senators Bayless, Chesebro, Dooley, Doud, Price, Reiniger and Woolson—7.

Absent or not voting:

Senators Barrett, Bolter, Caldwell, Cassatt, Clark, Converse, Deal, Dodge, Kent, Lawrence, Schmidt, Seeds, Smith and Sweeney—14.

So the bill was taken up.

Senator Harsh offered the following amendment: Amend by striking out all after the enacting clause and insert the following:

Section 1. The board of directors of any district, township or independent district in this State is hereby empowered to adopt text books for the teaching of such branches as are now authorized, or may hereafter be authorized by law, to be taught in the public schools of this State, and to contract for and purchase said books and any other necessary school supplies at lowest wholesale or contract prices, and sell the same to pupils at actual cost price to the district.

Sec. 2. The board of directors of any school district, or independent district, upon the petition of one fourth of the electors of such school district, ten days' notice having been given by posting notices in four different places in said district, and by giving said notice at least one publication in some newspaper in said school district, if one be published there, shall submit to the electors of such district at any regular annual meeting in March, or at a meeting specially called therefor, and to be held prior to July 1, 1888, the following proposition: Shall the board of directors purchase and supply necessary school text books and school supplies to the pupils free of charge? Electors voting in favor of the above proposition shall write or print the word "yes" opposite such proposition so affirma-

tively voted for, and when voting against such proposition shall write or print the word "no" opposite such proposition as voted against. Text books and supplies may be included in the same proposition, or they or either of them may be submitted separately.

Sec. 3. If the majority of votes cast at such election shall be in favor of the proposition submitted, the board of directors shall, in the manner hereinafter provided, purchase the necessary text books and other necessary supplies, for the use of the schools in said district; *provided*, that in the case of district townships said text books shall be uniform in the several sub-districts therein. The books, when purchased, shall be placed in charge of the secretary of the district, who shall deliver such books as are needed to the teacher of each school, and take an invoice receipt for the same. The teacher shall deliver to each scholar the books required for instruction while attending school, and keep an accurate list of books delivered to each scholar in a suitable book to be provided by the board of directors for that purpose, and enter therein the return of any book when returned by the scholar at the end of the term, or when no longer needed by the scholar. At the end of each term of school, and at such other times as the board of directors may direct, each teacher shall account to the board for the books received, and shall also report to the board or its secretary the loss of or destruction of any books by the scholars as soon as the same shall be ascertained, and no final payment shall be made to a teacher for wages or service until the books delivered to the teacher for the school are returned or accounted for. Each board of directors may adopt such other rules and regulations for the preservation and safe keeping of the books as may be deemed expedient; and the parent or guardian of any scholar shall be liable to the district for any unnecessary damage to or loss of books by the scholar.

Sec. 4. Said text books and other necessary school supplies, purchased under provisions of this act, shall be paid for from the contingent fund, and the board of directors, in levying the contingent fund tax, shall annually provide for such an amount as they shall find necessary to purchase said text books and school supplies, but they shall contract no debt for that purpose.

Sec. 5. It shall be the duty of the board of directors in the purchase of text books to take into consideration the books which are at such time in use in the schools of their respective districts, and they may purchase such an additional number of said books as may from time to time be necessary to supply the pupils of said district, and they may arrange on equitable terms for exchange of old books or books in use for new books.

Sec. 6. If at any time the publishers of such books as shall have been adopted in any school district, shall neglect, or refuse to furnish such books, when ordered by any board of directors, in accordance with the provisions of this act, at the lowest contract, or wholesale price at which such text books are furnished to any school district, or State board elsewhere, then said board of directors may adopt and purchase other similar school text-books at the lowest wholesale or contract prices, as hereinbefore provided.

Sec. 7. It shall be the duty of any board of directors, before pur-

chasing text-books under this act, to advertise by publishing such notice as said board may deem necessary and profitable, and such notice shall be at once filed in office of State Superintendent open to inspection of publishers; said notice shall state the date up to which all bids will be received, and also in general terms the text books or supplies to be contracted for; and said board shall award the contract for said books or supplies to any responsible bidders offering suitable text books or supplies at the most satisfactory prices, or the board may reject any or all bids, or any part thereof, and readvertise therefor; and if the board shall accept any bid and contract for any books the contract shall be in writing and shall provide that the party contracting to furnish the books will furnish such additional books of the kind and quality contracted for, and not exceeding the contract price, as the board may order for the district for five years then next ensuing. Provided, that the vote of the people does not change the text books as provided in this act.

Sec. 8. Said board of directors shall not change or displace any text book obtained under the provisions of this act before five years from and after the date of the adoption thereof, unless authorized to do so by a majority of the electors present and voting at the regular annual meeting, or election in March, and notice of the submission of said proposition to change or displace said text-books shall be included in the notice provided by law for calling said annual meeting.

Sec. 9. Any person or firm desiring to furnish books or supplies under this act, in any county, shall file with the county superintendent such bond as he may require for the faithful performance of the contract with his bid hereunder, and deposit in the office of the county superintendent samples of all text books included in his bid, accompanied with lists giving the lowest wholesale and contract price lists therefor. And said samples and lists shall remain a part of the records in the county superintendent's office, and shall be delivered by him to his successor, and shall be kept in such safe and convenient manner as to be open at all times to the inspection of such school officers, school patrons and school teachers as may desire to examine and compare the same for the purpose of use in the public schools.

Sec. 10. No school officer or teacher in the public schools of this State shall directly or indirectly act as the agent or representative of any person, firm or corporation, for the introduction or sale of any school books to any school district in this State. §

Sec. 11. All acts and parts of acts inconsistent or in conflict herewith, are hereby repealed.

Sec. 12. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to request the Senate to return to the House Senate File No. 390.

D. C. KOLP, *Chief Clerk.*

Senator Woolson offered a substitute for the bill which was held pending amendments.

By leave, Senator Young, from Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, beg leave to report that they have considered bills on the files of the Senate, and have instructed me to report the accompanying schedule of bills to be considered in the order therein indicated as those of the first class, and the committee ask time to make additional reports.

House File No. 628, calendar No. —.

Substitute for House File No. 244, calendar No. 299.

House File No. 279, calendar No. 300.

Senate File No. 378, calendar No. 256.

House File No. 585, calendar No. 302.

House File No. 614, calendar No. 354.

House File No. 380, calendar No. 293.

Joint Resolution relative to State University.

Senate File No. 167, calendar No. 63.

Joint Resolution No. 16, relative to Women's Suffrage.

House File No. 25, calendar No. 138.

House File No. 205, calendar No. 227.

Senate File No. 414, calendar No. —.

House File No. 469, calendar No. 248.

Senate File No. 295, calendar No. 257.

House File No. 374, calendar No. 346.

House File No. 34, calendar No. 347.

House File No. 576, calendar No. —.

House File No. 296, calendar No. —.

House File No. 324, calendar No. —.

House File No. 485, calendar No. —.

House File No. 414, calendar No. —.

House File No. 558.

House File No. 327.

House File No. 61.

House File No. 310.

House File No. 385.

House File No. 359.

House File No. 300.

House File No. 472.

House File No. 555.

House File No. 541.

House File No. 552.

House File No. 470.

House File No. 479.

L. YOUNG, *Chairman.*

Senator Weber moved the previous question, which was seconded.

On the question, "shall the main question be now put?" the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Chesebro, Davidson, Dodge, Dungan, Finn, Funk, Garlock, Gatch, Harsh, Hutchison, Kelly, Mattoon, McVay,

Meservay, Mills, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman and Wolfe—27.

The nays were:

Senators Barrett, Bayless, Bolter, Doud, Kegler, Kent, Parrott, Schmidt, Smith, Woolson and Young—11.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Clark, Converse, Deal, Dooley, Groneweg, Hanchett, Knight, Lawrence and McCoy—12.

So the main question was ordered.

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

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Clark, Converse, Dodge, Dooley, Doud, Dungan, Gatch, Groneweg, Harsh, Hutchison, Kegler, Kent, Knight, McCoy, Meservay, Schmidt, Seeds, Smith, Sweney, Wolfe, Woolson and Young—28.

The nays were:

Senators Barnett, Davidson, Finn, Funk, Garlock, Kelly, Mattoon, McVay, Mills, Parrott, Poyneer, Price, Reiniger, Taylor, Vale, Weber and Weidman—17.

Absent or not voting:

Senators Caldwell, Cassatt, Deal, Hanchett and Lawrence—5.

So the amendment was adopted.

The question recurring on the substitute.

Senator Woolson requested permission to withdraw it, but objection was made.

The substitute, as follows, was lost:

A Bill for an act relating to the public schools of the State, providing for optional county uniformity in text-books, and enabling school districts to purchase school text-books and supplies, and to supply their pupils with free text-books and supplies.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. The board of supervisors of each county within the State shall submit to a vote of the qualified electors at the general election in the year 1888, and if not adopted then, upon the petition of one fourth of the electors of the county at any general election next thereafter held, the question "shall a uniform series of text-books be adopted for the use in the schools of the county." Such question shall be submitted in the manner provided by law for the submission of other questions to a vote of the electors of the counties, and if a majority of the votes cast at such an election shall be in favor of the adoption of such uniform series of text-books, the board of supervisors at their January session next following shall elect a commission, composed of five persons suitable for the work, to select a uniform series of text-books, for the teaching of such branches as are now authorized, or may hereafter be authorized by law, to be taught in the public schools of this State, and suitable to be used in the public schools of the county; and said board shall by its order fix the date upon which said commission shall meet and enter upon its duties hereunder.

Sec. 2. Each member of said commission shall be paid three dollars per day while in session, and said commission shall have no powers further than to select a series of books as herein provided.

Before entering upon his duties each member of said commission shall subscribe, in addition to the ordinary oath of office, to the following: "And furthermore, that I am in no way interested in the publication or sale of text-books, or school supplies, or related in any manner to any agent or publisher of school text-books, nor will I permit any such agent or publisher to interview me, or in any manner endeavor to influence my action while acting in discharge of duty." Said commission shall within — months after the date fixed as aforesaid by said board of supervisors, complete said selection, and file their report in the office of the county auditor and also of the county superintendent; and said auditor shall at once cause said report to be published for two consecutive weeks in the papers which have been selected to publish the proceedings of said board.

Sec. 3. At their first meeting said commission shall direct to be published, in at least one of the leading newspapers in the county, for two consecutive weeks, a notice stating the time up to which samples of text books may be deposited, and proposals filed with the county auditor, for their consideration; and they shall at once forward a copy of such notice to the Superintendent of Public Instruction, to be filed by him in his office, and open to the inspection of such book publishers or dealers as may desire to examine the same. Said proposals shall be for a period of five years, for books at least equal in quality of material and workmanship to those deposited, and further providing that if any revisions of any of said text-books shall be published within said five years, such revisions shall be supplied to the school districts in the county desiring the same, at not exceeding the price named for said text-books in said proposal, and exchange therefor shall be allowed on the basis of allowing one half of the price of the new book for those displaced.

Sec. 4. Before selecting any series of text-books in any given branch of instruction, said Commission shall take from the persons or firm submitting such text-books, a bond in the name of the county, and which shall be for the benefit of all persons and districts interested, and in such penal sum as such Commission shall require, and with one or more sureties having the qualifications provided by law for official bonds, and to the satisfaction and approval of the clerk of the district court of said county, conditioned that said firm or person shall comply with the proposal deposited and with the provisions of this act; and for the five years next following said person or firm shall duly and promptly fill all orders and contracts for text-books therein named, of a quality equal to the sample deposited, at and not to exceed a price therein stated, or, if no price be stated therein, at a price at least fifteen per cent below the present net wholesale price respectively for the text-books therein named. And said bond and samples of text-books furnished shall be filed with the county auditor with the report of said Commission.

Sec. 5. The series of text-books selected by said Commission shall be introduced in all the public schools of such county within — months after said report has been filed with said auditor; *provided*, that the publishers of the series selected shall, upon the introduction of such series, take the books then in use in the schools at half the price of the new books of like grade with those displaced; and *pro-*

vided, further, that this act shall not be construed to prevent pupils who have advanced beyond the studies embraced in said series of text-books from using other books or from the use of such other supplemental books as may be required to complete a course of study adopted by any school board. But no district township or independent district shall adopt a series of text books under this act until after the question of a county uniformity series has been submitted to the electors as provided herein.

Sec. 6. At any regular annual meeting, the electors of a district township or independent district in any county in which the question of a county uniformity has been submitted and rejected, may authorize and empower the board of directors to adopt text books for the teaching of such branches as are now authorized or may hereafter be authorized by law to be taught in the public schools of this State, and to contract for and purchase said books and any other necessary school supplies, at lowest wholesale or contract prices, and sell the same to pupils at actual cost price to the district. And upon vote of the electors of said school district, at an election as hereinafter provided, shall adopt text-books as in this section provided, for use in the public schools of said district; *provided*, the question of county uniformity has been submitted and rejected in that county.

Sec. 7. The board of directors of any school district township or independent district, upon the petition of one-fourth of the electors of such school district, ten days' notice having been given by posting notice in four different places in said district, and by giving said notice at least one publication in some newspaper in said school district, if one be published there, shall submit to the electors of such district, at any regular annual meeting in March or a meeting specially called therefor, and to be held prior to July 1, 1888, the following proposition: "Shall the board of directors purchase and supply necessary school text-books and school supplies to the pupils free of charge?" Electors voting in favor of the above proposition shall write or print the word "yes" opposite such proposition so affirmatively voted for, and when voting against such proposition shall write or print the word "no" opposite such proposition as voted against. Text-books and supplies may be included in the same proposition, or they or either of them may be submitted separately.

Sec. 8. If a majority of the votes cast at such election shall be in favor of the proposition submitted, it shall immediately become the duty of the board of directors, in accordance with the directions and subject to the provisions of this act, to purchase the necessary text-books and other necessary supplies (either or both as such vote shall authorize) for the use of the schools in said district, *provided*, that in case of district townships said books shall be uniform in the several sub districts therein. Said board of directors shall prescribe all necessary rules and regulations, and shall provide a proper depository for the care and preservation of said school books.

Sec. 9. Said text books and other necessary school supplies, purchased under the provisions of this act, shall be paid for from the contingent fund. Should there not be a sufficient amount on hand or available in said fund to pay for said books the board of directors shall authorize the levy of a tax, not exceeding five (5) mills on the

dollar in any one year for that purpose, and such books need not be purchased until said tax is collected, and the board of directors, in levying the contingent fund tax, shall annually provide for such an amount as they shall find necessary to purchase said text books and supplies, but they shall contract no debt for that purpose. And the board of directors shall make such additional purchase of books as may be necessary from time to time. And said board shall permit the sale to any patrons of the district for use in the schools of the district of any text books or supplies at a price not to exceed ten per cent. above the cost to the district therefor, the proceeds of such sales to be paid into the contingent fund of said district.

Sec. 10. It shall be the duty of any board of directors, before contracting for text books and supplies under this act, to advertise by publishing notice, for three consecutive weeks, in some one or more newspapers published in said county, one of which shall be a paper selected by the board of supervisors, of the county in which the publish their proceedings; said notice shall state the date up to which all bids will be received, and also in general terms in the text-books or supplies to be contracted for; and said board shall award the contract for said text-books or supplies, to any responsible bidders offering suitable text-books or supplies, at the most satisfactory prices, or the board may reject any or all bids, or any part thereof and re advertise therefor. And if the board shall accept any bid or contract for any books, the contract shall be in writing and shall provide that the party contracting to furnish the books, will furnish such additional books of the kind and quality contracted for, at not exceeding the contract price as the board may order for the district for five years next ensuing, *provided*, that the vote of the electors does not change the books as provided in section 13 thereof.

Sec. 11. The books when purchased, shall be placed in charge of the secretary of the district, who shall deliver such books as are needed to the teacher of each school, and take an invoice receipt for the same. The teacher shall deliver to each scholar the books required for instruction while attending school, and keep an accurate list of books delivered to each scholar in a suitable book to be provided by the board of directors for that purpose, and enter therein the return of any book when returned by the scholar at the end of each term, or when no longer needed by the scholar. At the end of each term of school, and at such other times as the board of directors may direct, each teacher shall account to the board for the books received, and shall also report to the board or its secretary the loss or destruction of any books by the scholars as soon as the same shall be ascertained, and no final payment shall be made to teacher for wages or services until the books delivered to the teacher for the school are returned or accounted for. Each board of directors may adopt such other rules and regulations for the preservation and safe keeping of the books as may be deemed expedient, and the parent or guardian of any scholar shall be liable to the district for any unnecessary damage to or loss of books by the scholar.

Sec. 12. If at any time, the publishers of such books as shall have been adopted in any school district, shall neglect or refuse to furnish such books, when ordered by any board of directors, in accordance

with the provisions of this act, at the lowest contract or wholesale price at which such text books are furnished to any school district or State board elsewhere, then said board of directors may adopt and purchase other similar text books at the lowest wholesale or contract price, as hereinbefore provided.

Sec. 13. Said board of directors shall not change or displace any text book obtained under the provisions of this act before five years from and after the adoption thereof, unless authorized to do so by a majority of the electors present and voting at the regular annual meeting, or election in March; and notice of the submission of said proposition to change or displace said text books shall be included in the notice provided by law for calling said annual meeting.

Sec. 14. Any person or firm desiring to furnish text books under this act, in any county, shall file with the county superintendent such bond as he may require for the faithful performance of the contract, and his bid hereunder, deposit in the office of the county superintendent samples of all text books included in his bid, accompanied with lists giving the lowest wholesale and contract price lists therefor. And said samples and list shall remain as a part of the county records in the county superintendent's office, and shall be delivered by him to his successor, and shall be kept in such safe and convenient manner as to be open at all times to the inspection of such school officers, school patrons, and school teachers as may desire to examine and compare the same for the purpose of use in the public schools.

Sec. 15. No school officer or teacher in the public schools of this State shall, directly or indirectly, act as agent or representative of any person, firm or corporation for the introduction or sale of any school books or supplies to any school district in this State. A violation of the provisions of this section is hereby declared to be a misdemeanor, and shall be punished accordingly.

Sec. 16. Independent school districts having a population of more than four thousand inhabitants are hereby declared to be exempted from the provisions of this act as to county uniformity, nor shall the electors therein vote upon the question of county uniformity at the election provided for in section 1 hereof. But said districts may avail themselves of the remaining provisions of this act.

Sec. 17. All acts or parts of acts inconsistent or in conflict herewith are hereby repealed.

Sec. 18. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, daily newspapers published in Des Moines, Iowa.

The question being, shall the bill be read a third time to-morrow, it was so ordered.

On motion the vote by which the bill was ordered to a third reading to-morrow was reconsidered.

Senator Harsh moved that the rule be suspended, and the bill be read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Gatch,

Groneweg, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, Mattoon, McCoy, Meservey, Mills, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Weber, Wolfe, Woolson and Young—36.

The nays were:

Senators Finn, MoVay, Poyneer, Vale and Weidman—5.

Absent or not voting:

Senators Barnett, Caldwell, Cassatt, Funk, Garlock, Hanchett, Lawrence, Parrott and Price—9.

So the rule was suspended and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kegler, Kelly, Kent, Knight, McCoy, Meservey, Mills, Reiniger, Schmidt, Seeds, Smith, Sweney, Taylor, Vale, Weber, Wolfe, Woolson and Young—37.

The nays were:

Senators Finn, MoVay, Parrott, Poyneer, Price and Weidman—5.

Absent or not voting:

Senators Caldwell, Cassatt, Deal, Funk, Garlock, Lawrence and Mattoon—7.

Senator Harsh moved to amend the title by substituting the following: "A bill for an act empowering the directors of school districts, townships and independent school districts to buy school books and school supplies at lowest wholesale or contract prices, and furnish same to pupils at cost or free of charge."

Adopted.

So the bill passed and the title as amended, was agreed to.

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 379, an act relating to the construction of sewers in cities having a population of more than 30,000 according to the census of 1885, supplementary to chapter 126 of the acts of the Seventeenth General Assembly, entitled an act to authorize cities of the first class containing, according to any legal authorized census or enumeration, a population of over 30,000, to provide for the construction of sewers; additional to Code, chapter 10, title 4, concerning cities and towns, and to repeal chapter 166 of the acts of the Twenty-first General Assembly, relating to the construction of sewers.

House File No. 591, an act to authorize incorporated towns to refund outstanding bonded debt.

House File No. 141, an act making appropriations for the State normal school at Cedar Falls.

House File No. 527, an act making an appropriation for the purpose of procuring a water supply for the normal school at Cedar Falls.

House File No. 24, an act to establish a uniform system of weighing coal at the mines of this State and to provide certain regulations connected therewith.

House File No. 30, an act to amend chapter 154, laws of the Eighteenth General Assembly, regulating the good time of prisoners in our penitentiaries.

House File No. 40, an act granting additional powers to cities organized under special charters, with reference to the improvements of highways, streets, avenues or alleys, and to provide a system of payment therefor.

House File No. 534, an act to legalize the acknowledgments of conveyances by power of attorney made by Hazen Wilson, attorney in fact for Jas. Webster.

House File No. 571, an act to amend chapter 193, of laws of Twentieth General Assembly, in relation to the management and investment of the endowment fund of the Iowa Agricultural College.

House File No. 395, an act to repeal section 9, of chapter 116, of the Twenty-first General Assembly, and to enact a substitute in lieu thereof.

House File No. 92, an act to apportion the State into representative districts and declaring the ratio of representation.

Senate File No. 266, an act for the support of the Soldiers' Home at Marshalltown, Iowa.

Senate File No. 298, an act to appropriate funds to carry on the work at the penitentiary at Anamosa, and for other purposes connected therewith.

Senate File No. 410, an act to authorize the Trustees of the Hospital for the Insane at Clarinda to employ a superintendent and subordinate force to carry on said hospital and farm connected therewith and to appropriate \$6,000 to pay for the same.

Senate File No. 424, an act to amend section 1, chapter 63, acts of the Twenty-first General Assembly, relative to the maintenance of fish dams across the outlets of meandered lakes.

Senate File No. 123, an act making appropriations for the better support of the State University and the several departments and chairs, and in aid of the income fund and for the development of the institution.

House File No. 336, an act making an appropriation for the State Fish Commission.

Senate File No. 402, an act to empower cities of the first class, organized as such since January 1, 1885, to levy taxes, additional to section 461, Code.

Senate File No. 423, an act to legalize the action of certain independent school districts.

Senate File No. 148, an act to repeal chapter 59, of the Seventeenth General Assembly, in relation to taxation of telephone and telegraph lines, and to enact the following in lieu thereof.

JNO. K. DEAL, *Chairman.*

Senator Deal, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

House File No. 346, an act making appropriations for the Iowa Agricultural College.

House File No. 360, an act to amend title 12, chapter 1 of the Code, providing for the traveling expenses of the Superintendent of Public Instruction.

House File No. 149, an act authorizing the trustees of the Iowa Hospital for the Insane at Independence to purchase 180 acres of land adjoining the lands now owned by the State.

House File No. 626, an act making appropriation for the hospital for the insane at Clarinda.

House File No. 397, an act granting additional power to certain cities of the first class and to cities organized under special charters and cities of the second class having over 7000 inhabitants.

House File No. 259, an act to amend section 1365 of the Code, relating to the support of the poor.

House File No. 547, an act to legalize the acts and ordinances of Stuart in Guthrie and Adair counties, Iowa.

House File No. 527, an act making an appropriation for the purpose of procuring a water supply for the normal school at Cedar Falls.

House File No. 545, an act to organize and manage the department for the criminal insane at the penitentiary at Anamosa, and to fix the compensation of the officers.

House File No., substitute for 501, an act to provide for and regulate the sale of intoxicating liquors for necessary purposes; and to make more efficient the laws for the suppression of intemperance; and to repeal sections 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as amended by chapter 143 of the acts of the Twentieth General Assembly, and all that part of section two (2) chapter eighty-three (83) acts of the Twenty-first General Assembly after the words "medicines and poisons" in the fifth line thereof, and to amend sections one (1) and four (4), chapter seventy five (75) of the acts of the Eighteenth General Assembly, and to provide penalties and proceedings for violations of the provisions thereof.

House File No. 605, an act to release certain penalties for failure to make and file reports of sales of intoxicating liquors by holders of permits within the time required by law and to dismiss suits.

House File No. 53, an act making an appropriation for the College for the Blind at Vinton.

House File No. 443, an act making appropriations for the Iowa Industrial School at Mitchellville.

Senate File No. 317, an act supplemental to chapter 143 of the acts of the Twentieth General Assembly, and chapter 66 of the acts of the Twenty-first General Assembly relating to the sale of intoxicating liquors, and abatement of nuisances.

Senate File No. 194, an act to provide for the greater safety of passengers on board all sail or steam boats on the inland waters of the State of Iowa.

Senate File No. 96, an act making an appropriation for the Hospital for the Insane at Independence.

Senate File No. 166, an act making appropriations for the Iowa Industrial School, boys department, at Eldora, Iowa.

Senate File No. 218, an act granting additional powers to certain cities of the first class in the construction of sewers, and to provide

for the payment of the costs of the same, and to repeal a part of section 10, chapter 25 of the acts of the Twentieth General Assembly.

Senate File No. 138, an act making an appropriation for the Institution for the Deaf and Dumb at Council Bluffs.

Senate File No. 258, an act to amend section 1, chapter 137 of the laws of the Nineteenth General Assembly relating to registered pharmacists.

Senate File No. 152, an act to appropriate funds to furnish buildings and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Senate File No. 56, an act to amend sections 4413 and 4414 of the Code of Iowa relating to peremptory challenges of jurors in criminal cases.

Senate File No. 405, an act to amend section 6, chapter 104, acts of the Twentieth General Assembly to regulate the practice of medicine and surgery.

Senate File No. 176, an act providing for contesting the election of presidential electors additional to chapter 6, title 5 of the Code of 1873.

Senate File No. 357, an act legalizing certain proceedings of the board of supervisors of Jasper county, Iowa.

Senate File No. 407, an act to provide for the support of the family of insane persons out of their estate, and to amend section 2276 of the Code.

Senate File No. 290, an act to provide for the levy of one-half $\frac{1}{2}$ mill State tax for the years 1888 and 1889 to pay the outstanding indebtedness of the State.

Senate File No. 265, an act making appropriations for the Soldiers' Home at Marshalltown.

Senate File No. 390, an act to amend section 3, of chapter 186 of the Twentieth General Assembly, in relation to drains, ditches, etc.

JNO. K. DEAL, *Chairman*.

Senator Reiniger moved that the Senate take up and read a third time substitute for House File No. 67, a bill for an act to prohibit the selling, giving or furnishing tobacco in any of its forms to minors under the age of sixteen years.

Lost.

HOUSE MESSAGES.

On motion of Senator Gatch House messages were taken up.

House File No. 630, a bill for an act to provide for the appointment of a commission to examine and report to the Twenty-third General Assembly with reference to the employment of the blind people within this State.

Read first and second times.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, DES MOINES, April 10, 1888.

MR. PRESIDENT—I am directed by the Governor to report that he

has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 268, an act to repeal chapter 188, laws of the Twentieth (20th) General Assembly, and to enact a substitute therefor relating to drainage.

Senate File, No. 320, an act to repeal section 1693 of the Code, and enact a substitute therefor, relating to the appointment of trustees of the Soldiers' Orphans' Home and Home for Destitute Children at Davenport Iowa.

Senate File No. 359, an act designating officers who may take acknowledgments of conveyances of real estate and encumbrances affecting the same, and amending section 1955 of the Code.

Senate File No. 367, an act to amend sections 8, 9, 10 and 14, chapter 21, acts of the Twentieth General Assembly of the State of Iowa.

Senate File No. 422, an act to prevent persons from unlawfully using or wearing the emblems and badges of the Grand Army of the Republic or of the Military Order of the Loyal Legion of the United States.

Senate File No. 288, an act to amend section 471 of the Code of 1873, relating to the power of establishing water-works by cities and towns and making the powers granted in sections 472, 473, 474 and 475 of the Code of 1873 applicable to establishment of gas-works or electric light plants, and providing for the payment for the same by the issuing of bonds.

Senate File No. 47, an act to punish and prevent fraud in the sale of grain, seeds and other cereals.

FRED'K W. HOSSFELD, *Private Secretary.*

The Senate resumed consideration of House File No. 630.

Senator Gatch moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?"

The yeas were:

Senators Clark, Converse, Davidson, Deal, Doud, Dungan, Garlock, Gatch, Hanchett, Harsh, Kelly, Knight, McCoy, McVay, Mille, Parrott, Poyneer, Reiniger, Schmidt, Smith, Sweney, Vale, Weidman, Wolfe, Woolson and Young—26.

The nays were:

Senators Barnett, Bills, Bolter, Brower, Chesebro, Dodge, Dooley, Finn, Funk, Groneweg, Hutchison, Kegler, Meservey, Price, Seeds, Taylor and Weber—17.

Absent or not voting:

Senators Barrett, Bayless, Caldwell, Cassatt, Kent, Lawrence and Mattoon—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that

the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 631, a bill for an act to make appropriation for finishing the capitol.

Also, the House has passed the following Senate bills:

Senate File No. 389, a bill for an act to amend chapter 92, laws of the Seventeenth General Assembly and fix the per diem and expenses of trustees of State institutions, members of visiting committees to hospital for the insane and regents of the State University.

Senate File No. 425, a bill for an act entitled an act to appropriate and make disposition of moneys which may come into the State treasury in pursuance to an act of Congress refunding to this State the amount paid to the general government under the direct tax act approved August 5, 1861.

Also, that the House has concurred in Senate amendments to House File No. 10.

D. C. KOLP, *Chief Clerk.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 600, a bill for an act to provide for the transportation of convicts confined in the penitentiaries of this State from one penitentiary to the other.

D. C. KOLP, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Committee on Appropriations, Senate File No. 427, a bill for an act making an appropriation to the Iowa State Agricultural Society for making permanent improvements on the State fair grounds.

Read first and second times.

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

On the question, shall the bill pass?

The yeas were:

Senators Barnett, Barrett, Bills, Clark, Converse, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Hutchinson, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Reiniger, Seeds, Smith, Sweney, Taylor, Yale, Weber, Weidman, Woolson and Young—32.

The nays were:

Senators Bayless, Bolter, Brower, Chesebro, Davidson, Garlock, Groneweg, Kegler, Kelly, Mattoon, Price and Schmidt—12.

Absent or not voting:

Senators Caldwell, Cassatt, Kent, Knight, Lawrence and Wolfe—6.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill:

Substitute for Senate File No. 180, a bill for an act to amend section 5, chapter 70, of the laws of the Twentieth General Assembly, extending the time for filing claims for damages for domestic animals killed or injured by dogs.

Senate File No. 364, a bill for an act to amend section 4063 of the Code, for the better protection of the song birds of the State, etc.

D. C. KOLP, *Chief Clerk*.

Senator Poyneer in the chair.

INTRODUCTION OF BILLS.

By Committee on Appropriations, Senate File No. 428, bill for an act making appropriation for the Iowa State Agricultural College out of money which may be refunded to the State of Iowa by the General Government, on account of the direct tax act approved by congress, August 5, 1861.

Read first and second times.

Senator Reiniger offered the following amendment:

Amend by adding, Provided that this amount shall be paid only from any balance remaining after subtracting the amount due the school fund from the sum that may be received.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 628.

D. C. KOLP, *Chief Clerk*.

Senator Young from committee on sifting bills submitted the following report:

MR. PRESIDENT—Your committee on siftings bills beg leave to report that they have considered the bills on the files of the Senate, and have instructed me to report the accompanying schedule of bills as those of the first class, to be considered immediately following those submitted in report No. 3.

House File No. 198, Calendar No. 37.

Senate File No. 70, Calendar No. 41.

Senate File No. 321, Calendar No. 46.

Senate File No. 315, Calendar No. 307.

Senate File No. 370, Calendar No. 282.

House File No. 148, Calendar No. 263.

Senate File No. 375, Calendar No. 264.

Senate File No. 387, Calendar No. 270.

Senate File No. 200, Calendar No. 251.

Senate File No. 404, Calendar No. 273.

Senate File No. 425, Calendar No. 289.
House File No. 273, Calendar No. 198.
Senate File No. 294, Calendar No. 169.
Senate File No. 165, Calendar No. 130.
House File No. 27, Calendar No. 52.
Senate File No. 112, Calendar No. 54.
Senate File No. 98, Calendar No. 58.
Senate File No. 202, Calendar No. 43.
Senate File No. 324, Calendar No. 49.
Senate File No. 247, Calendar No. 36.
Senate File No. 44, Calendar No. 34.
Senate File No. 145, Calendar No. 26.
Senate File No. 3, Calendar No. 24.

L. YOUNG, *Chairman.*

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day examined:

Senate File No. 148, an act to repeal chapter 59 of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines and to enact the following in lieu thereof.

Senate File No. 124, an act making appropriations for the Institution for Feeble Minded Children.

Senate File No. 391, an act to amend chapter 150, laws of the Eighteenth General Assembly, relating to the publication and distribution of school laws.

House File No. 6, an act to regulate the manner of issuing or paying city warrants in cities of the first and second class and cities organized under special charters.

House File No. 37, an act for the protection of discharged employes and to prevent blacklisting.

House File substitute for No. 81, an act to legalize the incorporation of the town of Audubon in Audubon county, Iowa, and to legalize the official acts of the officers of said town, to legalize the ordinances of said town, and to legalize the assessments and taxes levied.

House File substitute for No. 304, an act making appropriations for Benedict Home.

House File No. 517, an act to repeal sections 2, 3, 5, 6, 10, 11 and 12 of chapter 168, acts Twenty-first General Assembly, and enacting a substitute therefor, relative to making contracts by cities of the first class, containing a population of over 30,000, for paving and curbing streets and constructing sewers, and making and collecting assessments, and issuance of bonds or certificates to pay for the same.

House File No. 627, an act to legalize the proceedings of the town council of Maxwell, Story county, Iowa.

Senate File No. 12, an act for the relief of Wm. H. Birkhead of

Des Moines county, son of John A. Birkhead, late private in Co. H, 1st Iowa Cavalry.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 148, an act to repeal chapter 59 of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines and to enact the following in lieu thereof.

Senate File No. 391, an act to amend chapter 150, laws of the Eighteenth General Assembly, relating to the publication and distribution of school laws.

Senate File No. 124, an act making appropriations for the Institution for Feeble Minded Children.

House File No. 6, an act to regulate the manner of issuing or paying city warrants in cities of the first and second class and cities organized under special charters.

House File No. 37, an act for the protection of discharged employes and to prevent black-listing.

House File substitute for No. 81, an act to legalize the incorporation of the town of Audubon, in Audubon county, Iowa, and to legalize the official acts of the officers of said town, to legalize the ordinances of said town, and to legalize the assessment and taxes levied.

House File substitute for No. 304, an act making appropriations for Benedict Home.

House File No. 517, an act to repeal sections 2, 3, 5, 6, 10, 11 and 12 of chapter 138, acts of Twenty-first General Assembly, and enacting a substitute therefor, relative to making contracts by cities of the first class containing a population of over 30,000, for paving and curbing streets and constructing sewers and making and collecting assessments, and issuance of bonds and certificates to pay for the same.

House File No. 627, an act to legalize the proceedings of the town council of Maxwell, Story county, Iowa.

Senate File No. 12, an act for the relief of Wm. H. Birkhead, of Des Moines county, son of John A. Birkhead, late private in Co. H, First Iowa Cavalry.

JNO. K. DEAL, *Chairman*

The consideration of Senate File No. 428 was resumed.

Senator Clark moved the previous question, which was seconded, and the main question was ordered.

The question being on the adoption of the amendment of Senator Reiniger, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Dooley, Doud, Dungan, Finn, Funk, Garlock, Groneweg, Harsh,

Hutchison, Knight, McVay, Meservey, Parrott, Reiniger, Seeds, Sweeney, Taylor, Weber, Weidman and Woolson—27.

The nays were:

Senators Clark, Converse, Davidson, Deal, Gatch, Hanchett, Kelly, McCoy, Mills, Poyneer, Price, Smith, Vale, Wolfe and Young—15.

Absent or not voting:

Senators Caldwell, Cassatt, Dodge, Kegler, Kent, Lawrence, Mattoon and Schmidt—8.

So the amendment was adopted.

On the question, shall the bill be engrossed and read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Bills, Brower, Clark, Converse, Davidson, Deal, Dodge, Dooley, Dungan, Finn, Funk, Gatch, Hanchett, Hutchison, Kelly, Knight, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman and Woolson—30.

The nays were:

Senators Bayless, Bolter, Chesebro, Garlock, Groneweg, and Schmidt—6.

Absent or not voting:

Senators Barnett, Barrett, Caldwell, Cassatt, Doud, Harsh, Kegler, Kent, Lawrence, Mattoon, McCoy, Parrott, Wolfe, and Young—14.

So the bill was ordered engrossed and read a third time to-morrow.

Senator Gatch moved to reconsider the vote by which the bill was ordered to a third reading to-morrow.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Brower, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kelly, Knight, McCoy, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—34.

The nays were:

Senators Barnett, Bayless, Bolter, Chesebro, Finn, Garlock, Groneweg and Kent—8.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Kegler, Lawrence, Mattoon, Parrott and Schmidt—8.

So the motion to reconsider was adopted.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed, and read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bills, Brower, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kelly, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweeney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—36.

The nays were:

Senators Barnett, Bayless, Bolter, Chesebro, Garlock, Groneweg, Kent and Schmidt—8.

Absent or not voting:

Senators Caldwell, Cassatt, Finn, Kegler, Lawrence and Mattoon—6.

So the motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?"

The yeas were:

Senators Barrett, Bills, Brower, Chesebro, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kelly, Knight, McCoy, McVay, Meservey, Mills, Parrott, Poyneer, Price, Reiniger, Seeds, Smith, Sweney, Taylor, Vale, Weber, Weidman, Wolfe, Woolson and Young—37.

The nays were:

Senators Barnett, Bolter, Garlock, Groneweg, Kent and Schmidt—6.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Finn, Kegler, Lawrence and Mattoon—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 124, 391, 12, 148.

House Files Nos. 528, 624, 629, 376.

D. C. KOLF, *Chief Clerk*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill:

Senate File No. 427, a bill for an act making an appropriation to the Iowa State Agricultural Society for making permanent improvements on the State Fair grounds.

D. C. KOLF, *Chief Clerk*.

RESOLUTION.

Senator Young, from the Committee on Rules, submitted the following resolution, unanimously reported from that committee.

Resolved, That the first and second assistant secretaries of the Senate, are hereby directed and authorized to remain on duty with reference to completing the reprinting of the Senate journal, as heretofore ordered by the Senate, and the printing of that portion of journal not printed at time of final adjournment for a period of ten days, and that the president of the Senate certify to said secretaries the present per diem of said secretaries for said ten days in full of said services of said secretaries in the work as above provided.

Adopted.

On motion of Senator Gatch House File No. 631, a bill for an act to make appropriations for finishing the capitol was taken up and considered.

Senator Brower offered the following amendment:

Section 2. There is further appropriated the sum of \$5,000, or so much thereof as may be necessary to be expended under the direction of the executive council in preparing a site and foundation in the capitol grounds for the erection of a monument for the purpose of perpetuating an expression on the part of the people of the State of Iowa of their appreciation of the patriotism, courage and distinguished soldierly bearing of their fellow citizens as manifested during the recent war of the rebellion, and the Governor of the State, James Harlan, Samuel J. Kirkwood, Geo. G. Wright, Edward Johnson and D. N. Richardson are hereby appointed a commission with authority to advertise for and examine plans for such monument, and to report to the next General Assembly upon the plans submitted.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Brower, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Funk, Gatch, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—89.

The nays were:

Senators Bolter, Chesebro, Groneweg and Price—4.

Absent or not voting:

Senators Caldwell, Cassatt, Finn, Garlock, Kegler, Taylor and Poyneer—7.

So the amendment was adopted.

Senator Seeds moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The yeas were:

Senators Barnett, Barrett, Bills, Brower, Clark, Converse, Davidson, Deal, Dodge, Dooley, Doud, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Hutchison, Kelly, Kent, Knight, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Seeds, Smith, Sweney, Vale, Weber, Weidman, Wolfe, Woolson and Young—41.

The nays were none.

Absent or not voting:

Senators Bayless, Bolter, Caldwell, Cassatt, Chesebro, Garlock, Kegler, Poyneer and Taylor—9.

Title amended by adding "and with reference to soldiers monuments."

So the bill passed and the title as amended was agreed to.

REPORTS OF STANDING COMMITTEES.

By consent, Senator Converse from the Committee on Claims, submitted the following reports:

MR. PRESIDENT—Your Committee on Claims to whom was refer-

red Senate File No. 164, a bill for an act for the relief of Jehn Haidiene of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that a House File covering the same subject has been favorably reported.

S. A. CONVERSE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims to whom was referred Senate File No. 243, a bill for an act appropriating three thousand dollars to reimburse Dr. C. T. Lindley for loss of collection of natural history at the burning of the main building of the Orphans' Home at Davenport, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation, for the reason that not sufficient evidence was before the committee to enable them to come to a decision.

S. A. CONVERSE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims to whom was referred Senate File No. 201, a bill for an act to provide for reimbursing the publishers of "Iowa Resources and Industries," distributed at the World's Fair in 1885, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation, for the reason that not enough evidence was before the committee to enable them to form a decision.

S. A. CONVERSE, *Chairman.*

Ordered passed on file.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 344, a bill for an act to appropriate money to assist the defendants in the driven well suits to pay expenses of the defense, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

C. H. GATCH, *Chairman.*

Ordered passed on file.

On motion of Senator Young, House concurrent resolution relative to investigation of the State University was taken up and considered.

Senator Weber moved to amend by adding the following proviso: "Provided, that the expense of this investigation shall not cause an expense of over one thousand dollars."

Lost.

The question recurring on the resolution it was adopted.

Senator Finn moved that the Senate take up bills on third reading.

Lost.

REPORT OF SIFTING COMMITTEE.

Senator Young, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your special committee, to whom was referred the bills pending before the Senate, beg leave to submit their final report, returning to the custody of the Senate all bills heretofore referred to this committee, and not heretofore specifically reported to the Senate; there being no time for their consideration, nor necessity for arranging calendar work for the Senate.

L. YOUNG, *Chairman*.

Senator Clark moved that the Senate take up for consideration Senate File No. 35, a bill for an act for the punishment of pools, trusts and conspiracies and as to evidence in such cases, with House amendments.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Bayless, Bolter, Brower, Clark, Converse, Davidson, Dodge, Dooley, Doud, Dungan, Finn, Funk, Garlock, Harsh, Kelly, Knight, Mattoon, McVay, Meservey, Reiniger, Seeds, Sweney, Taylor, Weidman and Young—27.

The nays were

Senators Hutchison, McCoy, Mills, Parrott, Price and Schmidt—6.

Absent or not voting:

Senators Bills, Caldwell, Cassatt, Chesebro, Deal, Gatch, Groneweg, Hanchett, Kessler, Kent, Lawrence, Poyneer, Smith, Vale, Weber, Wolfe and Woolson—17.

So the bill was taken up.

Pending the consideration of the bill Senator Bayless offered the following resolution:

Resolved, That the thanks of the Senate are hereby extended to Lieutenant-Governor John A. T. Hull for his able, impartial and courteous administration of the duties of President of the Senate. Wherever his future lot may be cast and in whatever field his labors shall be given the warmest wishes and most hearty desire of the members of this Senate will attend him for the fullest measure of success, happiness and prosperity.

Adopted unanimously by a rising vote.

The question being on concurrence in House amendments to Senate File No. 35.

The yeas were:

Senators Barnett, Barrett, Bayless, Bills, Bolter, Brower, Chesebro, Clark, Converse, Dodge, Dooley, Dungan, Finn, Funk, Garlock, Harsh, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Poyneer, Price, Reiniger, Seeds, Sweney, Taylor, Vale, Weber, Weidman, Wolfe and Young—34.

The nays were:

Senator Doud—1.

Absent or not voting:

Senators Caldwell, Cassatt, Davidson, Deal, Gatch, Groneweg, Han-

chett, Hutchison, Kegler, Knight, McCoy, Parrott, Schmidt, Smith and Woolson—15.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 180, 389, 364, 425 and 427.

Also, the Speaker has appointed on the part of the House to investigate State University, Messrs. Wilbur, Hotchkiss and McFarland.

The House has also concurred in Senate amendment to House File No. 631.

D. C. KOLP, *Chief Clerk*.

REPORT OF COMMITTEE.

Senator Deal, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 364, an act to amend section 4063 of the Code and fix a penalty for violation thereof and defining duty of peace officers in relation to offenses against public policy in such way as to provide further protection for the song birds and birds of beautiful plumage in this State.

Senate File No. 389, an act to amend chapter 92, of the laws of the Seventeenth General Assembly, and fix the per diem and expenses of trustees of State institutions and members of visiting committees to the hospital for the insane and regents of the University.

Senate File No. 425, an act entitled an act to appropriate and make dispositions of moneys which may come into the State Treasury in pursuance to an act of Congress refunding to the State the amount paid to the General Government under the direct tax approved August 5, 1861.

Senate File No. 130, an act to amend section 5 of chapter 70 of the laws of the Twentieth General Assembly, extending the time of filing claims for damages for domestic animals killed or injured by dogs and providing how such claims shall be established.

House File No. 376, an act to punish bribe taking by State, county, township, city, school, or other municipal officers and to punish bribery or the attempt to bribe or conspiracy to bribe said officers.

House File No. 624, an act making appropriation to help discharged convicts to an honest life.

House File substitute for 528, an act making an appropriation for the State Library.

House File No. 629, an act making appropriations for the State officers and other bills and expenses.

Senate File No. 427, an act making an appropriation to the Iowa State Agricultural Society for making permanent improvements on the State fair grounds.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 364, an act to amend section 4063 of the Code and fix a penalty for violation thereof, and defining duty of peace officers in relation to offenses against public policy in such way as to provide further protection for the song birds and birds of beautiful plumage in this State.

Senate File No. 389, an act to amend chapter 92 laws of the Seventeenth General Assembly and fix the per diem and expenses of trustees of State institutions, members of visiting committees to the Hospitals for the Insane and Regents of the University.

Senate File No. 425, an act entitled an act to appropriate and make dispositions of moneys which may come into the State treasury in pursuance to an act of Congress refunding to the State the amount paid to the general government under the direct tax approved August 5, 1861.

Senate File No. 130, an act to amend section 5 of chapter 70, of the laws of the Twentieth General Assembly, extending the time of filing claims for damages for domestic animals killed or injured by dogs, and providing how such claims shall be established.

Senate File No. 427, an act making an appropriation to the Iowa State Agricultural Society for making permanent improvements on the State fair grounds.

JNO. K. DEAL, *Chairman*.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I herewith present for your signature the following bills, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House Files Nos. 10, 625, 630.

D. C. KOLP, *Chief Clerk*.

Senator Bolter moved that no further bills be taken up and considered.

Carried.

CONCURRENT RESOLUTION.

Senator Woolson offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That a committee on the part of the Senate be appointed to act with a like committee on the part of the House, to inform the Governor that the General As-

sembly is now ready to adjourn and ascertain if he has anything farther to communicate.

Adopted.

The chair announced Senators Meservey and Dodge as a committee on the part of the Senate to investigate the State University.

Senator Woolson offered the following resolution:

Resolved, That the thanks of this Senate are extended to Hon. A. N. Poyneer for the satisfactory and impartial manner in which he has performed the duties of President *pro tem.* of the Senate.

Adopted unanimously.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate concurrent resolution, relative to notifying the Governor that the General Assembly is ready to adjourn, and the Speaker has appointed on the part of the House Messrs. Smith, Berryhill and Dobson.

D. C. KOLP, *Chief Clerk.*

President Hull appointed Senators Woolson, Knight and Poyneer as a committee on the part of the Senate to inform the Governor that the Twenty-second General Assembly was ready to adjourn.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House.

House File No. 831.

D. C. KOLP, *Chief Clerk.*

Lieutenant-Governor Hull addressed the Senate substantially as follows:

SENATORS—As the session is nearing the hour for adjournment without day, I feel impelled to say a few words expressive of my obligations to the members of this body. A large part of my public life has been passed with the Iowa Senate. The first civil office I ever held was when, shortly after the late civil war, I was elected to a clerkship in this body. During all the sessions I served at the desk as Secretary, I was treated with that courtesy and fairness and generosity which only comes from high-minded, honorable gentlemen. My service there made the Senate seem like home, and Senators like kinsmen and friends. Since I have been called upon to preside over your deliberations, both in the Twenty-first and present General Assemblies, I have had constant reminders of the superior quality of the men who occupy seats in this chamber.

In the heat of debate, in the contention of party, the courtesies of life, the proprieties of the Senate have at all times been observed. In the administration of my office I have at all times aimed to be im-

partial and just to both parties and all interests. Believing that he serves the people best who recognizes the right of all to a fair hearing and candid consideration, I aimed to so form the committees in the beginning as to insure legislation beneficial to the State as a whole, with all interests represented and all rights considered. Your work is done. I believe well done. I fully believe that when the calming influence of time has allayed the passions of to-day, and demonstrated the actual effect of your laws, the people will all recognize the value of your work in this session. While conservative in general work, you have been more radical in many measures than any previous Iowa Senate.

During the weeks and months of your sessions, I have made mistakes—who would not? In the heated conflicts, which come to all legislative bodies, I have been arbitrary in enforcing the rules and trying to confine debate to legitimate channels. In all such cases you Senators, have sustained the chair with such courtesy, such forbearance as to make me your debtor forever. There are times in our lives when words are powerless to express the deeper emotions of the soul. This is such a time to me. Looking back our twenty years of my life nearly all passed as an officer of the Senate—looking forward but a few minutes to the time when the gavel will fall for the last time on this Senate, brings up memories of many noble men, recalls obligations which can never be discharged, overwhelms me with a sense of impotence in expressing my high regard for you and your predecessors. When I lay down the gavel to-day, I feel that it will be forever. When I declare this Senate adjourned without day a chapter of my life and yours will be closed forever. We go hence without the possibility of ever being the same in the future. Time will call some of us hence—other interests and pursuits will claim our attention and when the Senate of the Twenty third General Assembly convenes strange faces will surely front the desk from many of the seats. If I have so borne myself that whenever I meet one of you, Senators, I can meet a friend, I am satisfied. This I know, that each of you have so acted as to have in me a friend. Wherever you may go, whatever honorable pursuits may engage your efforts you have my heartiest sympathy and good wishes. May that God who rules over Nations and individuals continue his protecting care over our commonwealth and hold us all in his keeping forever.

Senator Young Spoke as follows:

MR. PRESIDENT—Though uncommissioned to respond, I feel like saying that the generous compliments of the Lieutenant-Governor to the Senate, should not go without some recognition from this body over which he has so ably presided during the session now closing. I know that every Senator holds our presiding officer in the highest esteem, and that we all part as friends. This Senate is composed of able, honest, earnest men, who have in good conscience done what seemed to them to be right. There have been disagreements, but disagreements bring out the merits of all proposed legislation. If all agreed at the start there would be many hasty, unwise laws made. Proposed laws that will not stand discussion ought not to pass. We return to our homes to be criticised and censured; but many of those who shall criticise would not do so if they had been here during all

our sittings, and had thought of our duties in the light of one having responsibilities to discharge. General Assemblies never do all that is expected of them and never will. It is said after every General Assembly has adjourned that it did nothing, yet Iowa has had good laws, and the State is the grandest in the Union. Our critics are too severe sometimes. But others will take our places in this body; other disappointments will be felt, and other critics will hold our successors up as being unworthy of the honorable places they have been chosen to fill. Their is no basis of action here but to act upon one's own judgment and conscience and leave consequences to care for themselves. In that way have the Senators of the Twenty-second General Assembly met the demands of duty. Upon the work done and that left undone, they ask the considerate judgment of their fellow citizens. It has been fourteen years since I first entered the Iowa Senate, and I must say that I never parted with my associates with more regret than I do to-day. I feel that the friendships I have formed shall last until severed by death. I want to assure every Senator that the hot words of debate are forgotten, and that I feel that every Senator is a brother. I realize that there is no question before the Senate, and that these remarks are technically out of order, but I felt like volunteering some response to the generous mention of the Senate on the part of the presiding officer.

Senator Clark spoke as follows:

MR. PRESIDENT—In response to the remarks made by the President of this Senate, I feel moved to give expression to my own feelings. Evoked by the well chosen and appropriate words to which we have just listened, a thousand emotions have rushed in upon my mind and heart, and the unbidden tear has fallen. The farewell words of our President at this moment falls upon hearts ready to respond. It has been with pleasure that we have accorded respectful courtesy to his rulings, and with good grace we have submitted to his authority, and we all feel glad to know that we shall separate as friends. I do not believe, however, that his career is ended, nor that he will lay down his career in connection with this Iowa Senate with the last stroke of his gavel. A man's political and moral life are both everlasting, and what we do in the brief and limited span of our existence here will be projected into the future and become factors in the solution of the problems of an exalted and enlightened civilization. I think too, that the horizon of this life will not mark the end of our career. All our life and all our work should tend to the uplifting of mankind. To the creation of a higher sphere in which the immortal, mental and spiritual life of man may swim forever. I believe in the future life. In our responsibility to the unseen powers toward which we all hasten, I am glad there comes such times as these. The end of a session creates an amnesty at least among the members. The angry disputation ceases and all recognize in each others faces the features of brethren. The great fact of a common humanity comes out into the sun light. We reflect upon the fatherhood of God and the brotherhood of man with unfeigned delight. And when we go out to engage in the affairs of life as we cross each others paths we will one and all join in the sentiment of President Hull that we are in contact with a personal friend. While I thank the Lieutenant-Governor for his

many kindnesses to me and my fellow Senators, I want also to thank the members of this body for their kind and respectful treatment of me. I have served through four sessions with two hundred Senators, and I am glad that out of the depths of my heart I can say I owe no grudge or ill will to any man, and I include the employes of every session. And I feel further grateful that I have the friendship of all, whether Democrats or Republicans. And although engaged in many warm debates, I carry no unhealed wound, and if I have sent any arrow into the breast of any man on the earth I would gladly extract it.

Now, Mr. President and fellow Senators, we are about to part. It is always sad to part with friends, but it is doubly so when we reflect that we shall never meet again on earth. This body will never meet again as now constituted. Many of us will go out to other States. We will separate for all time. Some, alas! before another session, may go out into the other life. I think the sincere and devout prayer of every heart at present is that the evil that we have done may perish and the good become forever faithful. Personally, I go out with the full purpose never to strive for or accept another office. I am not in love with public life. I have tried to serve the State in my term of office to the best of my ability. I lay it down grateful to friends. Thankful to you Mr. President, and you my fellow members, and with no enemies to punish.

REPORT OF COMMITTEE.

The committee to wait on the Governor reported that they had performed that duty, and that the Governor had informed the committee that he had nothing further to communicate to the Twenty-second General Assembly.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following bill, which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate File No. 85.

D. C. KOLP, *Chief Clerk.*

RESOLUTION.

Senator Dodge offered the following resolution:

Resolved, That the thanks of the Senate are hereby extended to the Secretary of the Senate, his assistant secretaries, the engrossing and enrolling clerks, the sergeant-at-arms, door keeper and assistants for the competent, able and satisfactory manner in which they have performed their respective duties; also, to the accredited representatives of the city daily and weekly newspapers, and all correspondents of foreign newspapers for the faithful discharge of their arduous task, and the impartial and splendid reports of the proceedings of this body.

Adopted.

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86, limit liability of State banks, Sweeney	107,	418
87, payment of bank examiners, Sweeney	107, 263, 485,	812
88, prevent stock from running at large, Bolter	107, 810,	623
89, corporations to pay a franchise fee, Gatch	107, 404,	415
90, regulate use and sale of intoxicating liquors, Davidson	107	
91, damages by railways to live stock and by fire, Dungan	108,	486
92, appropriation for State Normal School, Parrott	108,	911
93, existence for protective associations, Vale	108	852
94, exit doors of public buildings, Caldwell	108, 150,	197
95, semi-annual collection of taxes, Kegler	108, 233, 325,	770

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		978, 983, 1004
97, relief of the poor, Kent	108, 224, 327, 329, 506	
98, operation of railroads on the Sabbath, Weber	108, 268, 425, 1009	
99, pertaining to live stock and meat inspection, Smith	108, 248, 328, 368	
100, settlement by arbitration, Barnett	108, 164, 199	
101, relating to physicians, Finn	109, 235, 327, 540	
102, election of Railway Commissioners, Caldwell	115, 317, 458, 667	
103, short-hand reporters to administer oaths, McCoy	116, 281, 301	
104, amend chapter 28, acts Twentieth General Assembly, McCoy	116, 189, 984	
105, amend chapter 211, acts Eighteenth General Assembly, McCoy	116, 178, 226, 325, 327, 355, 407, 414	
106, Railway Commissioners to fix freight and passenger rates, McCoy	116, 452, 771	
107, tax upon occupation of dealing in liquors, Schmidt	116, 282, 285, 818, 835, 857, 883	
108, providing a Board of Railway Commissioners, Deal	116, 317, 458, 667	
109, compensation of deputies, Bayless	116, 311, 730	
110, appropriation for better support of State University, Kegler	116, 909, 917, 969, 974, 984, 999	
111, assessment of railway property, Taylor	116, 415, 633, 866	
112, hours of opening and closing polls, Parrott	116, 413, 1009	
113, marking graves in public cemeteries, Vale	117, 349, 301	
114, appointment of State Dairy Commissioner, Seeds	117, 283, 309, 636, 688, 723, 746, 748	
115, purchase of land, Hospital at Independence, Seeds	117, 911, 926, 944	
116, indebtedness of Orphans' Asylum at Andrew, Kegler	117, 284, 343, 567, 600, 604, 605, 613	
117, compensation for use of election places, Kegler	117, 369, 416	
118, authorize railway companies to lay side-tracks, Converse	117, 117	
119, relating to State Board of Health, McVay	117, 196, 313, 325, 406, 832	
120, provides schools with free text-books, Weber	117, 973	
121, suppression of intemperance, Reiniger	118, 118	
122, mining and screening coal, Young	118, 180, 521, 722, 844	
123, appropriation, penitentiary, Ft. Madison, Kent	118, 912, 920, 968, 984, 993, 1003	
124, appropriation, Institution for Feeble-minded, Weldman	118, 912, 924, 938, 1009, 1010, 1012	
125, providing for free text-books, Reiniger	121, 973	
126, relating to idiotic feeble-minded, Dungan	121, 261, 301	
127, compensation, county auditors, Kelly	121, 310, 415	
128, preserve records, evidence of heirs in certain cases, Vale	121, 939	
129, preserve record, evidence of titles to real estate, Vale	121, 281, 301	
130, domestic animals killed by dogs, Kegler	121, 233, 310, 1008, 1016	
131, election of city officers, Groneweg	121, 179, 326, 812	
132, uniform and cheap text-books, Doud	122, 973	
133, appointment of State Veterinary Surgeon, Poyneer	122, 280, 326, 334, 371	
134, amend chapter, 66, acts Twenty-first General Assembly, Converse	122, 122	
135, supervision of State printing and contracts, Garlock	123, 965	
136, vetoing of city ordinances by mayors, Smith	123, 970	
137, salary of mayors of cities, Smith	123, 684, 773	
138, appropriation, Institution for Deaf and Dumb, Groneweg	123, 910, 919, 952, 978, 985, 1005	
139, relating to capital punishment, Reiniger	124, 280, 803, 819, 856, 907	
140, holding terms of court at Correctionville, Lawrence	124, 569, 773	
141, relating to reports of State officers and institutions, Weber	124, 965	
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143, use of abusive or obscene language, Mattoon	124, 282, 301	
144, publication proceedings board of supervisors, Dodge	124, 282, 331	
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147, appropriation per diem and mileage visiting committee, Hospital for Insane, Seeds	184, 310,	770
148, taxation of telegraph and telephone lines, Kegler	184,	284
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149, council, criminal and civil cases, Gatch	185, 280, 866, 880,	88
150, appointment deputy treasurer, certain cases, Parrott ..	185, 282,	949
151, incorporations other than for pecuniary profit, Schmidt ..	185,	902
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153, establish normal school at Algona, Funk	185, 191, 427, 678, 683,	718
154, maximum charges for telegraph messages, Davidson ..	185, 426,	770
155, hedge fences on railways and lines, Davidson	185, 475,	771
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157, relating to institution for Deaf and Dumb, Clark	188, 262,	330
158, express companies as common carriers, Deal	188, 452,	771
159, exempt homestead of soldiers, McCoy	188,	780
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161, internment, victims of Spirit Lake massacre, Funk	144,	974
162, repeal chapter 9, acts Twentieth General Assembly, Groneweg ..	144	
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164, relief of John Haldene, Meservey	144,	1014
165, protection of ballots at voting places, Chesebro	145,	249
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166, appropriation, Industrial School, boys department, Weber ..	145,	912
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167, municipal franchise to women, Weber	145, 426, 602, 802,	996
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172, prevent sale of tobacco to certain persons, Barrett	145	
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180, commitments to industrial school, Price	154, 281, 301,	928
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182, appropriation, support State library, Knight	154,	873
183, prohibiting lease of convict labor, Knight	154, 563,	773
184, legalize Iowa Title Insurance Trust & Safe Deposit Co., Lawrence ..	154, 753, 798,	986
185, providing for use of railroad tracks in construction, Seeds ..	154,	934
186, preservation of government corners, Funk	154,	914
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188, issue of water work bonds by cities, Parrott	162,	800
189, reduction in price of school text-books, Parrott	162,	973
190, regulate charges of telegraph companies, Mattoon	162, 246,	426
191, construction of viaducts across railways, Gatch	162,	894
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199, relating to pleadings, Barrett	176, 382, 415, 929
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201, appropriation, claim of J. P. Bushnell & Co., Gatch	176, 1014
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205, selection of jurors, Kent	176, 692, 774
206, three terms of court per year, Sweney	177, 261, 301
207, administrators, executors, etc., to clerk of court, McCoy	177, 522
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265, appropriation Soldiers' Home, Mills	269, 925, 955, 978, 986, 1005
266, support of Soldiers' Home, Mills	269, 939, 957, 974, 984, 989, 1003
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268, relating to drainage, Wolfe	269, 531, 693, 912, 928, 946, 949, 959, 1006
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270, erection of soldiers' monument, Finn	269, 474, 479, 717
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278, amend chapter 86, acts Twenty-first General Assembly, Dodge ..	294
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280, encourage scientific researches, Funk	294, 677, 773, 812
281, empower a less number than twelve as jurors, Price	294, 456, 773
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286, recognition of certain normal schools, Meservey	295, 535, 713, 774
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291, printing school text-books by State, Reiniger	314, 973
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299, legalize incorporation town of Panama, Bolter.....	323,	436
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305, extending term of sub-directors of schools, Vale.....	341, 369,	813
306, amend section 1179 of Code, Gatch.....	341, 692,	774
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308, sell and convey island in Mississippi river, Schmidt.....	355, 570,	585
309, relating to costs in trials by jurors, Price.....	355, 562,	773
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320, appointment trustees Orphans' Home, Dungan.....	400,	415
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329, guarantee companies and official bonds, Kelly.....	401,	704
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332, publication proceedings board of supervisors, Hanchett.....	402, 596,	773
333, amend section 204, Code, Hanchett.....	402,	928
334, relating to fire insurance, Reiniger.....	410, 513,	771
335, appointment of park trustees, Knight.....	410,	586
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346, establishment and change of highways, McCoy.....	445,	915
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355, amend section 3844 of Code, Caldwell.....	474, 571, 773,	855
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363, management department criminal insane at Anamosa, McCoy.....	502,	904
364, protection of song birds, Harsh.....	510, 615, 636, 1008, 1016,	1017
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406, trustees, cemetery at Indianola, Barnett.....	731, 748, 767, 784, 787, 802
407, support of families of insane persons, Taylor.....	740, 856
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422, prevent unlawful wearing of certain emblems, Woolson.....	843, 855
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